

## Media coverage

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5:1) 17-MAY-2003 12:36 [John Searight \(searighj\)](#)

Here is the latest commentary from the press, one an article in the NYT and the other an editorial in the Ashbury Park Press.

The DYFS crisis

Published in the Asbury Park Press 5/04/03

An Asbury Park Press editorial

The shocking revelations last week of children in foster care being beaten and sexually molested, even after the abuse became known to New Jersey's child welfare agency, leave the McGreevey administration no choice. The state must agree to independent, outside monitoring of the Division of Youth and Family Services. It must settle the lawsuit brought by a child advocacy agency by overhauling DYFS, far beyond what the \$20 million the governor has added to his budget will pay for.

When children are removed from abusive situations, only to end up in a worse kind of hell, DYFS has failed in its basic duty. There can be no more excuses. Too few foster homes and DYFS workers are chronic problems that have led to unconscionable abuse that can't be dismissed by the agency saying: "We didn't know." Too often, DYFS did know -- and did nothing.

Children's Rights Inc., the New York-based group suing DYFS, wants New Jersey to do a better job of recruiting foster parents and supervising foster homes. Those are tall orders, but clearly other states have done better at it than New Jersey.

To settle the suit, the state should agree to greater public scrutiny of -- and more accountability from -- DYFS. Previous efforts at "reform" could not be judged because the public had to take the word of DYFS officials that progress was being made.

The number of children in foster care has grown by 15 percent to 7,500 since 1999, but the number of foster homes has declined. As a short-term solution, New Jersey may have to consider establishing what years ago were called orphanages -- short-term residential centers. It's hard to imagine how that would be any worse than bouncing children from one inadequate foster home to another.

Gov. McGreevey recognizes that major changes are needed in the state's child welfare system. In addition to increasing the budget, he wants to create a monitor in the Department of Law and Public Safety. But without a total restructuring and commitment of resources, all that would do is produce more horrifying reports more often.

Thousands of foster parents are doing a good job of caring for the child assigned to them. So are the majority of overworked DYFS staffers. Despite these heroic efforts, the system is failing to protect children. If New Jersey is willing to tolerate that, the state has lost its moral compass.

New York Times, May 4, 2003

Foster Care Secrecy Magnifies Suffering in New Jersey Cases

By RICHARD LEZIN JONES and LESLIE KAUFMAN

In New Jersey's poorest urban areas, one out of five children in foster homes winds up physically abused, according to state statistics. Child welfare records show that state social workers juggle a volume of caseloads that is twice the national standard. And in some instances, officials have conceded, children in the state's care have died after flawed investigations of abuse or neglect.

But for many, one of the most serious offenses committed by the state's troubled Division of Youth and Family Services over the years has been its ability to keep the full dimensions of its failings secret — from the parents of children in its care, from lawyers acting on behalf of children who have been raped or killed and from legislators seeking to reform

the agency's practices.

Over the years, court records show, the agency has defied judicial orders to make case files available to families.

Family members say that the agency has repeatedly refused to inform parents of the simplest details of their children's stays in foster care. And the agency's records make clear that it has occasionally violated the state-mandated requirement that it make public its performance records in fatal cases.

Some officials of the Division of Youth and Family Services argue that many of their efforts to keep records secret result from their desire to protect the privacy of the children who have spent time in their care. In fact, they say, state law often expressly forbids them to make many details public.

But others — child welfare experts, lawyers who have fought the state for years and many families — say the agency's culture of secrecy has been at heart a cynical attempt to hide horrors and limit its legal exposure.

"The confidentiality laws were written with good intentions, but they prevent the division from being accountable," said Mary Coogan, a lawyer and the assistant director of the Association for the Children of New Jersey, an advocacy group based in Newark. "It has a negative effect. While not necessarily malicious, it allows inappropriate actions to go unquestioned."

It is not hard to find examples of families who say they have been frustrated, even betrayed, by what they regard as the agency's adamant and sometimes illegal insistence on keeping records secret.

In one instance, after a judge ordered a young girl returned to her father after six years in foster care, the father and daughter continued to be denied access to fundamental information like medical and school records.

Another family fought for four years to hold the agency accountable for the injuries of their 22-month-old granddaughter, who was severely scalded in foster care. Despite repeated court orders, the division never released her complete file.

Many state child welfare agencies are guilty of stretching state confidentiality laws so that they hide institutional defects, said Mark Hardin, head of the Children's Welfare Group at the American Bar Association Center on Children and the Law.

But through a combination of local law and habit, the division has developed a particularly insular and self-protective culture, according to legal experts, independent child welfare groups and even some veteran division workers who say that too much has been buried for too long.

A spokesman for the division, Joseph Delmar, acknowledged that there had been wide misuse of its confidentiality policy.

"The confidentiality laws were created to protect children and families and so that people could make referrals without fear of some kind of retribution," he said. "There is a problem of misinterpreting what confidentiality means. We need to share as much information as we can with our community partners and with our foster parents so we can serve children the best we can."

Mr. Delmar said that the division planned greater openness as part of a sweeping overhaul ordered by Gov. James E. McGreevey. "The issue of accountability is one of the main issues of the retransformation plan," he said.

Yet even within the confines of what is legal, there is much that the division has not, and does not, make available.

Simple policy manuals used by agency workers, detailed statistics on abuse patterns, and decision-making standards are not readily available to the public in New Jersey, children's advocates say.

"We just think case practice should be public," Ms. Coogan said. "How they do their work shouldn't be so secretive."

Federal law demands a public accounting of deaths or near fatalities of children in the state's care. But Mr. Delmar said that since 1998 the agency has not prepared about 60 reports on child fatalities. He said that the division and the state attorney general's office were working together to bring the agency into compliance.

Mr. Delmar attributed the lapses to a high turnover rate among those who prepared the reports and wide misunderstandings about what information must be included in the reports.

Children's advocates in New Jersey say there are other ways the state undermines the ability of families and children to get information.

In New Jersey, nearly 50 percent of children have been placed in foster care voluntarily by their parents. According to an agency spokesman, that number may be high because it includes children of parents who later initiated court action to get them back.

Parents who voluntarily relinquish their children are not entitled to a lawyer, nor are their children. In addition, under such circumstances, the agency is required only to review the case annually. But if parents challenge division custody claims, they are entitled to court reviews, which may occur more frequently.

A Traumatized Child At age 22 months, R. W. (her lawyer requested confidentiality), scarred across large sections of her body, spent 49 days in the hospital recovering from burns she had suffered as a result of her foster mother's negligence. Her grandparents said they thought the state's child welfare agency had to be held accountable and perhaps compensate their permanently disfigured granddaughter.

So they went to court, and the judge agreed that the agency had to answer for itself. Still, it took four years for the agency, despite repeated orders from the judge, to produce the child's case file. And even then it never produced all of the information, asserting that it could not find some of the material.

The fury felt by the grandparents was hardly isolated. Lawyers who have sued the division on behalf of children maimed or injured in its care say that it is a nearly impossible task to gain information, chiefly because the agency refuses to produce the case histories necessary to build a legal liability case.

Sometimes, the lawyers say, the agency argues that confidentiality laws cover almost any document requested. Other times, it simply defies judicial orders to turn over the material. Or it delays doing so for so long that families exhaust their financial resources and give up.

"At every turn it's a battle," said Samuel A. Denburg, a lawyer in Fair Lawn, N.J., who has represented a handful of clients in lawsuits against the child welfare agency. "You have to file motion after motion with the court. Nothing is voluntarily released."

In June 1995, R. W. was first placed with a foster mother. There were numerous reasons that the division should not have put her in this home, records show, including the fact that the agency had approved the home only for children older than 3. Two months later, the child suffered a black eye. Although it found the injury suspicious, the agency left the child in the home.

On Nov. 3, 1995, R. W. was brought to the hospital with severe burns that had occurred four or five days earlier. According to hospital files, the foster mother claimed she had left R. W. alone in the kitchen strapped into a highchair, and a kettle on the gas range sprayed steam and boiling water on her. According to records, a doctor said she had "serious doubts" about that explanation.

The child spent nearly two months in the hospital and was left with large scars across her arms and legs and smaller scars on her torso.

Upon release from the hospital, R. W. went to live with her maternal grandparents. The agency quickly sent the grandparents a letter warning them that talking about their child's experience publicly would violate New Jersey law.

"I believe that letter is a gross mischaracterization of the law," said Charles R. Cohen, "meant to create a chilling effect upon the exercise of free speech by family members related to children who were injured while in foster care."

Mr. Cohen, the lawyer for the child's family, filed a lawsuit against the division in April 1996. The court records show that the division fought even the most mundane requests for information, including copies of its policy manuals and contact information for former employees who were familiar with the case. The discovery process stretched out nearly four years.

The agency "refused to provide virtually anything without a court order," Mr. Cohen said. Even then such orders were often not enough to get prompt action. As late as November 1998, the court records abound with letters from Mr. Cohen pleading with New Jersey's attorney general to get a response from the division.

Even when the agency produced documents, they were often incomplete or edited. Mr. Cohen said that sections of R. W.'s file were provided to him but that pages were missing and that it appeared that records had been modified with entries made after the fact. When he protested, and the court ordered that he be allowed to see originals, the agency's representative testified she could no longer find the documents.

"I spoke with the casework supervisor," the representative wrote in a letter to the court. "She advised me that she searched that office but was unable to locate the file."

Mr. Cohen then added a violation of civil rights charge to his complaint. Such a charge, which falls under federal law, would have exempted him from the state confidentiality law. At that point, the agency settled.

Agency officials said they could not comment extensively on the child's case, in part because they could not easily find her file. But in court papers, the agency argued that it could not be held liable for her injuries, chiefly because "the accident was caused by the negligence of persons and entities over whom" the state "had no control."

Mr. Delmar said that R. W.'s misplaced file could be attributed to the outdated record-keeping system at the agency.

"One of the problems is the antiquated computer system," Mr. Delmar said. "In the past, case files have been lost, which makes it difficult to paint an accurate picture of our involvement with a child."

Hitting a Stone Wall When a Family Court judge allowed David Kwiatkowski to be reunited with his daughter in 2001 after six years and what court papers say were more than two dozen placements in foster care homes and other institutions, Mr. Kwiatkowski asked what to him seemed a simple question: Where exactly had his daughter been all that time?

Mr. Kwiatkowski had known about some placements: the agency's records show that they had been with his own family members. He said that he had occasionally gone to visit her when she had been placed in juvenile treatment centers.

But he said the agency refused to account for long stretches of her journey through the child welfare system.

And that inability to get basic information is what infuriates any number of parents whose children have spent time in the state's care. For instance, Mr. Kwiatkowski, who has moved from New Jersey, said he has had trouble enrolling his daughter in school because he said the agency will not release any records of her schooling while in its care.

"It's like they're hiding something," said Mr. Kwiatkowski, who has now sued the agency.

Some details of his daughter's experience have emerged — cobbled together from court papers and her own recollections. Mr. Kwiatkowski's daughter, in addition to being moved through more than a dozen homes, spent time in a half dozen juvenile centers. During one stay, she said, she was sexually assaulted.

But despite a judge's order that the agency surrender all documents related to Mr. Kwiatkowski's daughter, who wished to be identified by her initials — A. J. K. — for the purposes of his lawsuit, the agency has refused to do so. Mr. Kwiatkowski's lawyers are submitting legal papers this month further urging the release of the documents.

In the suit, Mr. Kwiatkowski accuses the agency of, among other things, taking custody of his daughter without a hearing and improperly placing her in a mental hospital.

Mr. Delmar, the state spokesman, would not comment on the Kwiatkowski case, citing state confidentiality laws and the pending litigation.

Mr. Kwiatkowski conceded that the turbulence of a divorce from his wife might have proved volatile for his daughter. "I'm not perfect," he said.

The agency initially took custody of Mr. Kwiatkowski's daughter in 1995, when she was 8, court records show. Those familiar with the girl's file said that it contained several allegations of abuse and neglect against her parents. Among the allegations contained in court papers were that the girl's mother kicked her and pulled her hair.

Child welfare officials also challenged Mr. Kwiatkowski's custody of his daughter because its background checks turned up an extensive criminal record, according to those familiar with the file.

He rejects the claims of abuse and neglect made against him, and contends that the criminal record the agency found is all a big mistake. He said the list of arrests that the agency found involved his brother, Robert C. Kwiatkowski, who used his identity. David Kwiatkowski had his lawyer prepare an affidavit, which his brother signed, corroborating his claim. Records with the New Jersey Department of Corrections show that Robert Kwiatkowski had used his brother's name as an alias.

Whatever the situation, Judge Ellen L. Koblitz of Family Court dismissed the agency's custody claim.

Although he and his daughter have been reunited, Mr. Kwiatkowski acknowledges that there is still much work to be done.

There are still some parts of her stay with the division that his child has trouble discussing. There is still a father-daughter relationship, splintered by years of separation, that has to be repaired.

"It's like they stole all those years from us," he said. "We lost so much. You can't buy back what we lost."

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### **5:2) 17-MAY-2003 12:41 [John Searight \(searighj\)](#)**

There has been more media coverage of DYFS. Below are two items from the Star Ledger, one an editorial from last week, the other an article from yesterday.

The Star Ledger

DYFS can't stay in denial

Friday, May 02, 2003

The most recent set of horror stories from the state Division of Youth and Family Services graphically highlights what a mess this agency is in.

Pried from its files by court order, these cases include some of the specialized foster homes for kids with medical problems that were supposed to be a showpiece part of DYFS's reform.

Some foster parents left their children dangerously unsupervised. One woman left an 18-month-old toddler with medical and emotional problems in the care of an 8-year-old child. Sick and disabled children were regularly beaten with belt buckles and kicked.

We believe that most foster parents are caring and that many DYFS caseworkers struggle to carry out the agency's mission of rescuing and protecting children. But DYFS can stop pretending it only needs to deal with a few bad drops in an otherwise tranquil sea of social work.

Most of these horrors could not have happened if caseworkers had made the visits and assessments they were supposed to make. Not unless they made them intent on not seeing, hearing or doing anything to upset foster home placements, not unless their supervisors consistently ignored their reports.

DYFS is woefully short of good foster homes. Yet a church group that helped recruit 200 new foster homes for nearly 300 DYFS kids was told in October that it should stop working. DYFS's current reform administration says it has found nothing wrong with the church group and much in its program for DYFS to emulate.

We do not know why DYFS would reject a group that succeeded where its own people had failed. All we know is that DYFS can use all the help it can get.

The most recent flurry of DYFS reform was sparked when the body of a child, Faheem Williams, was discovered in a filthy basement where his two brothers were found locked up, abused and near starvation. DYFS had been warned that the children were in danger, yet the agency shoved their family's file into the closed-case drawer.

It is frightening to realize that the Williams case and other tragedies we have learned of since happened in the midst of what was supposed to be a DYFS reform movement. Under pressure of a suit brought four years ago by Children's Rights, a national advocacy group, the state claimed it was adding caseworkers, creating specialized foster care homes and reshaping the agency. DYFS begged for the right to continue making progress, unfettered by lawsuits and lawyers.

Yet while that progress was said to be happening, Faheem Williams and other children perished or suffered abuse to rival anything delivered in the homes from which they were removed.

Under the McGreevey administration, the state has finally come to its senses and stopped fighting the Children's Rights suit. The state is in mediation, working toward a settlement based on agency reform. Good.

Although the suit was about foster care, the settlement must address DYFS more broadly. It cannot be a mere stipulation to set up bureaucratic rules that concentrate on whether the files are all in order or an agreement to do things that somehow do not get done. This settlement must create a working system that makes what happens to the kids the only test of success or failure and continuously monitors whether the test is being met.

The DYFS reform team McGreevey has installed seems sincere about its intentions to make fundamental changes in this agency. But it pretends that \$20 million in extra funding earmarked for DYFS will do the job. It will not.

With \$20 million, it would be hard to accomplish the state's own to-do list: hire more staff; beef up training and supervision; replace an outdated computer system so the agency can track and monitor cases; create a new public advocate for children, one with the staff and resources to be aggressive and independent. Good luck.

DYFS must recruit more foster homes and keep good ones in the program. It cannot do that unless it provides much more support than it does now. For instance, in several recently released cases, foster parents were cited for leaving foster kids unsupervised. The rules say that cannot happen, not for a moment. Most foster kids require closer supervision than the average family would consider for its own children. It is a necessary rule. It is also an impossible one unless someone provides respite care and baby-sitters trained and licensed just as foster parents are to give foster parents a break when they need one.

Finally, DYFS will never succeed unless the state addresses the drug problems that affect 80 percent or more of the

families it deals with. We need more drug rehabilitation and counseling specifically directed toward parents with young children.

You cannot do all that on \$20 million. The DYFS reformers are loath to admit that fact because the state is facing a huge budget deficit. But the deficit and our inability to fund the state's necessary work are not just artifacts of a cool economy. They are the long-lived legacy of Whitman-era tax cuts and the tax phobia that prevents this state from seeking new ways to get the revenue it desperately needs.

Enacting a minimal tax increase on our wealthiest residents would make sense and would make it easier to do right by our most vulnerable citizens, such as the kids who need DYFS protection.

New boss finds DYFS 'appalling'

Thursday, May 08, 2003

Overhaul of child welfare agency to include civil service challenge

BY SUSAN K. LIVIO  
Star-Ledger Staff

The new boss in charge of repairing the state's fractured child welfare system says she is appalled by its lack of accountability and admits the problems go much deeper than she had imagined.

"I find the situation far sadder than I anticipated it would be," Deputy Human Services Commissioner Colleen Maguire said in her first interview since she was hired in February to overhaul the Division of Youth and Family Services. "As you peel back the onion, there are far greater issues than I anticipated I would find."

The former nun and schoolteacher wants to seek a repeal of civil service laws so she can hire, fire and promote managers as needed, or hire managers from outside government or from other states. She also intends to use an annual "report card" to grade the 37 DYFS office managers around the state by measuring their success at protecting the children they supervise.

Those who make the grade will get merit raises and promotions; those who do not will not have guaranteed job security, she said. Other managers will face similar scrutiny, she added.

"I am firm believer -- and I am controversial for this -- that you have to start at the top and work your way down. I don't believe you go right to the front-line worker."

Changing the civil service laws would require legislation and could face strong opposition from state worker unions. Under the current rules, DYFS cannot hire people with outside experience to become supervisors; it must start them in entry-level jobs.

In the short term, Maguire said she is just weeks away from announcing a new DYFS director, a position vacated by Charles Venti last summer. She is reviving DYFS' defunct quality assurance unit. She also has gathered a group of social work experts from numerous state colleges and universities to develop a management training curriculum.

"We do not, as we speak, have management training," said Maguire. That was just one of the surprises that struck her on her return to DYFS, where she was a caseworker and then a manager before leaving a dozen years ago.

"It's appalling to me there is such a lack of accountability that is coming out of the division. Absolutely appalling to me," Maguire said. "There aren't as many checks and balances in the system as there needs to be."

Human Services Commissioner Gwendolyn L. Harris lured Maguire from a consulting business back to DYFS with the mission of reorganizing it into a new Division of Child Protection and Permanency. The new agency, Harris has said,

will focus exclusively on investigating child abuse and finding foster and adoptive homes. Other DYFS functions, such as providing children's mental health services, are expected to be organized under a new division.

Harris has announced a \$20 million plan to replace DYFS' antiquated computer tracking system, beginning this summer, and create roughly 271 new jobs, a process that has already begun. Additionally, the state has purchased or intends to purchase 2,200 cell phones, 250 digital cameras, 160 cars and 2,635 personal computers, among other items, to help caseworkers do their jobs, state spokeswoman Laurie Facciarossa said.

Still, Harris and Maguire have come under criticism from child advocates who say that despite a series of jolting revelations -- triggered by the death of 7-year-old Faheem Williams of Newark -- they have done little to bring about immediate improvements in the beleaguered agency.

Police found Williams' beaten and emaciated body and rescued his two surviving brothers in January, 11 months after DYFS closed the family's case without investigating an allegation of abuse and without having seen the children for more than a year.

Harris suspended the caseworker, who has since resigned, and demoted her immediate supervisor for prematurely closing the Williams case in February 2002. No one else has or will be disciplined in the case, Maguire said.

DYFS' rank and file have long complained that upper management is seldom held responsible when mistakes are made in a case.

That's why Maguire's promise to focus her attention on holding managers accountable came as a pleasant surprise to one prominent labor leader, Hetty Rosenstein, president of Communications Workers of America Local 1037, which represents DYFS workers in northern New Jersey.

"It's true that there is no leadership at DYFS coming from the management ranks. It is one of the reasons that it is difficult to make change at DYFS," Rosenstein said. "So to the extent that (Maguire) finds this appalling and inexcusable, that is pretty good."

But Maguire is inviting trouble if she tries to take on the civil service system and use incentives like merit pay, Rosenstein said.

"Merit pay has nothing to do with doing a good job for children. Give them rewarding work and make it possible to promote them," Rosenstein said. Otherwise, "workers who have worked for DYFS for years and years will be unable to promoted."

Cecilia Zalkind, executive director of the Association for Children of New Jersey, applauded Maguire's plans to challenge civil service laws.

"I think it's going to be very hard to do. She needs support from above her," Zalkind said. But the challenge is worthwhile, she said, if it means ousting incompetent people, or being able to draw from a larger pool of management applicants.

"Her goal is to build more accountability into the system. That is a positive direction in which to go," Zalkind said, particularly since the federal Department of Health and Human Services will evaluate the state's foster care system in March 2004.

Maguire also promised this summer she would move the unit that investigates child abuse in foster care out of DYFS and into the department's Office of Program Integrity and Accountability. Harris created the office last year to oversee all cases involving Human Services clients, including people with mental or developmental disabilities as well as abused children.

Zalkind's agency has urged this move because, she said, history has shown DYFS has trouble policing itself. The Institutional Abuse Investigative Unit investigates abused and neglect in foster homes and state institutions.



"I think it's very difficult to conduct a thorough and independent investigation if you are still connected to the agency responsible for placing the children," she said.

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5:3) 17-MAY-2003 12:43 [Diane Falk \(falkd\)](#)



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Posted on Wed, May. 14, 2003

A safety net that failed N.J. sisters

**By Kristen A. Graham, Sam Wood and Troy Graham**  
**Inquirer Staff Writers**

The trouble at the Karo home was no secret to the state Department of Youth and Family Services. But although dozens of people now say they knew about the drinking and abuse that occurred over many years, DYFS officials say only one phone call about it was ever made to them.

"Based on the information in our files and interviews with our workers and documentation, we have only one referral on this family," Joe Delmar, a spokesman for DYFS, said yesterday. "Based upon that one referral, we began our involvement with the family."

Gloucester City police alerted DYFS in late 2001, Delmar said. Police were sent to the home frequently and Alan Karo was arrested on assault charges as late as April 2002, according to police records. The April arrest involved Karo's being accused of pushing Margie Smiling. Neighbors contend that they have called police all along about the family's troubles.

Delmar would not elaborate on how DYFS had acted since the 2001 referral.

Many people knew of the situation on Lane Avenue - two parents with a drinking problem and Jasmine and Priscilla Karo, two sisters living with abuse.

Last week, Jasmine Karo, 18, stabbed her father in the back with a kitchen knife, killing the man with a history of arrests for assaulting his family. She is free after posting 5 percent of \$75,000 bail, but charged with first-degree murder.

"I never called anybody because I never want to see children taken from their parents," said Florence Brophy, 43, a neighbor and the mother of Karo's best friend. "I never went over and intervened on anything."

Instead, Brophy opened her home to the Karo sisters, both of whom are now living with her just up the block from their mother.

Theresa Graham, the crossing guard who has watched Karo grow up, witnessed what she said was a typical public scene just days before Alan Karo's death.

Jasmine Karo stood in the middle of Lane Avenue, in front of her home, trying to get away from her father's grip, Graham said. Alan Karo, 44, apparently had been drinking. He yanked his daughter's arm and smacked her, Graham said, but she managed to free herself and make her way to school.

"Looking down the street, it was getting worse and worse," Graham said. "We all feel like the system failed them: This didn't just develop last week."

Delmar stressed the need for improved incident reporting. New Jersey law requires anyone suspecting abuse to report it to DYFS immediately.

"In situations like this, where a family is troubled and there is involvement from ourselves, the community and local police, there needs to be better coordination and communication," he said. "If someone suspects abuse, they should report it immediately."

Most people, he said, do not.

Gloucester City school personnel say Jasmine Karo came to school with pancake makeup covering bruises for years. They made sure she had clothes and helped her prepare for proms, though she missed her senior prom, which was held the weekend she was released from jail.

Joseph Gorman, a school counselor at Gloucester City Junior-Senior High School, where Karo attended junior high, was her counselor and friend for six years. He and other family friends said they suspected that, when confronted by authorities, Karo lied about her family life because she was afraid to leave her mother and 12-year-old sister alone with her father.

But Delmar said that any DYFS investigation would include separate interviews with all family members, plus checks with school personnel, police and any other community agency involved with the case.

"We don't take the family's word for granted," Delmar said. "We get an accurate picture of the family. We make sure everything checks out."

Brophy marvels at the girl's grit.

"She's paying the family's bills and doing a good job," Brophy said. "This is a family that has got nothing. She was the only one making a check."

But Karo was laid off from her job at a city business shortly before the killing.

Karo returned to school for the first time yesterday.

Brophy herself has a full plate, with two adult sons, her daughter and a young son, plus the two sisters. Last weekend, her 20-year-old nephew died of a drug overdose. His mother, Brophy's sister, died similarly earlier this year.

Karo's lawyers are to meet today with Camden County prosecutors to evaluate the case, said Robert DePersia, one of her lawyers. He will probably ask for a pre-indictment conference, he said.

In that conference, defense attorneys and prosecutors meet with a judge to resolve the case before it is presented to a grand jury. The charges can be downgraded or dismissed, or the defendant can agree to plead guilty.

Bill Shralow, spokesman for the Camden County Prosecutor's Office, said options include dismissing the charges, resolving them in a pre-indictment conference, or seeking a grand jury indictment on murder or lesser charges.

Prosecutors already agreed to lower Karo's bail from \$250,000 to \$75,000, which allowed her to get out of jail, thanks to financial assistance from Assemblyman Joseph Roberts (D., Camden), the state majority leader.

Karo, who has been told by her lawyers not to speak to the media, was by observers' accounts the adult in her household. She is coping as best she can, friends say, but the death of her father has hit her hard.

"She loved her dad," said Graham, the crossing guard. "When he was sober, he was a good man. But lately, he'd been drinking all the time."

Graham said that Karo always put on a smile, no matter how hard things were at home. "The other day, when she

broke loose from her father, I put my arm on her shoulder and said 'Jasmine, can I call someone for you, can I get you help?' She said, 'I'm OK. I just want to go to school,'" said Graham.

The young woman has been counting the days to June 23, when she plans to graduate with her senior class. She plans to attend Camden County College in the fall and eventually become an addiction counselor, Graham said.

"It's just a sad situation, that somebody couldn't get them help," Graham said. "Maybe he would be alive today if they got help."

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Contact staff writer Kristen Graham at 856-779-3927 or [kgraham@phillynews.com](mailto:kgraham@phillynews.com).

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**5:4) 18-MAY-2003 22:00 [John Searight \(searighj\)](#)**

From today's Star-Ledger

Touted as a solution, DYFS home for boys has been fraught with problems

Allegations of abuse and irregularities plagued treatment center

Sunday, May 18, 2003

BY SUSAN K. LIVIO AND MARY JO PATTERSON  
Star-Ledger Staff

Two years ago, in a bleak industrial section of Newark, state officials presided over the opening of a 40,000-square foot remodeled warehouse, the New Jersey Division of Youth and Family Services' newest, and supposedly finest, residential treatment center.

It was the most ambitious project DYFS had undertaken in years, an attempt to house dozens of severely disturbed boys 12 and older under one roof. They had dozens of labels but one common problem: a debilitating, sometimes dangerous, inability to get along in the world.

They were sex offenders, firesetters, chronic runaways, drug addicts, schizophrenics, depressives, the mentally retarded, and others who had landed in the deep end of the child welfare system. Many were former abuse or neglect cases.

The facility, called the Wynona M. Lipman Training & Education Center, was a for-profit enterprise headed by John J. Clancy, 54, a former Essex County youth services director who had built a solid reputation as a contractor for the N.J. Department of Corrections. Clancy, who was also a well-known political patron, promised "state of the art" care.

But in less than two months, Lipman Hall was hit by allegations of child abuse and shockingly substandard care, and the allegations continued for much of its first year.

A review of government documents and interviews with former and current state officials show that DYFS gave Clancy a \$12.5 million contract without putting it up for bid. The agency then bent over backwards to keep the place going, paying dearly all the while: \$28,000 a day to care for 80 boys, no matter how many were actually there.

Treatment, meanwhile, was hardly state of the art. Some boys did not receive medication or therapy. Others were hurt by residents or staff. Staffers misused "behavior management rooms," making boys take meals or even stay overnight in the windowless rooms. For eight months after Lipman Hall opened, there was no psychiatrist -- only a specialist in adult infectious diseases. One DYFS inspector was so incensed by conditions that he wrote a whistle-blower letter, alleging that the state was risking residents' lives.

Last June, with DYFS inspectors constantly at Lipman Hall to probe new abuse allegations, Human Services Commissioner Gwendolyn Harris halted admissions. She lifted the moratorium in September but capped Lipman Hall at half its licensed capacity. She is still closely monitoring the program and has rebuffed Clancy's offer to open a twin facility for girls.

"Lipman Hall is where we want it to be. Now we want to evaluate this program to see if it is, in fact, good for these kids," Laurie Facciarossa, Harris' spokeswoman, said recently. "We are not going to authorize any sort of expansion until it is stable."

Human Services did learn a few lessons from the experience. One is that it needed to reform its contracting process, something it is now doing. Another is that big institutions may not be the answer for such children.

Lipman Hall was named for the state's first black female senator, who was a leading advocate for women and children. Wynona Lipman represented the 29th District in Essex and Union counties from 1971 until her death in 1999.

In hindsight, the facility appears to be the product of a child welfare agency driven by crisis, with little internal oversight. What is still hard to fathom is how a contract for \$12.5 million for the care of some of New Jersey's most disturbed children sailed so easily through state government.

Some people say Lipman Hall was poorly conceived from the start, a throwback to an era of big institutions. These days, smaller is regarded as better.

"Generally speaking, the larger the facility, the harder is it to maintain the quasi-homelike environment," said Richard O'Grady, a former DYFS deputy director who retired in June 2000 after 40 years at the agency.

Clancy believes his institution has "very successfully managed" a difficult mission and has replaced its original "custodial" atmosphere with a climate "more like a psychiatric hospital."

"I think Lipman Hall is doing very well," he said. "Like any other institution, it isn't perfect. Have there been incidents? Yes, a couple. There will be more in the future. (But) this is a clean facility that has bettered the neighborhood and made the lives of the parents of these children easier."

## GROWING PAINS

No one was saying that, however, when Lipman Hall opened its doors on Oct. 23, 2001, with a catered party for hundreds, including Newark Mayor Sharpe James and then-acting Gov. Donald DiFrancesco. The facility began to admit children in November 2001. The DYFS Bureau of Licensing received its first complaint on Jan. 2, 2002, from an anonymous staffer.

"I am very sad to have to write to you, but I feel that in the interests of the children being served in this facility, you must be informed of the unacceptable and potentially dangerous level of care occurring here at Lipman Hall," the letter said.

The writer went on to describe the atmosphere as "unhealthy and abusive" and asked for an investigation.

DYFS sent out an inspection team. It found that Lipman Hall did not have a board-certified child psychiatrist as planned, and that residents had inadequate treatment plans. But, the team reported, "there was no evidence that

residents were harmed or placed at risk."

That came in March, when inspectors cited Lipman Hall for restraining children in an "unapproved and dangerous" manner. Then a boy was injured.

One licensing inspector for DYFS, Gary Sefchik, grew very concerned. He had received two more grim letters about Lipman Hall -- one from a lawyer complaining about lack of treatment given a client, and another from a Morris County official.

Sefchik complained to his boss, Richard Crane. Why, he asked, had DYFS Director Charles Venti requested that the bureau put off the February inspection until July?

Two weeks later, Sefchik wrote again, invoking the state whistle-blower statute for his own protection.

"The youth in this facility are not receiving appropriate treatment services and are at risk," he wrote.

"Since the bureau is being prevented from carrying out its mandated responsibilities, in spite of Division and Bureau administration having knowledge that there are serious problems at Lipman Hall, I am preparing to disclose this information to others outside of the Division of Youth and Family Services."

Crane wrote back that Lipman Hall was just having "growing pains." Also, DYFS Director Venti had advised that Lipman Hall planned "a substantial reorganization," Crane stated.

More injuries were documented in April, May, June, July and August of 2002, DYFS records show.

One staffer punched a child in the stomach; another broke a child's arm while restraining him. A third verbally and physically abused a boy by calling him a derogatory name, punching him in the face and kicking him in the head with a steel-toed boot. A fourth staffer hit a child in the face with a phone and choked him. All were fired.

Many other assaults were reported to DYFS but not substantiated. One Lipman Hall boy, who had witnessed a particularly vicious beating, complained that investigators had been to Lipman Hall more than 15 times but had "not made any changes that he could see," according to a document filed in a lawsuit against DYFS by Children's Rights Inc., a New York City advocacy group.

"R.W. entered the room angry ... He stated that he was tired of giving statements to investigators. He advised that he reported to other investigators that there is staff abusing residents, homosexuality, shanking and gang violence in this facility," the document stated.

On July 15, 2002, residents of Lipman Hall got a scare when one of the known firesetters started a blaze in his room. The wing was evacuated, but no one was hurt.

DYFS inspectors later determined that Lipman Hall, with 15 resident firesetters, did not yet have an approved anti-firesetting curriculum. By then it had been open eight months.

## VERY DISTURBED

To understand why Lipman Hall exists, one must first remember Sam Manzie.

Manzie, a mentally unstable 15-year-old from Jackson Township, made headlines in 1997 when he sexually assaulted and murdered Eddie Werner, a slight 11-year-old selling candy and wrapping paper for a school fund-raiser.

Only days before, Manzie's parents had gone to Family Court and begged a judge to commit their son. Sam had recently broken off a sexual relationship with an adult predator, they said, and was out of control, defiant and destructive.

The judge declined and sent Sam home.

After Eddie Werner was killed, Manzie's lawyer went public with the story. People were outraged.

New Jersey has never had enough long-term facilities to treat children with serious emotional problems. After Eddie's death, "You (had) more kids coming into the system with mental health issues (because) judges were more willing to order it," Joe Delmar, a spokesman for DYFS, said.

This put DYFS under pressure -- from parents, advocacy groups, detention center directors, and judges -- to develop more treatment options for disturbed youngsters. And their numbers seemed to be going up.

For DYFS, an agency often under fire, it was one more headache.

The year after Eddie Werner's murder, New Jersey sent 175 children out-of-state to facilities in Florida, South Carolina, Virginia, New York and Pennsylvania. This ran counter to a 1992 mandate from the Legislature to treat kids at home when possible.

Around this time, John Clancy wrote DYFS to inquire about its "most critical" residential placement needs.

The former drug counselor was a major player in the private corrections field, running treatment-oriented halfway houses for adult drug offenders in New Jersey and other states.

Clancy was also well-known in political circles. Since 1981 he has contributed \$406,400 to Democrats and Republicans. He considers courting politicians part of his business.

"I think it's important to be noticed and be known," he said. "If you're trying to advertise for a particular type of population and trying to provide services for them, you need to be involved in that world. I have friends who are in political positions."

DYFS Director Venti wrote Clancy back and said New Jersey needed local placements for very disturbed youths. DYFS was about to issue interested bidders an "RFP," or request for proposals, and Clancy should stay tuned, he wrote.

To move his project forward, Clancy hired a consultant, Nicholas Scalera, a retired DYFS director.

Venti, meanwhile, decided DYFS would do business with Clancy without putting the project out for bid.

"I want to assure you that our discussions and potential contractual agreement have and will continue to be properly conducted outside of an 'RFP' process, based on our crisis in meeting the needs of a difficult to place population," he wrote Clancy on Jan. 31, 2000.

Under state rules, New Jersey agencies are required to use the RFP process to purchase services over \$25,000. The only exceptions are for "life, safety and health emergencies," or if the service is unavailable from more than one source. In such situations, agencies must file a waiver.

Venti did not file a waiver.

According to Tom Vincz, a spokesman for the state Treasury Department, the project should have been competitively bid. His department is now inquiring into how the Lipman Hall deal was done. "We will do an audit on the case," he said.

Four days later, DYFS did publish an RFP for residential treatment centers serving the same population as Lipman Hall. It solicited proposals for programs of 30 or fewer beds. Clancy did not bid.

In an interview, Venti said it may have been "a mistake" not to put Lipman Hall out for bid.

But, he added, people above him in Human Services and in former Gov. Christie Whitman's office supported the

project. They approved of the "handshake and a verbal commitment" to use Lipman Hall, when appropriate, he said.

The RFP process took many months, and DYFS needed to act at once, Venti said.

"You could sit on your rear end and do nothing. You could say, 'These kids are not our responsibility because they have psychiatric or juvenile justice problems and should be locked up.'

"Or, you could do what we did and try to normalize them and treat them," he said. "Because eventually they will leave the system, and you will find them dead, homeless or in prison."

Venti retired from DYFS last summer. Soon thereafter he went to work for Clancy, on what he called "a little short-term" research project." The topic was adult corrections.

On Jan. 18, 2001, Robert Sabreen, a regional DYFS chief in Newark under Venti's supervision, signed a \$12.5 million contract, for up to 200 children, with Clancy's Roseland-based nonprofit agency, Educational and Health Centers of America. He also runs the for-profit Community Education Centers of America Inc., which offer alternatives to the punitive corrections system.

Clancy planned on a July 1 opening for Lipman Hall.

But a new commissioner of Human Services, Jim Smith, applied brakes to the project after taking an inventory of the department's contracts.

The Clancy contract "did not appear to have the standard inclusions ... staffing qualifications (or) curriculum," recalled Smith, now director of the department's Division of Developmental Disabilities.

It was also inconsistent "with the direction we were taking in residential services," Smith said. And it was not clear, he said, where the money would come to pay for it.

Smith renegotiated the contract.

His predecessor, Michele Guhl, has since said she had no inkling DYFS signed a contract with Clancy.

"I never authorized (signing a contract)," Guhl, now executive director of the New Jersey Association of Health Plans, a trade group for HMOs, said in an interview last month.

Guhl's former assistant, Maddy Keogh, said she, however, was directly involved. "I probably should have said something, but I had 900 contracts, 2,700 employees, 52,000 kids. It wasn't done to keep anything from anybody," she said.

While Smith renegotiated the contract, Lipman Hall was put on hold. John Clancy, who had sunk millions of dollars into renovations at the warehouse, was losing money.

He went to the governor's office to complain. Specifically, he went to see Ciro Scalera, DiFrancesco's chief of management and policy, and a first cousin of Nick Scalera, his consultant.

Ciro Scalera met with Clancy. But, he said recently, "I informed my superiors that I couldn't be involved in any matters related to Lipman Hall. Then I assigned my deputy to it. I never took a meeting with Mr. Clancy, or my cousin, or anyone related to Lipman Hall. The only other thing I know is that it was ultimately resolved." Scalera, a former director of the Association for Children of New Jersey, is now a Verizon executive.

When Lipman Hall opened, Clancy's administrators handed out programs thanking seven individuals "for their support and assistance in making Lipman Hall a reality."

They were: DiFrancesco, Human Services Commissioner Jim Smith, DYFS Director Venti, Mayor James, State Sen. Richard Codey (D-Essex), State Sen. Joseph M. Kyrillos Jr. (R-Monmouth) and Scalera.

A few days later on Nov. 1, 2001, Venti signed the new Clancy contract. It was for \$8.8 million, covering eight months, and limited the number of children to 80.

Smith managed to find a way to pay for Lipman Hall funds through the Children's System of Care Initiative, a \$137 million community-based network of children's mental health services that had been launched earlier that year.

That stunned Kathy Wright, a founding member of the Children's Initiative.

Tapping that money for Lipman Hall goes "against the fundamental philosophy" of the program, she said. The Children's Initiative was designed to treat mentally ill children on an out-patient basis and keep them at home whenever possible, according to Wright.

New Jersey's state auditor, Richard L. Fair, was critical of the contract for another reason.

Under its terms, Lipman Hall was held to 80 beds, at a rate of \$350 day. Clancy would receive a set monthly payment of \$847,000, whether all 80 were occupied or not.

Thus, although there were only 28 boys at Lipman Hall in December 2001, the state still cut a check for \$847,000. Four months later, there were 65.

Fair recommended that the department "seek reimbursement for the overpayments," which amounted to hundreds of thousands of dollars.

The state is evaluating the contract and how the money was spent before deciding whether to seek repayment, Delmar says.

Clancy's spokesman, William Palatucci, a lawyer, lobbyist and Republican Party strategist, said the arrangement was nothing unusual.

"This helps needed projects like Lipman Hall get off the ground and makes budgeting easier for any department," he said.

In January 2003, DYFS renewed Clancy's contract.

Now he gets paid only for beds that are filled.

## WHAT WORKS

Today there are 110 boys at Lipman Hall. Caring for them costs \$395 a day per child, a rate comparable to other treatment centers for severely disturbed youths.

"Verbal de-escalation," as opposed to physical restraints and time spent in the behavior management room, has become the main tool for managing boys' behavior. Good behavior is rewarded with points; the more points a boy accumulates, the more privileges he receives.

Lipman Hall's original director, a woman recruited from the Ohio Department of Corrections, is gone.

Clancy replaced her with Nick Scalera, who hired Pat Byrne, a former DYFS chief of staff.

On April 28, 2003, Gary Sefchik -- last year's whistle-blower -- notified Scalera that there were no outstanding violations and the facility was fully in compliance.

Scalera and his staff say the program is succeeding.



"We know what works, and we have very, very high standards," said Lee Underwood, a psychologist who is director of clinical programs for Community Education and Health Centers.

Deputy Human Services Commissioner Colleen Maguire said the state will keep a sharp eye on Lipman Hall. She was appointed to oversee DYFS in February.

"It's a viable functioning program now," she said.

Its size and hard-to-treat population make it a particularly challenging institution, Maguire said, "But we have to make sure all those challenges are attended to."

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**5:6) 19-MAY-2003 18:39 [John Searight \(searighj\)](#)**

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McGreevey naming panel to oversee DYFS reform

Group includes experts in education, health and social services

Monday, May 19, 2003

BY SUSAN K. LIVIO  
Star-Ledger Staff

Gov. James E. McGreevey today will appoint a panel of experts in education, health, social services and juvenile justice to guide and critique the ongoing reform of the state's failing child welfare system.

The panel, dubbed the "Governor's Cabinet for Children," will make recommendations for improving the Division of Youth and Family Services and then evaluate the agency's progress in bimonthly public reports.

In a speech to be delivered at the Rutgers School of Social Work's graduation awards ceremony in New Brunswick tonight, McGreevey will also announce for the first time his support of a bill that would create the Office of the Child Advocate within the Department of Law and Public Safety. The independent body would be able to sue DYFS, according to an advance copy of McGreevey's speech obtained by The Star-Ledger.

"Clearly the advocate will not fix DYFS in and of itself, but it is a key ingredient to ensure more accountability in the way the state investigates child abuse and cares for its victims," according to the speech.

DYFS has undergone unprecedented scrutiny and criticism since January, when state officials confirmed the agency had botched a child abuse investigation involving 7-year-old Faheem Williams of Newark. The boy was found dead on Jan. 5 -- 11 months after DYFS closed his case without investigating abuse allegations.

Since then a litany of child deaths and other missteps has been revealed in court records made available through a lawsuit against DYFS brought by the national advocacy group, Children's Rights, Inc.

"We face a season of great reckoning in New Jersey," the governor's speech says. "The revelations about DYFS have shaken us deeply, and brought to public attention dark secrets of a world most of New Jersey has ignored for too long."

The panel's job also will entail coordinating the efforts of different governmental offices and community agencies to identify children at risk of abuse.

"One of the central lessons of Faheem's death is that government is too fragmented," McGreevey's speech says, noting the courts, the welfare system and the school system should have recognized the Williams family's troubles and shared that information with DYFS.

Other highlights of the speech include:

A pledge to support a controversial DYFS proposal to dismantle civil service rules so the agency can recruit experienced social workers from outside DYFS and pay them more competitively. "Reforming civil service practices will not be easy," McGreevey's speech says. "It will require the approval of the Legislature and there will be entrenched interests who will oppose it. But job security and promotion opportunities can't be the number one focus of an agency dedicated to child protection."

A promise to back legislation that would require criminal background checks for people who work at privately run group homes and residential treatment centers.

McGreevey's promise to sign a bill that would provide free college tuition to children who are leaving foster care. The bill passed the Assembly Thursday.

A directive to Human Services Commissioner Gwendolyn L. Harris and Health and Senior Services Commissioner Clifton R. Lacy to identify by the fall more drug treatment programs for addicted parents involved with DYFS.

Association for Children of New Jersey Executive Director Cecilia Zalkind, who will join the "Governor's Cabinet for Children," said a broad base of leadership must address these critical issues. "The Department (of Human Services) and DYFS cannot do this alone."

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Governor's choice 18

Monday, May 19, 2003

Gov. James E. McGreevey today will appoint a "Governor's Cabinet for Children," an ad hoc panel of experts that will guide the reform efforts of the Division of Youth and Family Services. Its 18 members are:

Human Services Commissioner Gwendolyn L. Harris -- chairwoman

Deputy Commissioner Colleen Maguire

Rev. Darrell Armstrong, pastor of Shiloh Baptist Church, Trenton

Juvenile Justice Commission Executive Director Howard Beyer

Human services consultant and former DYFS director Thomas Blatner

Lisa Eisenbud and Kevin Ryan, McGreevey's deputy chiefs of management and operations

Retired Sen. Jack Fay

Acting Attorney General Peter Harvey

Health and Senior Services Commissioner Clifton R. Lacy

Community Affairs Commissioner Susan Bass Levin

Education Commissioner William Librera

Treasurer John McCormac

Retired Superior Court Judge Alex Menza

State Police Capt. Ralph Rivera

Richard Roper, expert on nonprofits and urban issues, Rockefeller Institute

Maria Vizcarrondo-DeSoto, president and CEO of the United Way of Essex and West Hudson

Association for Children of New Jersey Executive Director Cecilia Zalkind

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**5:8) 23-MAY-2003 15:53 [John Searight \(searighj\)](#)**

Colleagues:

Here is the NYT article I emailed earlier and a later AP summary of same. I suspect it's getting uncomfortable in Trenton.

john

May 23, 2003

Report Finds Flaws in Inquiries on Foster Abuse in New Jersey

By LESLIE KAUFMAN and RICHARD LEZIN JONES

New Jersey's child welfare agency has shown a "routine failure" to adequately investigate allegations of abuse and neglect in foster homes and state-run institutions, leaving thousands of children under its care at risk of harm, a study has found.

In a withering report that examined 129 investigations conducted in recent years, researchers from the University of Maryland found that one-quarter of the state's inquiries had been seriously mishandled.

In more than half the cases, the investigations were not completed within the required two months. In only two cases did

investigators bother to check whether the foster parents accused of abuse had criminal records.

In about 20 percent of the cases, the researchers found, investigators for the state agency, the Division of Youth and Family Services, failed to determine that children had been abused and were at risk, despite ample evidence that anyone with "reasonable professional judgment" would have seen.

As a result, the researchers concluded, "no assurances can be given" that any child in the state-monitored foster homes or institutions is actually safe.

The review of abuse investigations, released publicly yesterday, was commissioned by Children's Rights Inc., a nonprofit children's advocacy group based in Manhattan, which has sued the State of New Jersey over the quality of its foster care system. The state and Children's Rights are trying to negotiate a settlement.

Gov. James E. McGreevey has already acknowledged that the state's child welfare system is deeply troubled, and he has initiated what he has called major reforms. The changes follow the death of Faheem Williams, 7, whose body was found in a Newark basement in January after child welfare investigators had closed his case file.

This week, Mr. McGreevey announced that he would move the abuse investigations unit out of the Division of Youth and Family Services and fold it into the new Office of Program Integrity and Accountability. That office will report directly to the commissioner of human services, Gwendolyn L. Harris, who oversees the child welfare agency.

But Marcia Robinson Lowry, the executive director of Children's Rights, said the report revealed a level of dysfunction so deep that simply moving investigations out of the division would not solve the problem.

"Even assuming they are more independent," she said, "this is a system so dangerous at its core that doing better investigations on how children are being abused will not keep them from being abused."

Colleen Maguire, the special deputy commissioner who has been appointed to help overhaul DYFS, said she could argue with aspects of the report, but accepted that the agency had not done an acceptable job investigating complaints over the years.

"We could dispute this line by line, but the picture that is painted is not a good one," she said. Ms. Maguire cited changes in licensing standards that the agency carried out in April 2002 that allowed it to close 100 foster homes it had found substandard.

The analysis of the state's abuse investigations, which was conducted by professors and others at the University of Maryland School of Social Work, was released on the same day that the state's own child welfare officials made public their stark findings about what was needed to reform the system.

In a report prepared by the child welfare agency's Staffing and Outcomes Review Panel, officials said the state would have to spend \$105 million during the next three years to hire enough caseworkers to meet the standards set by the Child Welfare League of America, a nonprofit advocacy group in Washington that recommends standards. The panel estimated that more than 1,000 new staff members would be needed.

The panel also suggested that \$81 million more be spent to add drug treatment programs and other services for troubled families.

"It is fairly clear that this is a system that is failing and needs substantial resources," said Cecilia Zalkind, the executive director of the Association for Children of New Jersey, who sat on the panel.

A spokesman for Mr. McGreevey, Micah Rasmussen, said the panel's recommendations would be part of the governor's budget discussions with the Legislature. The agency "has been neglected for too long, but we are getting this house in order," Mr. Rasmussen said.

He said that before yesterday's announcement, the governor had allocated an additional \$20 million in his proposed

budget for other changes at the child welfare agency. "The governor is irrevocably dedicated to greater accountability," Mr. Rasmussen said.

The University of Maryland study examined 129 cases handled by the investigations unit from 1999 to 2002. A nine-member research team at the social work school and the Institute for Human Services Policy reviewed the case files, which involved 195 children from both rural and urban settings around New Jersey.

The researchers said they had used a random sampling method that reduced errors and made it likely that their findings would represent the same results if they had examined every investigation by the unit during the four-year period that they reviewed.

The 42-page study dissects the agency's investigation unit, commonly known by its initials, I.A.I.U. That unit performs what is widely regarded to be the most critical work in child protection: quickly and accurately assessing complaints of abuse and levels of risk.

The Maryland researchers found a pattern of often shoddy, incomplete investigations, in which officials failed to interview crucial witnesses or to thoroughly check the personal histories of those accused of abuse and neglect. Nearly a quarter of those foster parents whom the agency did check on turned out to have prior allegations of abuse and neglect, and roughly half of those allegations had been substantiated, and yet even those parents were often allowed to keep the children in their homes.

"I.A.I.U. was routinely noted to conduct overly legalistic and narrow investigations, frequently failing to collect, integrate and critically analyze the available information with anything approaching reasonable professional judgment," wrote the researchers, who were led by Diane DePanfilis.

Even when presented with what seemed to be clear-cut examples of abuse, the unit often fell short, researchers found. In one case, the they found, an allegation of abuse was unsubstantiated even though a foster mother with two previous substantiated allegations of abuse had admitted to investigators that she had struck a child with a belt, leaving a four-inch mark on the child's face.

In more than a handful of instances, the researchers discovered that there was no indication that an investigation of any kind had been done after allegations of abuse or neglect were received.

"Based on the results of this review," the report said, "immediate action must be taken to protect these children."

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May 23, 2003

Report Blasts N.J. Child Welfare Agency

By THE ASSOCIATED PRESS

Filed at 4:22 a.m. ET

TRENTON, N.J. (AP) -- New Jersey's child welfare agency routinely put children at risk by placing them with abusive foster parents and botching investigations, according to a study by a children's advocacy group.

A review by the New York-based Children's Rights Inc. found that probes by the welfare agency's investigations unit between 1999 and 2002 were constantly delayed, incomplete and inconclusive despite clear signs of child abuse.

"It is now a documented fact that no child is safe today in New Jersey foster care," said Marcia Robinson Lowry, executive director of Children's Rights.

A separate report released Thursday by a state-appointed panel also criticized the Division of Youth and Family

Services, saying it must increase its staff, provide more services and increase accountability to solve ``deep-seated problems that prevent the agency from protecting children."

That report said the state should spend more than \$187 million over the next three years to hire 1,027 additional workers to meet national staffing standards.

``The picture that is painted is not a pretty picture," said Colleen Maguire, the special deputy commissioner at DYFS. ``However, there are many systems and policies that have been put into place. The challenge is to make sure we are monitoring them."

The division has been criticized for years and came under intense pressure for reform in January, when the decomposed body of 7-year-old Faheem Williams was discovered in a storage bin in a home in Newark. His twin brother, Raheem, and their 4-year-old half brother, Tyrone Hill, were found alive but emaciated in an adjoining basement room.

Children's Rights filed a class-action lawsuit against the state in 1999 in an effort to force reforms. The findings in the group's report released Thursday were based on information from documents turned over due to the pending litigation.

Earlier this week, Gov. James E. McGreevey announced a series of changes at the agency, including moving its abuse investigation unit and placing it under the Department of Human Services. McGreevey's proposed state budget includes \$20 million for DYFS reforms.

Children's Rights said a look at 129 cases involving 195 children in foster care found that unit investigators repeatedly made bad decisions.

The group cited one reported case of abuse that was listed as unsubstantiated even though a foster mother admitted hitting a child with a belt that left a 4-inch mark on the child's face. The foster mother also had two prior substantiated cases of abuse or neglect.

The group said 58 percent of the abuse or neglect cases it looked at were incorrectly listed by DYFS as unsubstantiated. Another 17 percent of cases where abuse or neglect took place were listed as ``unfounded," the report said.

It said DYFS also continued to place children in homes of abusive adults, including one foster parent who had five prior substantiated cases of abuse and neglect.

The report said investigators failed to contact children within the designated time in 30 percent of the cases.

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**5:9) 26-MAY-2003 09:26 [John Searight \(searighj\)](#)**

I don't mean to be overloading us with news articles, but I think it best to get the information in one location in case we need it for future reference.

**McGreevey Announces Bold New Initiatives to Reform DYFS**

**Cabinet for Children will make recommendations for improvement and evaluate implementation**

(NEW BRUNSWICK) – Speaking at the graduation awards ceremony for the Rutgers School of Social Work, Governor James E. McGreevey today outlined some of the steps the administration is taking to transform DYFS.

“DYFS must be transformed into an accountable agency that gets the job done,” said Governor McGreevey. “As

Governor, it is my job to ensure that New Jersey's child welfare system protects children from harm, strengthens families and promotes child well-being."

Every eleven seconds, a child is reported abused or neglected in the United States. Nearly 40,000 reports of child abuse and neglect came into DYFS last year. Many of the 50,000 children DYFS sees each year endure pain, hostility and disinterest at every turn.

"Clearly the death of Faheem Williams showed us that DYFS was badly broken and needed to be totally transformed into a new agency that focused on child protection and permanency," said Human Services Commissioner Gwendolyn L. Harris." That is exactly what we are doing. We are addressing major problems in decision making, accountability, community resources, staffing, infrastructure, and equipment at DYFS that have existed for far too long. We are working to improve services, such as foster care, and child protection, from top to bottom."

"For far too long, government has been satisfied with its own fragmented responses to children and families in crisis," said Governor McGreevey. "The road to greater accountability will be long and difficult. But - working together - we will win the battle for the safety of our children."

DYFS is undergoing a structural overhaul to provide more accountability and a renewed focus on its core mission of child protection. Despite a \$5 billion budget deficit, DYFS is one of the few areas of State government to receive a funding increase in the Governor's proposed budget.

Governor McGreevey signed an executive order today establishing the Governor's Cabinet for Children, which will bring together senior members of his administration with New Jersey child advocates. The Cabinet will coordinate and marshal resources to ensure the highest level of care. They will develop a strategic plan for strengthening children and family services in New Jersey. This will constitute a comprehensive planning resource for all State agencies and programs, as well as non-governmental organizations. The Governor's Cabinet for Children will monitor the implementation of the DYFS Transformation Plan. They will evaluate the effectiveness of the plan and report back to the Governor on a bi-monthly basis to ensure that it is comprehensive and stays on track.

"The real proof will be better outcomes for children, and I expect the Children's Cabinet to track those outcomes," said Governor McGreevey. "We must lock arms and work together to coordinate our efforts when it comes to the safety of our children. Creating linkages will be a central responsibility of this Cabinet."

"What Governor McGreevey has proposed will help save the lives of children in New Jersey. It is that simple," said Human Services Commissioner Gwendolyn L. Harris. "The Governor's Cabinet for Children will coordinate and oversee children's services at the highest level and report directly to the Governor."

In all, Governor McGreevey outlined fourteen initiatives to reform DYFS, including the deployment of Case Practice Specialists, criminal background checks for employees of out-of-home placement facilities and moving the Institutional Abuse Unit from DYFS to the Department of Human Services, where it will become part of the Commissioner's elite Office of Program Integrity and Accountability. The state will invest \$5.6 million so New Jersey can join the other 46 states that use the State Automated Child Welfare Information System, a state-of-the-art child tracking system.

"We will move to a system that judges the performance of each DYFS district office and manager by the only measure that counts: the outcomes for children," said Governor McGreevey. "We plan to adopt a public report card for each of the District Offices within DYFS. A more transparent agency is essential to create the accountability that is much needed throughout DYFS. "

"Tonight, Governor McGreevey has given us some important tools to begin the task of transforming how New Jersey serves children and families," said Special Deputy Commissioner of Children's Service, Colleen Maguire. "The measures the Governor has outlined are vital to improving decision-making and accountability in our child welfare system. This will lead to an agency that provides quality and effective services to families, engages and partners with every community in the State - and most importantly -improves the lives of New Jersey's children."

"I commend the Governor on the profound and far reaching changes he is proposing to New Jersey child welfare policy

and practice that I have no doubt will result in better life outcomes for the most vulnerable children and families in our State," said William Waldman, former Commissioner of the New Jersey Department of Human Services. "These changes will infuse accountability throughout the system, create a more clear and holistic focus on the needs of children and families and serve to unify all of our efforts in this regard. The safety and permanency of children and the preservation of families is everybody's business. And, the Governor is clearly doing his part."

## GOVERNOR MCGREEVEY'S DYFS REFORM PROPOSALS

### 1. Accountability by Management

The Administration is moving to a system that judges the performance of each DYFS district office and manager by the only measure that counts: the outcomes for children. We will reward good managers and hold all managers responsible for the actions of the workers under their charge. We will publish an annual public report card for each of the District Offices within DYFS according to federal standards for child well-being. A more transparent agency is essential to create the accountability that is much needed throughout DYFS.

### 2. Hiring Experienced Workers and Supervisors

The administration is moving ahead with bold reforms that will give DYFS the staff it needs to keep children safe. Current law and regulations make it difficult for DYFS to hire experienced workers into any position other than entry-level trainee slots. The vast majority of DYFS caseworkers have less than 5 years experience. We must recruit experienced social workers into supervisory and managerial positions as we begin a new wave of hiring. The administration will advance bold changes in personnel policies to open the agency to experienced, talented social workers.

### 3. The Governor's Cabinet for Children

Lasting reform will require action and coordination from the very top of government. On Monday, May 19, 2003, Governor McGreevey established - by executive order - the Governor's Cabinet for Children, which brings together senior members of the administration with New Jersey child advocates to coordinate and marshal resources to ensure the delivery of the highest level of care for our children.

One of the central lessons of Faheem Williams' death is that government is too fragmented. The schools did not report Faheem missing. The courts did not communicate about his mother's incarceration. Welfare did not verify Faheem's whereabouts, and DYFS closed an open case of abuse without seeing him. These systems must lock arms and coordinate their work with children and families. Creating those linkages must be a central responsibility of this cabinet.

The Governor's Cabinet for Children will develop a strategic plan for strengthening New Jersey's services for children and families services. The strategic plan will be a comprehensive planning resource for all state agencies and programs, as well as non-governmental organizations.

The Governor's Cabinet for Children will monitor the implementation of the DYFS transformation plan. The cabinet will evaluate the effectiveness of the plan and its implementation, and report back to the governor on a bi-monthly basis to ensure that it is comprehensive and stays on track. The real proof will be better outcomes for children. The children's cabinet will track those outcomes.



The Governor's Cabinet for Children will be chaired by Human Services Commissioner Gwendolyn Harris and include:

- Reverend Darell Armstrong, Shiloh Baptist Church, Trenton
- Howard Bayer, Executive Director of the Juvenile Justice Commission
- Tom Blatner, President of Janus Solutions
- Lisa Eisenbud, Deputy Chief of Management and Operations, Office of the Governor
- Senator Jack Fay
- Peter Harvey, Esq., Acting Attorney General
- Dr. Clifton Lacy, DHSS Commissioner
- Susan Bass Levin, DCA Commissioner
- William Librera, DOE Commissioner
- Colleen Maguire, Special Deputy Commissioner of Children's Services at the Dept. of Human Services
- John McCormac, State Treasurer
- Judge Alex Menza
- Captain Ralph Rivera, NJ State Police
- Richard Roper, Rockefeller Institute and Roper Group
- Kevin Ryan, Esq., Deputy Chief of Management and Operations, Office of the Governor
- Yvonne Seegers, New Jersey Public Defender
- Maria Vizcarrondo-DeSoto President, United Way of Essex and West Hudson
- Cecilia Zalkind, Esq., Executive Director, ACNJ

#### 4. The Child Advocate Bill of 2003

The Administration's Child Advocate Bill creates an independent watchdog in, but not of, the Department of Law and Public Safety to monitor child welfare programs, investigate failures and demand corrective action.

The Advocate will focus on children at risk of abuse and neglect with broad investigative powers, including subpoena power. The Advocate's mission is to ensure effective, appropriate and timely services for children who may have been abused or neglected or who are in State custody or under state supervision.

The Advocate will be an attorney - appointed by the Governor - serving a term of 5 years.

- The Advocate can investigate, monitor or call for corrective action on any single case.
- The Advocate can litigate or institute proceedings in the broad public interest of vulnerable children in the State.
- The Advocate can track the timeliness of investigations by the Dept. of Human Services' Institutional Abuse Unit, giving the public a direct monitor on the agency's performance. Clearly, the Advocate will not fix DYFS in and of itself, but it is a key ingredient to ensure more accountability in the way this State investigates child abuse and cares for its victims.

#### 5. SACWIS

We have put the design and construction of Sacwis, (Statewide Automated Child Welfare Information System) - a state-of-the-art child tracking computer system - on a fast track for statewide implementation by December 2005. DYFS now relies on one of the nation's oldest and most antiquated child tracking systems. Caseworkers resort to flash cards and post-it notes to recall the status of the 48,000 children they now serve. The budget invests \$5.6 million, so New Jersey can join the other 46 states that use SACWIS.

## 6. Criminal Background Checks for Employees of all Out-of-Home Placement Facilities

The law does not presently require criminal background checks for the hundreds of adults who work with vulnerable children every day in private group homes and residential centers. This omission places children at-risk and accounts for some of the lapses we have uncovered in the care of children over the past several months. The deployment of livescan technology within state government has made the collection of fingerprints and the processing of background checks much easier and faster. It is time to require private agencies that care for DYFS children to submit their staffs to tough new criminal background checks. The governor calls upon the legislature to make this a requirement for all direct care workers in this system.

## 7. Immediate Child Tracking and Case Practice Upgrades

We cannot - and are not - simply waiting for SACWIS. This summer, we will roll out major improvements in our child welfare computer system, including web-based child tracking and case practice applications that will immediately help us to follow children and will guide decision making about their care.

## 8. Reduce the Child Welfare Caseloads and Improve Supervision

Although these are lean economic times, Governor McGreevey has asked the legislature for an additional \$14.3 million to hire 270 additional DYFS caseworkers, supervisors, and case practice specialists, and to provide them with the tools they need for safe and effective field work, including additional vehicles and cell phones. New Jersey must reduce the size of child welfare caseloads and ensure that it adequately cares for the 48,000 children served by DYFS every year.

## 9. Case Practice Specialists

Commissioner Harris intends to deploy case practice specialists into every district office. This will provide an essential eye on the casework of a relatively young generation of caseworkers. In the past, a case was sometimes sidelined in some DYFS offices simply when a parent refused to produce an at-risk child. Case practice specialists will ensure that DFYS does everything in its power, including going to court, to locate and meet with every child for whom there is an open allegation of abuse.

## 10. Expedite Adoptions

It is vital that we shorten the amount of time children spend in foster care prior to adoption. By and large, this means moving cases through the family courts more quickly. To assist in this effort, I have proposed investing \$1.4 million to create a new unit in the office of the attorney general that will focus exclusively on DYFS pre-adoption cases.

## 11. Remove Institutional Abuse Investigations from DYFS

Commissioner Harris has directed that the Institutional Abuse unit be removed from DYFS and placed within the Department of Human Services, where it will become part of the Commissioner's elite Office of Program Integrity and Accountability. The unit investigates abuse in state institutions, foster care and group homes and there is an inherent conflict in housing it within DYFS. The Institutional Abuse Unit must have the freedom to remove children quickly from abusive conditions. It is important that we maintain a team of investigators who can expeditiously ferret out abuse against children in the care of DYFS, a team that can make binding decisions when a child's safety is at risk.

## 12. Quality Assurance

Commissioner Harris will revitalize DYFS's long-dormant Quality Assurance team this year. Child advocates from throughout New Jersey remember a time - long ago - when DYFS included a top-notch group of QA inspectors who kept the system on its toes by monitoring casework and identifying systemic problems. It is essential that we bring

quality back to the forefront of our child protection efforts. Quality assurance must once again become a safeguard within DYFS to promote the best interests of children.

### 13. Expanded Drug Treatment

Drug abuse is a major contributing factor to child abuse in New Jersey, but many DYFS caseworkers have no ready access to treatment programs. Governor McGreevey wants to break down the firewall between DYFS caseworkers and drug treatment services. He has directed Commissioners Harris and Lacy to develop and implement a plan by this fall that will prioritize drug treatment services for DYFS families and increase the access of DYFS front-line staff to treatment services for addicted parents and children.

### 14. Prevention: Education Initiatives for Aging Out Youth

We must commit ourselves to prevention strategies, including education for children who are aging out of foster care. Ensuring that they lead healthy, productive and independent lives is a paramount concern. We all know that one of the most critical ingredients to success is education. The governor's staff has worked very closely with Assemblywoman Mary Previte, the prime sponsor of A2428, the statewide tuition waiver act for foster children. The bill brings New Jersey to the forefront of national higher education initiatives by offering essential financial aid for foster care teenagers to get their college degree. The Assembly has already passed A2428. Governor McGreevey urges the Senate to follow suit quickly so that the children who have been left behind by their families can reach their fullest potential.

Experts peg tab for DYFS fix at \$188 million over 3 years

Friday, May 23, 2003

BY SUSAN K. LIVIO  
Star-Ledger Staff

Real reform for the state's deeply troubled child welfare agency will cost far more than any politician has dared imagine: about \$188 million over the next three years.

That was the price tag a panel of experts appointed by the governor suggested yesterday after studying problems in the State's Division of Youth and Family Services. The estimated cost dwarfs the \$20 million package Gov. James E. McGreevey himself dedicated to improving the agency in the coming fiscal budget year.

After months of analysis, the panel of child welfare experts, lawmakers, state officials and union representatives concluded McGreevey's proposal was just "an immediate response to a crisis and a stop-gap measure until there was a closer look,"

"Reform is not cheap," said Cecilia Zalkind, the panel's vice chairwoman and the executive director of the advocacy group, the Association for Children of New Jersey. "It's impossible to fix the child welfare protection system without adequate funding."

The money would be used to dramatically decrease the number of children each caseworker may supervise, and to expand services like drug treatment programs for addicted parents.

McGreevey's administration reacted positively to the report, although it remained unclear where the state would find the money. Like most states, New Jersey is facing a sagging economy and a huge budget deficit.

"The governor supports the panel's recommendations," said Kevin Ryan, McGreevey's deputy chief of Management and Operations who was also a member of the panel. "We will work with the Legislature to implement them over the next

three years."

The public's faith in the child welfare agency plummeted this year after Newark police on Jan. 5 found the body of 7-year-old Faheem Williams, a child who had been under the state's supervision from his birth to February 2002. The DYFS caseworker and her supervisor -- both juggling larger-than-average caseloads -- closed the Williams family file without investigating an abuse complaint.

That case, followed by other revelations about DYFS mismanagement, highlighted the decades-old problem of short-staffing and excessive caseloads.

McGreevey's \$20 million plan would hire an additional 273 workers.

The panel's plan earmarks \$105 million of the \$187.6 million to create 1,027 jobs: 365 casework trainees, 315 aides, 128 experienced caseworkers, 118 clerks and 101 supervisors.

The new positions would enable the state to meet worker-to-child ratios recommended by the Child Welfare League of America, a respected advocacy and research group based in Washington, D.C. The league suggests a caseworker supervise no more than 17 children who live at home, 15 children living in foster care, and 12 children who are waiting to be adopted.

DYFS front-line workers oversee an average of 33 cases, but in some district offices the actual numbers are twice that or higher.

The report also noted that "staffing improvements will be meaningless, unless services are expanded." To that end, the panel recommends spending another \$81.6 million over three years: \$58 million to expand the number of homemakers, therapists and other in-home services for troubled families; \$21 million in drug treatment programs to serve about 1,400 more families that have a drug problem; and \$1.6 million to boost the budget for the state's four regional diagnostic centers that treat child victims.

Panel Chairwoman Angela Estes said DYFS workers are often forced to perform "triage" by parsing out what few services that exist to families they think are in the most need.

"There must be an adequate number array of services available to caseworkers so they can truly help troubled families and prevent children from being hurt, said Estes, the executive director of the Robins Nest, a social service agency that serves abused children.

"If you had an infected finger, a doctor wouldn't tell you 'let's wait and see if it gets better' before he did anything to help," Estes said.

Sen. Joseph Vitale (D-Middlesex), co-chairman of the Senate Health and Human Services Committee, admitted he didn't know exactly how to fund the panel's suggestions. But he added: "This is a program that has to be fixed."

"If we need to re-prioritize our budget to find another \$30 million (next year), we will," Vitale said.

Deputy Human Services Commissioner Colleen Maguire said she said she didn't doubt the veracity of the dollar figures because the panel worked closely with DYFS on the plan.

"(The plan is) realistic, yes. Whether it's available and ready for use, is a very different story. We may have to do some reconfiguration" within the budget, Maguire said. "We're also in the process of trying to understand far better than we do now what are the true needs of children and families."

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**5:10) 28-MAY-2003 08:59 [John Searight \(searighj\)](#)**

DYFS asking for help to reform      Feds begin review of Jersey agency

BY SUSAN K. LIVIO      Star-Ledger Staff      Wednesday, May 28, 2003

State Human Services Commissioner Gwendolyn L. Harris called on federal child welfare experts yesterday to help reform the state's child welfare system, which has attracted national attention from a recent spate of foster child deaths and the disclosure of internal records revealing a system in disarray.

During a meeting in Trenton that formally kicked off a federal review of New Jersey's foster care system, Harris conceded the state is likely to fail in every category the federal Administration for Children Services measures when the study is completed next year.

"With all the awareness generated in the past few months about the problems in our child protection system, people like you hopefully are primed to come to the table and help assess our system," Harris told 100 state and federal child welfare officials. "We cannot squander this opportunity."

As part of its own introspection, DYFS will hold a public meeting Friday in Newark to discuss the 19 child abuse and neglect deaths in the city over the past five years. There have been 26 deaths of children known to the DYFS system from Essex County alone, and an additional 123 statewide in the same time span.

The event at the Robeson Campus Center at Rutgers University, dubbed "Save the Child Day," will analyze what DYFS and the nonprofit agencies that serve families could have done to prevent these tragedies, Deputy Human Services Commissioner Colleen Maguire said. Newark will be the first stop on DYFS' community tour that will take Maguire to every county to discuss child abuse deaths and what the state should be doing to intervene before families develop intractable problems.

The public's faith in the child welfare agency has been badly shaken since Jan. 5, when Newark police recovered the body of 7-year-old Faheem Williams, a child who had been under the state's supervision from his birth. The DYFS caseworker and her supervisor -- both juggling larger-than-average caseloads -- closed the family file without investigating an allegation of physical abuse.

That case, as well as others that have since been made public, exposed longtime deficiencies inside DYFS. Caseworkers supervise too many children, fostering a sense of failure that has led to high turnover. There are few services available, such as drug treatment, in-home counselors and aid to battered women, to help stabilize troubled families. Foster parents are scarce and largely unsupervised. Schools, the criminal courts and police departments don't work with DYFS to identify families in trouble.

But with the federal review and a pending class-action lawsuit brought by Children's Rights Inc., a national advocacy group, on behalf of New Jersey's 11,600 foster children, DYFS is under great pressure to face its failings. Proposals abound -- ranging from creating an independent Office of the Child Advocate to monitor DYFS, to hiring hundreds of workers and replacing an antiquated computer system, to appointing several panels to recommend change.

Monitors from the Administration for Children Services will visit New Jersey in March 2004 to evaluate 50 random DYFS files culled from 2000 to the present, DYFS Assistant Director Donna Younkin said. Half of the cases will involve children living at home and half will involve children living in foster homes or residential facilities.

In each case, federal monitors will examine how New Jersey fared compared with the rest of the country in answering the following questions: Were children repeatedly abused or neglected before the state intervened? Were children

abused in foster care? Did children shuffle in and out of foster care over the course of a year? How many times did a child change foster homes? Did it take longer than a year to return a child home, or longer than 24 months to sever parental ties and complete an adoption?

Through this review, Harris said, "I truly believe that we are standing at the dawn of a new era for New Jersey's child protection system."

No state has passed the federal review, DYFS spokesman Joseph Delmar said. New Jersey is the last state to be evaluated, he said.

The review by the Administration of Children Services, part of the federal Department of Health and Human Services, was scheduled to take place even before the Faheem Williams case brought to light the problems within DYFS. It is required under the federal Adoption and Safe Families Act of 1997.

The same federal standards that are part of the review will be used by Maguire to judge the performance of DYFS district office managers starting in July. The evaluations will be compiled monthly and condensed into quarterly reports, portions of which will be available to the public, Maguire said. Eventually, each district office manager and other managers will be graded in an annual report card.

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**5:12) 01-JUN-2003 15:59 [John Searight \(searighj\)](#)**

RELEASE: May 27, 2003

Commissioner Harris receives 2003 Public Policy Leadership Award from Rutgers.

Helps Governor unveil Cabinet for Children

NEW BRUNSWICK, NEW JERSEY – In recognition of her record as a social worker, public policy leader, director and commissioner, as well as her record of excellence in caring for people, the Rutgers' School of Social Work honored Human Services Commissioner Gwendolyn L. Harris with the 2003 Public Policy Leadership Award at its 10th Annual Special Awards Dinner on Monday, May 19, 2003. She appeared with Governor Jim McGreevey, who unveiled his Cabinet for Children plan earlier in the evening.

"As Commissioner Harris embarks on her monumental task of transforming child protective services across the state, we wanted to recognize her life history of helping people," said the Dean of the School of Social Work, Mary Edna Davidson, who presented the award.

Davidson created the Public Policy Leadership Award in 2001, to recognize achievement in the area of public policy in the child welfare sector. Last year Davidson gave the first award to Senator Wayne Bryant (D-Camden), who authored the Family CAP Legislation, which established that welfare benefits cover only the current number of children in a family, and not children conceived after a parent has gone on welfare.

Upon receiving her award, Commissioner Harris addressed the graduating social workers about the plans for transforming child protective services across the state and called upon them to help her. She also introduced her new Special Deputy Commissioner for Child Protective Services, Colleen Maguire.

"It was an honor to have her speak to my graduates, who were extremely inspired by her challenges to them. Besides her record of excellent service to people, Commissioner Harris' public policy is so open and visionary, I think she will inspire many more professionals to go into the child welfare system," said Dean Davidson.

As one of many initiatives established by Dean Davidson for the School of Social Work, this ceremony was created to celebrate social workers in a more personal way than the huge Rutgers University graduation ceremony. This year's graduates, receiving bachelor's and master's degrees in social work, were from all of the University's campuses –

Camden, Livingston/New Brunswick and Newark.

Most of the graduates majored in "direct practice," with the largest concentration of study having been on children and families. About 50 of the graduates concentrated on administration, policy and planning, with others majoring in health, mental health and aging.

The average age of the undergraduate completing studies in social work at Rutgers is 26; the average age of the graduate student is 35. The age range of the graduates is 22-62. Most of the graduates already are working and have experience in the human services field. Some work for the Division of Youth and Family Services (DYFS), others work for private, not-for-profit or for-profit agencies. Many have administrative or supervisory jobs.

Under Title 4E of the Social Security Act, if a state university has a Master of Social Work program and partners with its state government, it receives a 3 to 1 match in dollars to pay for its state social workers to earn their MSW degrees. This year about 165 have graduated Rutgers with an MSW, so many of those in the audience were Commissioner Harris' state employees under the 4E program. Others in the audience plan to spend at least two years working with DYFS.

"It was an historic evening, with me as the first African-American woman dean of the School of Social Work giving this leadership award to the first African-American female Commissioner of the Department of Human Services," said Dean Davidson.

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**5:13) 04-JUN-2003 08:03 [John Searight \(searighj\)](#)**

June 4, 2003 New York Times  
Study Shows More Failings of Child Safety in New Jersey  
By RICHARD LEZIN JONES

Dozens of child welfare workers in South Jersey are responsible for the safety of 80 children each, more than three times the accepted national standard. In one case recently a single worker had to oversee the care of 156 children who had been abused or neglected or were deemed at risk of being harmed.

More than 1,100 children that the state's child welfare agency decided no longer needed foster care were nonetheless back in the state's care within months. Workers often simply failed to determine whether the birth parents were able, or even wanted, to care for their children again.

In more than 230 instances in the past two years, the state found that abuse had occurred in one of its foster homes or other foster care institutions, but workers neglected for weeks and months to put together any kind of plan to rescue or otherwise protect the children from more abuse.

Those were among the findings in a study released yesterday that further detailed the failings of New Jersey's Division of Youth and Family Services. The report, like several before it, was commissioned by Children's Rights Inc., a Manhattan-based advocacy group, as part of its lawsuit against New Jersey over the quality of its foster care system. The state is now discussing a settlement with Children's Rights.

The 80-page report, prepared by Ira Schwartz, the provost of Temple University in Philadelphia and an expert in child welfare issues, uses the state's statistics and the firsthand accounts of state workers and administrators to paint a damning portrait of what Mr. Schwartz concludes is a dysfunctional, mismanaged child welfare system.

The agency, the report found, does not meet any of the six child welfare standards set by the Child and Family Service Review, a federal panel that routinely evaluates states on such issues as incidence of child abuse and the time required to complete adoptions.

Rates of abuse and neglect among children in the state's custody are about three times the level that the federal panel says is cause for serious concern. For children awaiting adoption, the abuse rate is more than 12 times that threshold. In one child welfare office in the state, the report said, the abuse rate was 30 times the standard set by the federal panel.

Joe Delmar, a spokesman for the agency, said that the federal panel would review New Jersey's compliance with the standards next year, and added that so far, none of the roughly three dozen states reviewed had met all the criteria.

The report suggests that the state reduce the time required for adoptions, maintain closer contact with children placed in foster homes and other settings, and stop placing children in foster homes where workers have already found that neglect or abuse occurred.

Mr. Delmar said the state welcomed many of those suggestions, including reducing caseloads for workers and speeding up adoptions.

"The report offers many excellent recommendations," Mr. Delmar said. He said many had already been adopted as part of Gov. James E. McGreevey's plan to transform the agency.

"As we have said before, the transformation will not happen overnight," Mr. Delmar added.

The report's findings echo those uncovered by the state itself five years ago, when a special task force laid out the problems and possible solutions for the agency, which has more than 6,000 children in foster care and estimates that it serves more than 75,000 children and families each year.

The report presented a grim statistical appreciation of the depths of the problems plaguing the agency.

The report found that as late as last February, 40 caseworkers in South Jersey bore caseloads of 80 children or more. More than two-thirds of the children who were transferred from the agency's care to their homes were sent back to the state again. One agency official said their movement was like a Ping-Pong ball's.

The report also found that there were 234 "corrective action plans" for foster homes or other institutions where abuse or neglect had occurred that had not yet been filed. Nearly a fifth of those dated back to 2001.

"If those plans are not timely implemented, children will languish in unsafe placements," the report said.

In preparing the report, Mr. Schwartz also reviewed the depositions of several high-ranking staff members in the agency that have been filed in connection with the Children's Rights lawsuit.

The report notes, for instance, the deposition of Elizabeth McGinnis, an agency official who is charged with ensuring that the agency act on reports of abuse and neglect in foster homes and state-run institutions.

Yet, the report said, she indicated that she did not even know who within the agency had ultimate responsibility for the completion of those investigations or whether they were overseen at the state or local level.

Mr. Schwartz also called on the division to do a better job placing children in permanent homes. Children who have been frequently moved stay in state custody, on average, for three years.

The agency remains under a state of emergency declared by Gwendolyn L. Harris, the commissioner of the Department of Human Services, which oversees the agency. The declaration was issued in January after the body of 7-year-old Faheem Williams was found in the locked basement of a Newark home.

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**5:15) 04-JUN-2003 11:55 [John Searight \(searighj\)](#)**

A yahoo search turned up the following:

340:75-18-10. Child and Family Service Review  
Issued 05-07-01



- (a) Child and Family Services Review (CFSR) assesses the realization of outcomes related to safety, permanence, and well-being by children and families as well as the status of systemic factors essential to effective service provision.
- (b) CFSRs evaluate achievement of the following outcomes by children and families:
  - (1) Children are, first and foremost, protected from abuse and neglect.
  - (2) Children are maintained in their own homes whenever possible and appropriate.
  - (3) Children have permanency and stability in their living situations.
  - (4) The continuity of family relationships and connections is preserved for children.
  - (5) Families have enhanced capacity to provide for their children's needs.
  - (6) Children receive appropriate services to meet their educational needs.
  - (7) Children receive adequate services to meet their physical and mental health needs.
- (c) CFSRs assess functioning of the following systemic factors:
  - (1) Statewide Information System;
  - (2) Case Review System;
  - (3) Staff and Provider Training;
  - (4) Services and Resources;
  - (5) Agency Responsiveness to Community; and
  - (6) Foster and Adoptive Home Approval and Recruitment.
- (d) Additional outcomes and systemic factors may be identified by the administrator of Division of Children and Family Services (DCFS) and the associate director of Office of Field Operations (OFO).
- (e) Each review is conducted by three to four teams. Each team typically focuses on service delivery within one county. A team consists of a Continuous Quality Improvement (CQI) staff who serves as the leader of a site review, a Child Welfare (CW) specialist or supervisor not affiliated with a site under review, and a third party identified by the area director. At least one volunteer stakeholder, not employed by DHS, participates as a member of one of the site teams involved in each CFSR review.

Below is a summary of some early findings.

<http://www.childrensrights.org/policy/web%20winter%202003%20chart%20by%20fotena.pdf>

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**5:16) 04-JUN-2003 12:07 [John Searight \(searighj\)](#)**

Folks,

Here is the actual press release from the web page of Children's Rights Inc. Their url is:

<http://www.childrensrights.org/>

#### MANAGEMENT EVALUATION OF NEW JERSEY FOSTER CARE SYSTEM REVEALS "INDIFFERENCE AT HIGHEST LEVELS" TO NEEDS OF CHILDREN AND CONTINUED FAILURE TO IMPLEMENT CLEAR CUT SOLUTIONS

Expert states "DYFS has ... turned its back on the children in its care time and again."

(June 3, 2003) An independent evaluation of the management of New Jersey's Division of Youth and Family Services (DYFS) released today reveals that "DYFS has egregiously failed the children in its care on a long-term, routine basis." The expert author of the report provides a comprehensive list of recommendations calculated to bring dramatic changes for children, almost none of which are currently planned by DYFS.

The evaluation--set up to determine if the child welfare system was meeting the basic needs of children in foster care, to identify systemic deficiencies, and to offer recommendations for reform--found that DYFS had known about all of the identified problems for years but "turned its back on the children in its care time and again." The evaluation was conducted as part of the class action lawsuit, Charlie and Nadine H. v. McGreevey, filed by Children's Rights and Lowenstein, Sandler in U.S. District Court for the District of New Jersey.

Ira Schwartz, a nationally and internationally recognized expert in child welfare, juvenile justice, and children's mental health examined recent DYFS data and reports turned over to Children's Rights in the lawsuit as well as transcripts

from the depositions of various DYFS top managers taken by plaintiff children's attorneys. Schwartz, the Provost of Temple University and former Dean of the School of Social Work at the University of Pennsylvania, concludes that:

In order to ensure that meaningful reform occurs within DYFS, significant real changes have to occur, some immediately and some only after long-range planning and thoughtful implementation. These changes are essential to repairing this dysfunctional, mismanaged child welfare system. DYFS must implement bold, innovative reforms to bring about meaningful change. If these reforms are not implemented, another tragedy will befall this state, and once again people will clamor for an explanation as to why it happened.

Among the reforms that should take highest priority, according to Schwartz:

Launch an aggressive campaign to finalize the adoption of at least 60% to 75% of those children now awaiting adoption. This goal can be accomplished by significantly increasing the amount of money paid to prospective adoptive parents. Funds for this initiative could be generated through a partnership between the state and private entities, including private foundations;

Implement a risk assessment tool using contemporary technology that can assist in screening of prospective foster parents;

Ensure that children are not placed in foster homes where anyone has been convicted of a felony unless approval has been granted by the Director of DYFS after receiving advice from an independent screening committee comprised of professionals and lay persons competent to provide such advice;

Never place children in homes where there has been substantiated abuse or neglect;

Implement random on-site monitoring of all DYFS placements;

Swiftly investigate and take action on all allegations of abuse or neglect of children in foster care;

Reduce the number of children in residential treatment centers without sacrificing quality of services to these children;

Require full and complete assessments of parents before reunification, in order to ensure that children are not returned to parents who are unwilling or unable to care for them; and

Provide adequate supports and services for parents who wish to regain custody of their children, but are otherwise unable to do so without these supports and services. A monitoring group should be established, made up of professionals, foster parents and biological parents who have successfully had their children returned home, to review all returns home for the next three years to ensure that decisions to return children home are being carefully made.

"Children in New Jersey are suffering needlessly," stated Marcia Robinson Lowry, executive director of Children's Rights and a lead attorney in the lawsuit. "This expert's thorough and thoughtful evaluation offers specific solutions for this terrible situation, but state officials have never really tried to implement any of them. It's still an open question whether they will do that now, or just paper over the problems once again."

Schwartz notes that Kevin Ryan, Governor McGreevey's Deputy Chief of Operations conceded in a recent newspaper interview that, "The child welfare system in this state has not been a priority. There was an institutional decision year after year to neglect these children."

An examination of DYFS' own data demonstrates that DYFS has critical deficiencies in numerous areas. For example, Schwartz finds that:

In 2001, the last year for which DYFS data is available, the rate of abuse and neglect for children in DYFS custody was three times the national standard;

The rate of abuse and neglect for children in the Adoption Resource Centers ("ARCs"), the entities which oversee children whose plan is to be adopted, is over twelve times the national standard, and for one particular office, the rate is thirty times the national standard;

Children in DYFS custody who are shuffled through multiple placements remain in custody an average of 38.76 months, a staggering amount of time for any child to lack permanency;

Children in DYFS custody who do not achieve permanency in 18 months or less will languish there, and often times remain in care for more than four years;

Children ping-pong back and forth between biological families and DYFS custody. In 2002, 67.5% of those children who were returned to DYFS custody after being sent home were returned because their parents were unwilling or unable to care for them. This

demonstrates that DYFS is either sending children home prematurely, or failing to provide adequate supports to ensure that when children return home they do not have to re-enter care;

More than 63.75% of all children in DYFS custody are shuffled through multiple placements;

Caseloads for DYFS caseworkers are extraordinarily high, with none of the four DYFS regions and only one of the six ARCs meeting recommended national standards. According to DYFS' own data, in order to meet national caseload standards, DYFS would have to hire approximately 300 additional caseworkers. According to the Staffing and Outcome Review Panel ("SORP"), a legislatively-mandated panel created to review issues relating to the management of DYFS, DYFS should in fact hire 1,027 caseworkers, supervisors and aides over the next three years.

DYFS' computer system is so antiquated that it utterly fails to track such basic information as foster home vacancies, caseworker visits with children, what medical services are required and what services are received.

"It's an outrage that this system has been so bad for so long with so little done to fix it," said Susan Lambiase, associate director of Children's Rights. "Provost Schwartz uses the state's own data to document a system in a perpetual state of crisis but analyzes it to show how reform could happen. The state could have done that itself years ago, if they had not perpetually put foster children at the bottom of the list."

### Background

Charlie and Nadine H. v. McGreevey is a federal civil rights lawsuit filed in 1999 in the U.S. District Court for the District of New Jersey by Children's Rights and the New Jersey law firm of Lowenstein, Sandler, charging that the state's child welfare system is poorly managed, overburdened, underfunded and is harming the health and safety of New Jersey's children. Documents obtained through the lawsuit, and ordered released to the media by Magistrate Judge John J. Hughes, show in individual cases how DYFS failed to respond appropriately to protect plaintiff children who were abused, and sometimes died, in foster care. The evaluation released today is the second in a series that reports on various aspects of the child welfare system to provide evidence of system-wide failures in practice and management. As the case proceeds toward an expected trial this fall, the parties are also discussing the possibility of settlement under the guidance of a mediator.

Children's Rights is a national non-profit organization working in partnership with advocates, experts, policy analysts and government officials to address the needs of children dependent on child welfare systems for protection and care. Children's Rights develops realistic solutions and, where necessary, uses the power of the courts to make sure the rights of these children are recognized and that reform takes place.

Lowenstein Sandler consistently ranks at the top among New Jersey's largest law firms in the New Jersey Law Journal's annual pro bono survey. The firm has played a visible role in cases involving educational equity, civil rights, and political asylum, and has a deep commitment to children's issues.

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**5:17) 06-JUN-2003 08:19 [John Searight \(searighj\)](#)**

From this morning's New York Times and Newark Star-Ledger.

This case may well focus attention on the issue of DYFS not providing what we use to call "continuing services." DYFS, as I understand it, contracts out much of their direct provision of service after the investigation and the substantiation of neglect or abuse. My view, which may be outdated and/or rather out of fashion, is that the protective services agency should provide most of these ongoing services. They are the ones who (in theory) have the training, skills, expertise, and legal responsibility to work with resistant, abusive/neglectful families, know how to skillfully use authority, are able to assess, as the service continues, safety issues and insure protection for the child. This kind of shift to DYFS providing continuing services would require major change in function and a lot more staff, with training (social work degrees and structured decision making and a solution-focused approach), and would be a real transformation of DYFS as it currently defines itself. I really don't believe that the protective service agency is fulfilling its mandated responsibility if it views its major responsibility as investigating and substantiating, and then contracting out and relying on other agencies and their staffs, regardless of how well intended the efforts. It was certainly not what the better CPS agencies were doing in the 60's and early 70's.

john

Dead Toddler Had Suffered Past Abuse

June 6, 2003

By LESLIE KAUFMAN and RICHARD LEZIN JONES

Prosecutors and child welfare officials are investigating the death of a 21-month-old child who had previously been abused by his parents, but who had been returned to them in recent months by foster care workers.

The child, Daniel Soto, was found in his parents' apartment in East Windsor, N.J., barely breathing and with bruises across his body, and later declared dead at CentraState Medical Center in Freehold late Wednesday night.

Prosecutors in Mercer County have not filed charges against the parents, but the couple's two other children, who had also once been removed from the home because of abuse and neglect, were again taken into custody by the state. Child welfare officials said the dead child had been bruised around his genitals, as well.

Officials with the Division of Youth and Family Services, an agency that has been declared in crisis by state officials, yesterday defended their decision to return the children to the home, saying it had been done with the approval of a family court judge and with an array of support services provided to the troubled parents.

"Notwithstanding that we understand DYFS is broken, it appears that all the right things were done in this case," said Colleen Maguire, the special deputy commissioner of human services who was appointed earlier this year with the task of reforming the child welfare agency. "It is not out of the question to have social services wrapped around the family 24 hours and still have this kind of tragedy."

The parents, Maritza Soto and Astolfo Sanchez, were not detained yesterday by Mercer County authorities, who said an autopsy was being conducted to determine the exact cause of death.

The family came to the attention of the Division of Youth and Family Services in October 2001, six weeks after Daniel and a twin, Joel, were born. At that time the mother took the children to a hospital, saying they had injured themselves in a tub, according to a person who has seen the case file. Daniel, with a cracked skull and other fractures, was in particularly poor shape.

The child welfare agency conducted an investigation and found that the twins had been physically abused and neglected. Among other things, the parents had waited three days before seeking medical treatment for the children.

The twins and an older brother, now 6, were removed from the home and placed in foster care for a year, agency officials said. Starting last fall, the children were returned to the parents, one by one. There have been no additional complaints against the couple, according to agency officials, who said that their progress and cooperation with the many social service agencies involved with them was considered so great that child welfare officials were on the verge of recommending the end of official litigation.

Before the child's death, a hearing on the matter had been scheduled for yesterday.

Daniel Soto is the second young child from a family known to child welfare officials to die this week. Moreover, the agency has been under fire since 7-year-old Faheem Williams was found dead in a Newark basement in January, a month after the agency closed his file without investigating abuse allegations.

As a result of the problems that have surfaced this year, Gov. James E. McGreevey has ordered a significant overhaul of the agency.

But yesterday, agency officials emphasized that they had handled this case properly.

The agency and a minimum of three other not-for-profit social service agencies had been providing the parents with child care, house cleaning, counseling and anger-management therapy for months, Ms. Maguire said. The anger

management was necessary, the officials said, because of a history of domestic abuse. Early on, during the family's involvement with the Division of Youth and Family Services, there was a restraining order in effect to keep Mr. Sanchez away from Ms. Soto, officials of the agency confirmed.

Ms. Maguire said that the last visit by child welfare workers to the home had been on May 6 and that the last visit by a worker from one of the social service agencies had been as recent as May 28. Social service workers had spoken with Ms. Soto by phone as recently as June 3, Ms. Maguire said.

"It appeared the parents had made such significant progress that there was a scheduled court hearing and all the key parties were prepared to recommend termination of the litigation," she said.

But other residents of the Windsor Regency Condominiums, where the family lives, painted a more disturbing picture. They said that Ms. Soto had kept to herself and that the twins, whom she frequently dressed in matching outfits, were never seen at the local playground. They also said they had often heard screaming and what sounded like hitting coming from the family's apartment.

The couple's downstairs neighbor, who spoke only on the condition of anonymity, added that she thought there had been more serious incidents that the child welfare agency did not know about. Within the last two months, one of the twins was taken away by an ambulance, she said.

The couple's oldest son, who officials said appeared to be unharmed, was being questioned yesterday. Daniel's twin, they said, had slight bruises, but nothing that would necessarily indicate abuse. Agency officials said they would try to place the children with the foster family with whom they previously lived.

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Toddler in DYFS case found dead

Friday, June 06, 2003

21-month-old E. Windsor boy was battered and bruised

BY SUSAN K. LIVIO AND MARY JO PATTERSON  
Star-Ledger Staff

Six months after leaving foster care and returning to his formerly abusive home, a 21-month-old boy was found battered, bruised and in respiratory arrest at the East Windsor home of his birth parents.

Little Daniel Soto, who was under the supervision of the state Division of Youth and Family Services along with his twin and older brother, was pronounced dead at a local hospital about an hour after his mother dialed 911 at 8:19 p.m. Wednesday. Authorities say he may also have been sexually assaulted.

Charles Waldron, acting Mercer County prosecutor, issued a terse statement yesterday saying only that no charges had been filed and that an investigation into the toddler's death was continuing.

But a top state Department of Human Services official, Colleen Maguire, said the mother, Maritza Soto, was alone with her children at the time, and her husband was at work.

Soto, briefly interviewed at a sister's apartment in East Windsor yesterday, declined to talk about what happened.

"I'm not ready to talk about that," she said.

Meanwhile Daniel's twin, Joel, and 5-year-old brother, Carlos, were immediately returned to the physical custody of DYFS, which took all three boys from their home in October 2001 but later -- with the blessing of a Superior Court

judge -- reunited them with their parents, Maritza Soto and Aselfo Sanchez.

Daniel and Joel, identical-looking, dark-haired toddlers whose mother often dressed them in matching clothes, came home on Christmas Eve 2002.

Yesterday morning their case was scheduled for a routine review. The court was scheduled to end its involvement , with DYFS still monitoring the family.

Instead, Judge Gerald J. Council ordered the Soto children back into state custody. Neighbors in the sprawling condominium complex where the children lived, said they had heard alarming sounds coming from the Soto apartment in recent weeks: the screams of children, and the sounds of beatings.

Detectives at the Soto home carted out paper bags of items, videotaped the interior and exterior, and took photographs.

The fact the homicide apparently played out in the presence of a twin and older brother invited comparisons to the death of Faheem Williams, a case that rocked the agency last January and prompted calls for its reform.

In that case, DYFS admitted failing to investigate an open allegation that the boys were being beaten and burned. Faheem later turned up dead in the basement of a Newark house; his twin and an older brother survived.

This time, however, DYFS accepted no blame.

"With Faheem it took three minutes to figure out what happened, that we had not behaved appropriately," Colleen Maguire, deputy commissioner of human services, said yesterday. "(Here) we seemingly did everything right, and we had the same outcome."

Maguire said DYFS had contracted with two community agencies, Catholic Charities and Home Society of Mercer County, to provide casework and counseling to the family during the last six months. Those agencies concurred with the DYFS assessment that the parents, who complied with a court order to get counseling and parent education classes, were doing well, she said.

The Soto case was also overseen by a special state-appointed lawyer who acted as guardian for the boys.

Neighbors of the family in East Windsor described a reclusive mother who rarely took her children outside, and who fought constantly with both them and her husband.

DYFS confirmed that the boys' mother took out a restraining order against the father in March 2001.

Also, late this March, the dead boy's twin, Joel Soto, was taken from his home to Robert Wood Johnson University Hospital in New Brunswick for treatment of cuts and bruises reportedly suffered in a fall down stairs.

The hospital determined that his injuries were accidental and did not notify DYFS, Joseph Delmar, a spokesman for the agency, said yesterday. Joel's mother, however, reported the injury herself to social service agencies involved in her case, and they were not concerned about possible abuse, he said.

"Someone from the agency was there at the home the next day. Their reviewed the medical information and saw the child," Delmar said.

DYFS opened a file on the family on Oct. 18, 2001, after being notified by a hospital that the twins had been hurt in a freak accident. They were barely a month old.

Soto told doctors that, while holding the newborns, she "blacked out" and dropped them. She did not seek medical attention for them for days. At the hospital, Daniel was found to have a fractured skull; Joel had minor injuries.

DYFS obtained a court order to remove the twins and Carlos, and substantiated abuse and medical neglect allegations against the mother. The children, who remained together, were placed in a specialized foster home.

The parents received court-ordered services, including psychiatric evaluations, case management, therapy, parenting classes and vocational assistance. After the children returned home, they continued to receive services, as well as subsidized day care.

In October 2002, after a year in foster care, the oldest Soto boy came home. Two months later, on Dec. 24, the twins followed.

DYFS and the other agencies have since each visited the family at least once a month, Maguire said.

"Through the course of all the services, the home was clean and parents had actively participated in services," she said. "Everyone was very excited and pleased by the progress they were making."

DYFS made its last home visit on May 6, she said. On May 28, one of the other agencies also visited.

Last evening neighbors of the Soto-Sanchez family gathered on the grounds of Windsor Regency, a sprawling two-story condominium complex off Route 539.

Julia Granda said she saw medical personnel remove Daniel Soto on a stretcher Wednesday night, place the tiny limp body on the ground and frantically pump his chest.

When Granda learned that he had died, she started to cry.

"How sad, he was still a baby," she said through a translator.

Another neighbor, who refused to identify herself, said she heard terrible screams, from a child, coming from the Soto apartment on the Thursday before Memorial Day. The woman said she vowed to herself to take action, but relented when the cries stopped.

"I was going to tell her that she was hitting that child too hard, and I was going to call the cops, but it had stopped," the neighbor said.

At a ShopRite nearby, where the children's father worked, a co-worker expressed sadness at the news. Mario Delallana said Sanchez, a cashier, talked constantly about working hard "to get his kids back," although he never explained why they had been taken away.

"He was working hard to get his kid. The day he had them, he was so happy," Delallana said.

Child advocates said the Soto case underscores the need for DYFS reform.

"The division cannot live with a family 24 hours a day, seven days a week, but the case seems to highlight some issues that need to be added to the reform agenda," said Cecilia Zalkind, executive director of the Association for Children of New Jersey, a nonprofit advocacy group.

"Are community services relevant to the family's need? Are they provided with the goal of keeping children safe? Are we returning children too soon?" she asked.

Janet Farrand, president of the state's Association of Foster Parents, said hearing about Daniel left her "devastated."

"What can I say?" she said. "I don't have a soundbite. Of course we're saddened to hear of this death. No child should have to go through this."

DYFS said last night that the agency was attempting to return the two surviving boys to the foster home that originally took them in.

Staff writers Mary Ann Spoto, Sue Epstein, Angela Stewart, Joe Donohue and Dunstan McNichol contributed to this report. Copyright 2003 NJ.com. All Rights Reserved.

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5:18) 07-JUN-2003 14:01 [John Searight \(searighj\)](#)

## Boy's Death Highlights Child Welfare Agency's Problems in Preventing Potential Harm

By RICHARD LEZIN JONES and LESLIE KAUFMAN      NEW YORK TIMES      June 7, 2003

As New Jersey authorities continued to investigate the death of a 21-month-old boy whose parents had already been found to have abused their children, social work experts said yesterday that the case highlighted the difficulty of determining when it is safe to return children to a family with a record of child abuse.

New Jersey officials note, for instance, that the family of the child who died Wednesday night — there were bruises across his body and evidence of sexual abuse — had been provided with a small army of helpers, including housecleaners, counselors, child care providers and therapists.

"There are no guarantees," said Mary Edna Davidson, dean of the School of Social Work at Rutgers University. "You cannot predict this, even if you're doing all the right things."

The authorities have not charged the parents of the child, a couple who had once been found to have abused and neglected their children and whose problems with violence had once led to a court order against the husband. An autopsy was begun yesterday on the child, Daniel Soto, to continue on Monday. Prosecutors said they would await final results before deciding whether to take action against the parents, Maritza Soto and Astolfo Sanchez.

The Division of Youth and Family Services said it had removed Daniel Soto; his twin, Joel; and their older brother Carlos, 5, from their parents' custody in the fall of 2001 after workers found that Daniel, with a cracked skull and other fractures, had been neglected and abused.

Child welfare officials, while defending their handling of the case and the decision to return the three children to the couple last fall, said they were examining records and interviewing workers to see if anything more could have been done.

Child welfare officials said the children had spent a year in foster care and were returned to their parents after therapists and counselors said the family was ready to be reunited.

The agency said that since the family had been reunited, there were no further confirmed incidents of violence, and that the family had made so much progress that the agency was on the verge of recommending that court involvement be ended. But early Thursday, Daniel was pronounced dead a little more than an hour after the police discovered him barely breathing in the family's East Windsor, N.J., apartment.

The authorities said there were obvious signs of bruising and injury, including marks on his genitals, when he was discovered. The agency has placed his two brothers back into their old foster home.

Some experts yesterday said cases like Daniel Soto's illustrated a debate in child welfare circles about the best practices for removing children from their parents.

According to the authorities, there had been a history of violence in the home. But experts clash over when such factors become decisive in evaluating whether children can safely live in, or be returned to, such homes.

"There are so many variables," Dr. Davidson said, adding that research shows that factors like substance abuse and mental illness are often ingredients in such disasters, along with domestic violence.

Jill Zuccardy, a lawyer with the Sanctuary for Families in New York, a group that counsels battered women, said, "There is a correlation but not causation between domestic violence and child abuse."

One study done in New York in the 1990's showed that in 40 percent to 60 percent of child abuse cases, violence had occurred in the household. Still, she said, one is not predictive of the other, and removing children because of domestic



abuse only punishes the spouse who is the victim of abuse.

The social service agencies that served Daniel's family included Catholic Charities and Children's Home, according to a person with knowledge of the family's case file.

Both agencies declined to talk about any specific cases or even to confirm if they had been involved in the Soto home. The Law Guardians, the public defenders who were charged with representing Daniel Soto, said they would issue their own report on the family next week.

While not speaking about the Soto case specifically, Francis E. Dolan, the executive director of Catholic Charities in the Diocese of Trenton, said: "There are two competing values: providing security to families and stabilizing and strengthening families. Sometimes they don't always match up."

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THE TIMES OF TRENTON      By KEVIN SHEA                      Friday, June 06, 2003

### **Police probe death of tot**

EAST WINDSOR - A 21-month-old township boy whose parents were under the scrutiny of the state Department of Youth and Family Services nearly his entire life died Wednesday about an hour after police officers found the toddler beaten and barely breathing in the family's apartment, officials said.

Daniel Soto died in the emergency room at Central State Medical Center in Freehold Township at 9:25 p.m. after unsuccessful attempts to revive him, authorities said.

The child's mother Maritza Soto, 27, made the emergency call, which dispatchers labeled an infant in respiratory distress, officials said.

Township police officers responded to her residence in Windsor Regency complex on Gardenview Terrace East. Based on what they saw at the scene, a criminal investigation has been started.

Police said they noticed visible injuries to various parts of Daniel's body. Daniel's twin brother, Joel Soto, and another child in the apartment, a 5-year-old boy named Carlos, were placed in DYFS custody.

Joel Soto also was taken to a hospital for less-serious physical injuries, officials said.

Maritza Soto lives in the apartment with Astolfo Sanchez, 32, the father of the twins.

DYFS is very much aware of Soto family. The agency first learned about the apparent abuse in the home and neglect of Daniel Soto when the boy was only 6 weeks old.

Yesterday, DYFS made the unusual move of calling a news conference to detail their dealings with Daniel, his parents, and the little boy's twin brother.

The boys were taken from their parents for a year and returned to the home last fall, the agency said.

Details from DYFS were in agreement with bits and pieces of events witnessed by neighbors in the past few months. Neighbors described a home in which the painful screams of youngsters came after harsh angry yells, and sometimes beating sounds, thought to be delivered by an adult.

Assistant Mercer County Prosecutor Angelo Onofri said the office is probing Daniel's death with township police, and

as of yesterday no charges had been filed. An autopsy on the boy is scheduled for this morning, he said.

Onofri declined to elaborate on anything beyond Wednesday evening's incident. He said the office was keenly aware of DYFS' past and current involvement with the Soto boys, but he could not comment because the prosecutor's investigation was ongoing.

Law enforcement sources said yesterday that Maritza Soto and Sanchez were questioned by detectives and that the autopsy results today could cause a significant turn in the probe.

Daniel's trip to a hospital Wednesday night was not his first visit to an emergency room. And in addressing the Soto case yesterday, DYFS officials offered another blunt self-assessment of their own office.

"(DYFS) is a broken agency," said Colleen Maguire, the special deputy commissioner of the Department of Human Services, which oversees DYFS.

"It appears that all of the right things were done in this case and yet we still had this outcome."

Daniel and Joel Soto were born Sept. 7, 2001.

Just one month later, the boys were brought to Capital Health System at Fuld hospital in Trenton and doctors found critical head injuries.

Daniel reportedly suffered substantially more injuries than his brother and a DYFS official said the mother had taken "a couple of days" to seek medical treatment for the boys.

The twins and an older sibling were immediately removed from the family and placed in foster care.

Daniel's head injuries were such that DYFS officials feared he might suffer developmental delays. They found foster parents who had training to detect such problems in young children.

As required by law, the birth parents were given psychological evaluations after the children were removed. They also received a host of services and training to help improve their ability as caregivers, including parenting skills, counseling and anger management classes.

"It appeared the parents cooperated fully, and the determination was made to gradually return them to the parents," Maguire said. Between October and December 2002, the three children went back to Soto and Sanchez.

Maguire said DYFS case workers and social workers from several nonprofit agencies in the area visited the family regularly to determine if the parents were coping and the children were safe.

A DYFS caseworker last visited the family on May 6, although Maguire said a worker from another agency saw the family just over a week ago.

"We are confident we were out there on a regular basis," said DYFS spokesman Joseph Delmar.

Maguire said child welfare officials were sufficiently satisfied with the parents' progress that they were prepared to argue at a court hearing yesterday that the state should terminate litigation in the case, and make the services to the Soto parents voluntary.

But, Maguire said after Daniel's death, "From all appearances, the child was physically abused. The twin brother was bruised and is at the hospital. The older child is still being investigated."

Apartment neighbors said yesterday that an ambulance showed up at the house earlier this year for one of the twins.

A next door neighbor, who saw the boy taken away on a stretcher, said her daughter later asked Maritza Soto what happened. The mother told her the child had fallen down the stairs, "but he was OK."

It was Joel that time, DYFS officials said yesterday, and case workers accepted the family's account that the fall was accidental and that Joel had sustained only bruises and scratches.

"There was no evidence of abuse," DYFS spokesman Delmar said of the incident, which occurred in March.

A neighbor, who would only provide the first name Suzana, said she would occasionally see Maritza Soto with the kids. "The kids would wave `Hi' to me. (But) she seemed very rude . . . We never talked."

Neighbor Julia Granda said Soto always walked with her head to the floor and didn't seem friendly. The kids - or the mother - were rarely seen outside playing, she said.

Granda said she saw two ambulances Wednesday evening, and the children being taken out in a stretcher. A news reporter told her about Daniel's death, which elicited a gasp, then tears from the stunned woman.

Staff reporters Eva Loayza and Tracey Regan contributed to this story.

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**5:19) 10-JUN-2003 08:15 [John Searight \(searighj\)](#)**

Children's Rights Inc. released another report this morning sharply critical of DYFS and its care of children in foster care. The press release is headlined, REVIEW OF 500 CASE FILES OF CHILDREN IN DYFS CUSTODY REVEALS "CHAOS AND TRAGEDY". It reports on a review conducted by Richard Gelles, a national expert on child abuse and the Dean of the University of Pennsylvania School of Social Work. The text of the release can be found at: <http://www.childrensrights.org/press/2003-06-09.htm>

I am also posting copies of press coverage of the release, including an editorial from today's Star-Ledger.

**Too quick an exoneration**                      Newark Star-Ledger Editorial, Tuesday, June 10, 2003

The tragic truth is that the state Division of Youth and Family Services will never be able to save all the children whose families are fractured by drugs, abuse, neglect or any of the other causes that put children under the agency's care.

However, DYFS does not get the luxury of granting itself early absolution when a child under its supervision dies, as happened with 21-month-old Daniel Soto.

Daniel and his siblings were returned to their parents after having been placed in foster care because of medical neglect and abuse charges. The baby was found with visible injuries, in respiratory arrest in his parents' home. Daniel died just before a judge was expected to end the court's supervision of the family and leave it in the hands of DYFS, based on assessments that the family had made great progress.

The investigation is proceeding, the autopsy results are not even in, yet the state Department of Human Services has already said that DYFS did everything it was supposed to do. That may eventually prove true. But at this point, how can anyone be sure of what happened?

The declaration is premature and runs counter to the mindset required to reform this troubled agency. DYFS must always ask if there was anything else it could have done, anything it might do better the next time.

Public and internal skepticism is warranted because this agency has failed too many of the children in its charge. Its records have not always proven reliable; its assessments have sometimes been damnable.

Just before Daniel Soto died, DYFS confirmed the findings of a study by Children's Rights Inc., an advocacy organization that is suing DYFS and has a court order to examine the agency's files. DYFS failed to follow up on 50 cases of confirmed or alleged abuse in its foster care system. The agency cannot certify the status of those children except to say that not one of them has been moved. Not one.

If it took litigation to uncover that information from the agency's files, there is good reason for continued concern about all cases, including the Soto case.

A new report from Children's Rights says DYFS is a study in "chaos and tragedy." In 20 percent of cases, children removed from abusive homes are sent back, only to be removed again because the reunification fails. DYFS must be sure that tragic cycle was not at work in the Soto case.

There are many long-standing problems. Field staffers are juggling an untenably high number of cases, children are languishing in foster care while adoption efforts lag and managers have thrown up their hands at a system that betrays the very children it is supposed to rescue.

The McGreevey administration is trying. It is negotiating to settle the Children's Rights suit that its predecessors fought. It has asked for patience, saying it has set its reformers to work but cannot solve long-standing problems overnight.

However, too many previous administrations have gotten through their terms on promises that were never quite kept where DYFS was concerned. Each left its successors -- and thousands of vulnerable children -- holding the same bag of trouble. Time is up. Things must change now.

If DYFS is going to change for the better, there can be no rush when it comes to assessing what went wrong in any case -- certainly not in a case where the result was a dead child.

## **Foster Care in New Jersey Is Called Inept**

June 10, 2003

By LESLIE KAUFMAN and RICHARD LEZIN JONES

In July 2002, a federal judge in southern New Jersey approved a plan for an expert to assess the state child welfare agency's handling of 500 randomly selected children in foster care. It did not take the expert long to discover the extent of the agency's problems: 120 of the case files were missing so much information — sometimes, for instance, whether the child was even still in foster care — that they had to be thrown out of the study.

And as the expert dug deeper into the remaining case files, the documented problems only got worse:

Half of the children under age 6 who had spent their whole lives in foster care had received none of their immunizations for measles, diphtheria and other diseases.

Nearly 80 percent of the children in long-term foster care had at some point gone for months without being seen by a state caseworker.

About 20 children had been placed in foster homes where there was either a known criminal or a caretaker previously found to have abused children.

Of the state's Division of Youth and Family Services, the expert, Dr. Richard J. Gelles, wrote: "The DYFS picture is not just bleak; it is one of chaos and tragedy." He later concluded, "I have never seen such a disorganized and inept child welfare system."

The report, released yesterday, was the third in a series submitted to federal court in Trenton by Children's Rights Inc., a Manhattan-based advocacy group, that is suing New Jersey over the quality of care it provides to foster children. And the report, like the others before, paints a grim picture — one that state officials do not dispute, but have pledged to change.

"The system has many major problems that need to be fixed, including foster care especially," said Joe Delmar, an agency spokesman. But he added that the agency, which is in the throes of a major reorganization, has already begun to address problems in the report.

"We have taken some immediate steps to move abuse investigations, but we need to make more significant changes to truly transform services for children and families," Mr. Delmar said.

While not challenging the accuracy of the report, Mr. Delmar suggested the expert, the dean of the School of Social Work at the University of Pennsylvania, may be overly critical of long stays in foster care because he disagrees with the extent to which the state tries to reunite children and their parents.

"Dr. Gelles can be quite controversial in his viewpoint," he said. "He is not a supporter of family preservation and prefers to move children more quickly into foster care and into adoption."

Dr. Gelles has long served as an expert on child welfare issues, and has previously examined the systems in Florida, the District of Columbia and Hawaii. But he said he was stunned at what he found in New Jersey.

"Child welfare professionals often use the metaphor of children falling between the cracks in the child welfare system," he wrote. "DYFS is an abyss into which children in DYFS's supposed care and custody fall."

The hundreds of case files, with real names and undisputed consequences, deal with many of the now commonly understood failures of the child welfare agency: the shockingly large numbers of children in foster care who have been the subject of reported abuse by foster parents.

Not only does the report confirm earlier findings that nearly one in five children in New Jersey foster care is the subject of an abuse or maltreatment allegation, but it explains, in part, how this could be so.

Dr. Gelles was especially critical of agency officials for knowingly placing some children into homes where at least one person had a known criminal conviction or where the agency itself had found a previous instance of child abuse or neglect. "DYFS is playing a most dangerous game of Russian roulette," he wrote.

And a further analysis of abuse findings also showed that caseworkers were either avoiding or circumventing the agency's internal division that is set up to investigate abuse and neglect allegations.

The files, the report found, also showed that the agency failed to provide the most basic sort of health care services to the children in its custody.

The failure to provide any immunizations to nearly half of the children under six years old was "an abomination," Dr. Gelles wrote. In fact, pre-school-age children who had spent less time in the agency's care, presumably in highly dysfunctional homes, were nevertheless slightly more likely to have been immunized.

And despite the state's own lenient regulations requiring that children in foster care be visited by a caseworker a minimum of once every 60 days, the case files showed that 78 percent of children who were in long-term, out-of-the-home care had gone at least one span of 90 days or more without contact with their caseworker. National standards set by the Child Welfare League of America suggest that even 30 days is too long a period between visits.

Again it was the children who had been in the agency's care longest who appeared to have received the poorest care. Children in care between a year and three years saw their caseworkers every two months, but children in care longer than that saw their caseworker less than every 90 days on average.

"This," the report found, "forms the cruelest form of institutional neglect and abuse."

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**Report finds 10% of kids in foster care mistreated**

Tuesday, June 10, 2003

BY SUSAN K. LIVIO

Star-Ledger Staff

One in every 10 children in New Jersey's foster care system is mistreated and one in five is returned to abusive parents who hurt them again, according to a report commissioned by a group that is suing the agency.

The report, by the children's advocacy group Children's Rights Inc., also found that one in five children received no medical attention while in foster care and that three-quarters of the children in foster care for more than three months had gone 90 days without a visit from their caseworker.

The author of the report, Richard J. Gelles, dean of the School of Social Work at the University of Pennsylvania, said his findings make it clear that an overhaul is needed at the Division of Youth and Family Services, which is entrusted with the care of more than 50,000 abused children.

"As this review shows, DYFS' failures to meet even the most basic of professional standards reveal more than an agency with a few cracks. DYFS is an abyss into which children in DYFS' supposed care and custody fall," the Gelles report says.

The "picture is not just bleak. It is one of chaos and tragedy," Gelles said.

A DYFS spokesman said the report reiterates problems that by now are well-documented and acknowledged by the highest officials in the governor's office and the Department of Human Services. In the Legislature yesterday, lawmakers introduced two bills that propose reform of DYFS.

"This reports addresses many of the same issues we have heard about time and time again. There are major problems with the system and with foster care itself," DYFS spokesman Joseph Delmar said.

The report is the third in a series commissioned by Children's Rights in support of its class-action lawsuit that would force the state to make a series of changes to DYFS. Among other things, Children's Rights is asking that a court-appointed officer monitor any DYFS overhaul.

Lawyers for the state and the advocacy group are in talks with a mediator aimed at negotiating a settlement. The process began four months ago. If mediation fails, a trial is anticipated in the fall.

The Gelles report also found that half of all children under 6 who had spent their lives outside their parents' home and in foster care received none of their immunizations, and it concluded one in eight foster children with documented psychological problems received no treatment.

Among the examples cited in the report:

Michael was a year-old when he entered foster care in 1999. During his three-year stint in the state's care, he failed to receive his required immunizations or treatment for hearing and vision problems. On six occasions, his caseworkers let 90 days elapse before they visited his foster home.

5-year-old Ashley has a history of abuse in both her family home and her foster home. Between 2001 and 2002, DYFS was alerted she may be the victim of physical and sexual abuse, but her files do not document whether DYFS investigated either charge.

The statistics are based on 500 random case files pulled from the 9,800 children in foster care on May 8, 2002. Only 380 could be used for an analysis, however, because 120 files lacked key facts or contained conflicting information, the report said.

It's true the files are in "terrible shape," said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents about 2,000 DYFS workers.

But that fact gave Rosenstein a reason to question Gelles statistics.

"I don't believe (the problems) are that widespread. No one has time to file, to do paperwork, and we have this

ridiculous computer system that is 18 years old."

Children Rights' senior attorney Eric Thompson said there was no defense for the poor work being done at DYFS.

"I think this report is evidence of complete failure, from the top on down, to meet minimum requirements of the social work process," he said.

Delmar, the DYFS spokesman, said the agency is trying to address its problems.

In an effort to improve safety in foster care, DYFS last year closed 43 homes where children had been abused and neglected, and closed another 121 because they did not meet licensing standards.

"We have taken steps to ensure the safety of children in all out-of-home placements and will make the necessary changes to ensure no child is at risk," Delmar added.

While the two sides try to hammer out a settlement, the administration of Gov. James E. McGreevey was trying to move its own reform package through the Legislature.

Lawmakers yesterday introduced a bill that creates an independent watchdog for DYFS under the Office of the Child Advocate. Another bill, running some 268 pages, outlines a reorganization of the agency. Both bills reflect proposals McGreevey and Human Services Commissioner Gwendolyn Harris have already announced.

The legislation creating the Office of the Child Advocate comes with a \$2 million price tag and broad powers. The office could sue DYFS, review case files and issue subpoenas, according to the bill. The office could monitor the Institutional Abuse Investigation Unit, an office that has come under heavy criticism for taking too long to confirm and act on allegations of abuse and neglect in foster care.

The child advocate, under the Department of Law and Public Safety, would be appointed by the governor to serve a five-year term.

The DYFS reorganization bill would rename the Division of Youth and Family Services as the Division of Child Protection and Permanency, and empower Human Services police officers to accompany caseworkers who fear for their safety and would help find missing families. The bill would also require criminal background checks for employees of state-run and state-licensed child residential centers and group homes.

"The governor is calling on the Legislature to enact the child advocate bill before the end of June," McGreevey's spokesman Micah Rasmussen said. He also called the DYFS "transformation ... a critical step in our ongoing reforms."

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5:21) 11-JUN-2003 08:06 [John Searight \(searighj\)](#)

### **Mother Charged With Murder in Death of Boy**

By RICHARD LEZIN JONES      NYT      June 11, 2003

A New Jersey woman with a history of abusing her children was charged yesterday with first-degree murder in the death last week of her 21-month-old son, the authorities said.

Last Wednesday night, emergency workers responding to a call from Maritza J. Soto's apartment found the boy barely breathing, with various bruises on his body, including marks on his genitals.

The toddler, Daniel Soto, a twin, was pronounced dead hours later. Ms. Soto, 27, was the only adult in the home at the time, the authorities said.

Prosecutors in Mercer County waited to charge her until the medical examiner released the findings of the child's autopsy yesterday. According to those findings, Daniel died of blunt force injuries that caused massive internal bleeding in his heart and lungs.

Ms. Soto surrendered to the authorities at the East Windsor Police Department in western New Jersey shortly after 5 p.m. yesterday and was arraigned about three hours later. She appeared, wearing a green prison jumpsuit and with her hands shackled, before a municipal court judge, David A. Saltman.

Bail for Ms. Soto, who was transferred to the Mercer County Correction Center last night, was set at \$500,000. She did not speak at the brief hearing, but her lawyer, John W. Hartmann, entered a not guilty plea for her. He said the family would seek its own autopsy.

New Jersey child welfare officials had removed Daniel; his twin, Joel; and another brother, Carlos, 5, from their home in the fall of 2001 after state investigators found that the twins were abused and neglected by their parents.

The Division of Youth and Family Services found that Ms. Soto and her husband, Astolfo, had waited three days to seek medical treatment for their children after what they said was a fall in the tub in which the children suffered broken bones.

After roughly a year of involvement by the division, social services groups and therapists, the children were returned to their parents' care in December. Those who counseled the family reported significant progress by the Sotos and, before Daniel's death, were preparing to recommend that court involvement with the family end.

"She was just about to get her children back," Mr. Hartmann said yesterday. "They moved from Trenton to make a better life for their children. Obviously it was a financial strain, but they did it." A woman who attended the hearing and identified herself as Ms. Soto's sister-in-law but refused to give her name said: "She's innocent. I know her from way back. She'd never do anything like that. It's totally untrue."

Yesterday, an official who helps to oversee the family services agency, Colleen Maguire, said that the agency was continuing to re-examine the family's case file.

"We're combing through every detail of our involvement and the involvement of our community partners with this family to determine if anything could have been done differently to keep this child safe," said Ms. Maguire, a special deputy commissioner in the state's Department of Human Services.

The division took custody of Daniel's brothers after his death. Ms. Maguire said they had been placed in the same foster home they lived in when they were removed from their parents in 2001.

"It is still too early to make any recommendations about their future," Ms. Maguire said.

The authorities declined yesterday to say how they believe Daniel suffered his injuries, but investigators have not ruled out the use of a blunt instrument.

In the autopsy report, the Mercer County medical examiner, Dr. Raafat Ahmad, said that the internal bleeding Daniel suffered was caused by a tear in a chamber on the right side of his heart and bruising of the lungs.

The police found Daniel just before 8:30 p.m. last Wednesday in his parents' apartment in the sprawling Windsor Regency Condominiums complex in East Windsor. He was taken to CentraState Medical Center in Freehold, N.J., where he was pronounced dead about an hour later.

In addition to the first-degree murder charge, Ms. Soto faces a second-degree charge of endangering the welfare of a child. If convicted of the charges, Ms. Soto faces 30 years to life in prison.



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5:22) 12-JUN-2003 13:48 [John Searight \(searighj\)](#)

Below are two very important and interesting articles from today's papers.

### **Managers Fired at Youth Unit in New Jersey**

By RICHARD LEZIN JONES            New York Times            June 12, 2003

TRENTON, June 11 — In the biggest shake-up of New Jersey's child welfare agency since the death of a 7-year-old Newark boy in January, the special assistant assigned by the governor to reform the office has dismissed 10 of its highest-ranking administrators and managers, state officials said.

The dismissals come after what state officials, who would speak only on the condition of anonymity, said had been a virtual position-by-position review of the upper-level managers in the state's Division of Youth and Family Services by Colleen Maguire, the special deputy commissioner of human services.

Gov. James E. McGreevey has put Ms. Maguire in charge of leading the overhaul that he promised for the division after the death of Faheem Williams, 7, whose body was found in a Newark basement in January. Eleven months before his body was found, Faheem's case had been closed by the division even though there were outstanding allegations of abuse against his family.

News of the dismissals emerged during an appearance by the governor at a news conference announcing state financing for a commuter parking garage in West Orange, N.J.

When asked about the problems at the division, the governor angrily responded, "People have been fired in the past two weeks."

State officials later confirmed the dismissals. It was unclear late today precisely which division administrators and managers have been dismissed. Privacy laws governing personnel matters like dismissals hinder officials from discussing the specifics of such moves publicly.

However, the state officials who spoke on condition of anonymity said that Ms. Maguire's review was continuing and that more managers might be dismissed later.

The dismissals came as a New Jersey woman, whom division officials found had abused and neglected her children, appeared in State Superior Court here on charges that she had killed her 21-month-old son.

The woman, Maritza J. Soto, 27, also faces child endangerment charges in the June 4 death of her son, Daniel. Today, a lawyer for Ms. Soto said in court that the boy's death might have been caused by the woman's efforts to revive him.

The lawyer, John W. Hartmann, said that Ms. Soto performed cardiopulmonary resuscitation on Daniel, whom the police discovered barely breathing in the family's East Windsor, N.J., apartment. The boy died hours later.

Mr. Hartmann said that the results of an autopsy performed on Daniel, which showed that he died of massive internal bleeding caused by a tear in a heart chamber, bolstered Ms. Soto's assertions that she did not harm her child.

"This is an exoneration of her," Mr. Hartmann said of the autopsy results at a hearing in court today.

Of Daniel's death, Mr. Hartmann added, "This means that it was caused by CPR."

Mr. Hartmann's comments came at a hearing before Judge Charles A. Delehey, at which the lawyer sought to have Ms. Soto's bail reduced. Citing the nature of the charges, however, Judge Delehey said that bail for Ms. Soto would remain at half a million dollars. She was being held at the Mercer County Correction Center.

Prosecutors today deflected Mr. Hartmann's assertions that the injuries that the authorities said killed Daniel could have been caused by CPR.

"I can tell you, your honor, that I was present at part of the autopsy and the injuries were extreme," an assistant Mercer County prosecutor, Kimm Lacken, told Judge Delehey.

The medical examiner found that Daniel's death was caused by bleeding from a tear in one of the chambers of the boy's heart and bruises on his lungs. Besides those injuries, the child's body was also covered with bruises, including marks on his genitals.

Ms. Lacken said the police arrived at Ms. Soto's apartment a few minutes before 8:30 p.m. on June 4 and found Daniel lying naked and barely breathing on a countertop in the bathroom. Besides the bruises on his genitals, Daniel also had marks on his forehead, back and left arm, Ms. Lacken said. Fluid was also flowing from the boy's ear.

According to Ms. Lacken, Ms. Soto told investigators that shortly before she called the police, her son had been playing in a bedroom. She told investigators that she called out to Daniel, but that he did not respond. When she went into the bedroom, she found him lying on the floor, Ms. Lacken said.

After bringing him into the living room to watch television, Ms. Soto said that she noticed fluid coming from the boy's nose and that she took him to the bathroom to care for him, the assistant prosecutor said.

When she took off Daniel's clothes for a bath, Ms. Soto noticed that he was unresponsive, Ms. Lacken said. It was then that she began performing CPR.

Ms. Soto, who appeared in an orange prison jumpsuit, sat impassively through most of the 15-minute hearing. She shook her head gently while Ms. Lacken outlined the division's record of child abuse in her home.

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## **Jersey taps Nevada official to take control of troubled DYFS**

BY SUSAN K. LIVIO

Star-Ledger Staff

June 12, 2003

The top child welfare official in Nevada, who also spent 27 years as a foster parent, is coming to New Jersey next month to take control of the Division of Youth and Family Services as it wrestles with the greatest crisis in its history.

Edward Cotton said yesterday he expects to arrive July 15 and assume the DYFS director's job -- a position that has been vacant since July 2002. Several state officials confirmed his pending appointment, but declined further comment.

Cotton inherits an agency that within the last six months has seen its credibility plummet following the deaths of two children well-known to the system. Gov. James E. McGreevey and legislators have called DYFS "badly broken" and have offered proposals to remake it. A national child advocacy group suing DYFS for violating the civil rights of foster children has called it the worst child welfare shop in the country. The state's own data show one in every 10 foster children is subjected to abuse or neglect.

In a telephone interview yesterday, Cotton said he looks forward to the rebuilding task, calling it "a workable situation."

"I think it's an opportunity because a lot of people are focused on making the system better," Cotton said.

Taking on a large, dysfunctional child welfare agency won't frighten Cotton, said Donna Coleman, president of a volunteer watchdog organization, the Children's Advocacy Alliance, in Henderson, Nev.

"Ed walked into a nasty situation (in Nevada)" -- a stingy state budget, high caseloads for front-line staff, kids getting

hurt needlessly while on the state's watch, Coleman said. "He fired a number of people who were extremely negligent in their jobs -- managers and people who were allowing children to return to unsafe environments."

Coleman predicted Cotton will shake things up in New Jersey. "People who care about kids and not covering their ass will like him," she said.

Cotton is the second administrator hired to repair DYFS. Human Services Commissioner Gwendolyn L. Harris hired Colleen Maguire as her deputy in February, in the wake of the death of 7-year-old Faheem Williams of Newark. The child was found dead on Jan. 5, 11 months after DYFS closed his family's case and failed to investigate an allegation of abuse and neglect. This week an East Windsor woman was charged with murdering her 21-month-old son who had been returned to her after a year in foster care.

Before he took over in Nevada two years ago, Cotton worked for six years as the deputy director of a DYFS-equivalent agency in the Illinois Department of Children and Family Services, which he joined as a caseworker in 1979.

While there he became a licensed foster father, after taking in a neighborhood child who was abused by his parents. The divorced father of two said that over the years he cared for 30 children with serious behavioral problems.

Cotton said his proudest professional accomplishment was in making foster care safer. In Illinois, he helped design and implement a system of questions that front-line workers must use to determine whether a child should remain at home or enter foster care.

Then the state forced caseworkers to learn the system and pass a written test, asking them how they would respond in several fictional scenarios. Workers had three chances to pass or lose their jobs.

After the first year of using what he called the "safety assessment," the number of children who were re-abused while under state supervision dropped by 16 percent; after five years, it dropped by 50 percent.

"I'm sold on it -- it works," Cotton said. "It shows results. Part of my job (in New Jersey) will be to sell this process."

Prior to his public sector child welfare experience, Cotton was a caseworker for a private child welfare agency from 1975 to 1979. He also had taught junior high school for two years.

Cotton will replace Charles Venti, who retired last summer. Acting Director Doris Jones has filled in, but notified the state last year she intended to retire in June.

Newark Star-Ledger

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**5:24) 13-JUN-2003 08:32 [John Searight \(searighj\)](#)**

### **Troubled Child Welfare Agency Gets a New Leader**

By RICHARD LEZIN JONES and LESLIE KAUFMAN      NYT      June 13, 2003

NEWARK, June 12 — As part of a sweeping set of changes at the top of New Jersey's troubled child welfare agency, state officials announced today that they had hired a nationally recognized administrator with a history of reforming failed child welfare systems to be the agency's new director.

The new director, Ed Cotton, is now the administrator of Nevada's Division of Child and Family Services and is regarded by many child welfare experts as one of the nation's most accomplished professionals in the field.

Mr. Cotton, 54, who is a foster parent, was also Illinois's top child welfare official, and during his tenure the state had some significant reductions in instances of child abuse.

As she announced Mr. Cotton's appointment — he will start work next month — Gwendolyn L. Harris, the New Jersey

commissioner of human services, disclosed wholesale personnel changes among more than two dozen officials in the highest ranks of the Division of Youth and Family Services, the child welfare agency.

Ms. Harris said that nearly a third of the division's district office managers and a host of other top officials — including the division's acting director, its head of investigations and one of its top legal advisers — had decided to take early retirement.

"The division is undergoing some unprecedented changes in management," said Ms. Harris, who added that the changes give the agency "an excellent opportunity to address accountability."

Ms. Harris's announcement came a day after Gov. James E. McGreevey told reporters — in an angry response to questions about the death of a child who had recently been in the agency's care — that a number of agency officials had been dismissed in the last two weeks.

Today, Ms. Harris described the departures of the senior staff members as retirements. But some state officials, who spoke on the condition of anonymity, said that at least some of those who made that choice had been effectively forced out.

"Some portion of these people were told that they'd be better off just leaving," one official said.

However, an official with the union that represents many child welfare workers denied that any of those who left had been pressured and said that the departures were in fact retirements.

"As far as I know, a whole group of people who devoted their lives to child protective services retired," said the union official, Hetty Rosenstein, president of Local 1037 of the Communications Workers of America. "I am not aware of anyone being fired."

The reorganization at the top of the agency comes six months after the governor promised to reform the problem-plagued agency following the death of Faheem Williams, a 7-year-old whose body was found in a basement in Newark.

The state's review of its handling of Faheem's case showed that his case file with the division had been closed 11 months before his body was found, even though an abuse allegation that had been made against his family had not been fully investigated.

A spokesman for Mr. McGreevey, Micah Rasmussen, said the moves at the agency were a sign that the changes that the governor had promised were being implemented.

"We think it underscores that there's a shake-up under way at DYFS," Mr. Rasmussen said. "This is just a small part of it."

Mr. Cotton said there were striking similarities between New Jersey's current situation — overburdened caseworkers, inadequate investigations, lack of foster parents — and what he faced as an administrator in the Department of Children and Family Services in Illinois about a decade ago.

"Kids getting injured when they're known to the system is something that was going on," Mr. Cotton said.

Prompted by a string of high-profile child deaths, Mr. Cotton and other child welfare officials in Illinois developed what they called the child endangerment risk assessment protocol. It is a mechanism for measuring child safety that draws on criminal, mental health and other assessments of parents to decide when the agency should take custody of children.

"The question is: Is the child safe? Should you leave without the kid?" said Mr. Cotton, who began his career as a social worker in Illinois nearly a quarter-century ago.

Mr. Cotton said that after a year of using the measure, the instances of children who were reabused while in state care

dropped about 16 percent. After five years, Mr. Cotton said, that rate dropped 50 percent.

The head of Nevada's child welfare division for the last two years, Mr. Cotton said his priorities as the New Jersey agency's new director would be improving the quality of foster homes, broadening training for staff members using new measures of tracking case files, and determining child safety.

"If the state takes somebody's kid, there's an obligation that you're going to do a better job than they did," Mr. Cotton said.

Benjamin Wolf, of the Illinois chapter of the American Civil Liberties Union, has been closely monitoring the Illinois child welfare agency since he won a class-action lawsuit against it in 1991. He gave Mr. Cotton high marks as a reformer.

Mr. Wolf praised Mr. Cotton's work as the head of the department charged with investigating abuse complaints, improving training and introducing quality-control measures. Mr. Wolf said the risk assessment protocol was an innovation of Mr. Cotton's tenure.

"It just helped structure the way people thought about things," Mr. Wolf said. "The questions might seem obvious, but in the press of the moment it can help to have guidelines."

The result, he said, has been much more accurate prediction of where harm would occur at the same time that the state actually took fewer children into custody.

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### **Commissioner Harris issues statement about DYFS personnel changes**

TRENTON— New Jersey Department of Human Services (DHS) Commissioner Gwendolyn L. Harris issued the following statement today in response to the personnel changes at the Division of Youth and Family Services (DYFS).

“Due to the Early Retirement Incentive (ERI) Program, the division is undergoing some unprecedented changes in management,” said Commissioner Harris. “Though this presents us with an excellent opportunity to address accountability, we are faced with the formidable task of replacing people who brought a wealth of knowledge and experience that can never be replaced.”

Currently, there are 25 management vacancies including a 32 percent vacancy rate for district office managers. The Department has been advertising for all of the positions and has received more than 400 resumes to date. The following is a list of 23 DYFS managers who took advantage of the ERI option by June 30, 2002 along with their official date of retirement:

Eleven District Office Managers

Retiring 07/01/03

Mary Clifford-McCardle- Metropolitan ARC

Gayle Netta- Southern Monmouth DO

David Oldis- Atlantic DO

Reuben Ryder- Jersey City DO

Fred Rhinehart- Gloucester DO

Retiring 9/1/03 David Mallory- Cumberland DO

Retired 4/1/03 Alice Carducci- Morris DO

James Dowman- Edison DO

Peggy Kehs- Cape May DO

Sharon McCobin- Hunterdon DO

Retired 1-1-03

Martha Curtis- Northern Monmouth DO

Twelve Trenton Central Office and regional officer managers/executives:

Retiring 7-1-03

Doris Jones, Acting Director

Ronald Burschini, Supervising Administrative Analyst, Contracts

Helene Levine- Administrator, District Office Operations, Southern Region

Janice Malec, Deputy Director

Bonnie Schwebel- Assistant Director, Southern Region

Barry Silverstein, Assistant Regional Administrator, Service Operations

Raymond Wolfinger, Assistant Director, Legal & Regulatory Affairs

Retired 6-1-03

Rick Franzen-Administrator, Business Operations, Southern Region

Retired 4-1-03

Thomas Crook, Chief of Investigations

Faye Hollender, Supervising Administrative Analyst, Policy Development

Retired 1-1-03

Frederick Lowe, Supervising Administrative Analyst, Program Evaluation

Cindy Parks, Management Improvement Specialist

In addition, Robert Sabreen, Assistant Director for the DYFS Metro region was recently reassigned to DYFS Central Office in Trenton. Vicki Amoroso, District Officer Manager for Newark District Office #2, has also been reassigned.

Finally, Commissioner Harris confirms that Edward Cotton, current director of Nevada's child protection agency, will become the new director of DYFS effective July 15, 2003.

### **McGreevey backpedals on DYFS shake-up**

### **Human Services contradicts governor's statement on 'dismissals'**

BY SUSAN K. LIVIO AND JEFF WHELAN      Friday, June 13, 2003      Star-Ledger Staff

One day after Gov. James E. McGreevey declared a big shakeup was under way at the Division of Youth and Family Services and that people had been fired, the governor's office backed off a bit yesterday and said it wasn't sure if anyone had been pushed out yet.

Kathy Ellis, a spokeswoman for the governor, said yesterday that two to three weeks ago, eight managers at the troubled agency were targeted to lose their jobs. She said top officials at the Department of Human Services have told the employees "there is not a place for them in DYFS."

But Laurie Facciarossa, a spokeswoman for the Human Services Department, said yesterday that "nobody has been terminated at this point."

"Decisions have not been made. No paperwork has moved forward," she said.

In impassioned remarks at a news conference Wednesday, McGreevey said he had begun a "substantial change" at DYFS and that "within the last (few) weeks, there have been dismissals of individuals who frankly can't or won't perform their jobs."

Ellis said yesterday that McGreevey based his remarks on a meeting he had several weeks ago with Human Services Commissioner Gwendolyn Harris, Deputy Commissioner Colleen Maguire and other top state officials. At the time, department officials requested permission to fire the eight employees, and the governor's office consented.

But McGreevey's public statements Wednesday angered Harris and Maguire. Ellis said the two officials had planned to give each of the employees the option of quietly retiring to avoid the embarrassment of being fired.

"There is this huge bureaucracy that is used to moving at a ponderously slow rate," Ellis said. "The governor is just blowing them out of the water and there is some tension there."

Ellis also said "it's fair to say the list has grown" beyond the original eight and characterized the personnel moves as a "major shake-up." Facciarossa agreed that the process is still under way and that the list is growing.

The confusion started Wednesday morning while McGreevey fielded questions from reporters about the June 4 death of 21-month-old Daniel Soto of East Windsor. The Mercer County Prosecutor's Office this week charged the boy's mother, Maritza Soto, 27, with beating Daniel to death. DYFS, with concurrence from a family court judge and two social service agencies, had returned the boy and his brothers to their parents last fall after a year in foster care.

McGreevey said he had no information suggesting DYFS had done anything wrong, but spoke bitterly of the death -- just as he had in January when the body of a Newark boy, Faheem Williams, was found. That death prompted McGreevey and DYFS officials to promise an overhaul of the agency.

After McGreevey said people had been fired, the Department of Human Services faced questions about what employees had been dismissed. It issued a press release late Wednesday saying: "Maguire has carried the message of accountability at every level to DYFS staff in a series of meetings since her arrival this Spring. Those discussions, in addition to the state's early retirement program, have led to 24 current management level vacancies."

That didn't sit well with employees and their unions because all of the retirees had made their intention to retire known last June -- well before the recent problems surfaced at DYFS. They felt slighted that they were being characterized as not fit to work for the state.

"People dedicated their lives to child protective services and they are retiring," said Hetty Rosenstein, president of Communications Workers of America Local 1037, which represents 2,000 DYFS workers. "No one is being forced out."

Yesterday, Harris appeared to soften the administration's rhetoric. Her department released a list of 23 people who are taking early retirement and two who have been transferred, and a statement from Harris saying: "Though this presents us with an excellent opportunity to address accountability, we are faced with the formidable task of replacing people who brought a wealth of knowledge and experience that can never be replaced."

Harris and Maguire declined to personally answer questions yesterday. "The statement speaks for Commissioner Harris and Deputy Commissioner Maguire," said Human Services spokesman Joseph Delmar.

This is not the first time the governor has made comments about state job cuts that later failed to stand up to scrutiny.

Last year, McGreevey said he had laid off 600 state workers in his efforts to balance the state budget, but personnel records showed he only reduced the work force by roughly half that amount.

In May, McGreevey vigorously disputed a report by radio station NJ 101.5 that the number of non-civil service state workers who earn at least \$50,000 or more increased during his tenure. The governor's aides later admitted that the number of employees in that category did indeed increase by 193.

**Newark Star-Ledger Editorial**

Friday, June 13, 2003

**A new leader for DYFS**

The state Division of Youth and Family Services has been without a director for nearly a year, including six months of the worst series of crises in the agency's long and troubled history.

Some have long been urging the McGreevey administration to appoint a director as quickly as possible to provide day-to-day leadership at the operational level. The priority, however, had to be finding the best person for the job. We hope that newly appointed director Edward Cotton fits that bill.

He comes to New Jersey after a short stint as the top child welfare official in Nevada, before which he served six years as a deputy in Illinois' version of DYFS. He will report to deputy human services commissioner Colleen Maguire, who will continue to lead the DYFS reform effort. Maguire has made a good start, and any line of authority that did not recognize that would have been a step backward.

Clearly this is an appointment that had to come from outside the agency. Since the death of Faheem Williams, whose corpse was found in a filthy basement, locked away with two nearly starved siblings, there have been too many revelations about the failures of administrators up and down the line in the DYFS hierarchy.

In the Williams case, DYFS closed its file on the family without fully investigating charges of child abuse. Subsequent reports, based on DYFS files, uncovered more instances of children who died in the DYFS foster care system and found that one in every 10 foster children in New Jersey is subjected to abuse or neglect.

Anyone who thinks one appointment is going to turn this agency around does not appreciate the deep roots of the problems that plague DYFS and other children's services agencies.

Cotton's former state, Illinois, is often cited as a progressive example of children's services reform. But some there, like the Cook County public guardian, a public advocate, say that only lawsuits forced changes, such as the assignment of more judges to handle foster care and adoption cases. That one change alone resulted in a drastic reduction in the number of children under state supervision. The guardian recently filed suit again over the huge number of children who are incessantly bounced from one foster home to another. That suit says the Illinois system is filled with its own tragedies.

In truth, most states face the same problems that trouble New Jersey: too many children in need, too few caseworkers to handle the load, too few caring foster homes and institutions to stand in for parents who cannot or will not take care of their own children.

And there is an inherent contradiction in the state's role as the investigator of abuse at the same time it is the agent for preserving the unity of troubled families.

It will take concerted and consistent effort to shape the policies and staffing required to do right by vulnerable children and troubled families. It will also require the removal of those who have proven they cannot do this job.

Although the McGreevey administration said recently it has started culling the weeds from DYFS, the truth seems more nuanced. The Department of Human Services says some two dozen people have left the agency, but they filed for early retirement a year ago. The paperwork just now emerged from wherever it had been. No one has been fired, according to the department.

No matter how that little flap turns out, based on all we have learned about DYFS in the past few months, someone should be.

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5:26) 14-JUN-2003 17:27 [John Searight \(searighj\)](#)

## **Inquiry Into Toddler's Death Cites Communication Failures**

By LESLIE KAUFMAN      NYT

June 14, 2003



After a review of the case files for a 21-month-old former foster child who died after being returned to parents with a history of abuse, New Jersey's child welfare agency has determined that there were lapses in communication between caseworkers and service providers. But the agency stopped short of saying that the gaps contributed to the child's death.

Officials said at a news conference in Trenton yesterday that the agency had failed to warn workers at a day care center who looked after the toddler, Daniel Soto, and his twin, Joel, that the parents were considered at high risk of committing abuse. Similarly, a doctor who treated Joel for bruises weeks before his brother's death was never told of the family's history. His mother had said Joel fell down a flight of steps, an explanation the doctor did not challenge.

Colleen Maguire, the deputy human services commissioner charged with reforming the agency, the Division of Youth and Family Services, emphasized that she did not believe that the caseworkers had missed any red flags or that Daniel's death would necessarily have been prevented if such information had been shared. Nevertheless, she said, the review showed that standard procedures had fallen short. She added that new standards were being introduced to address the gaps.

"We collectively concluded that good was not good enough and that we did not reach the standard of best," she said.

The division has been under fire since January, when the body of a 7-year-old boy was found in the basement of a Newark home after a caseworker had closed his file despite allegations of abuse. Gov. James E. McGreevey has pledged to overhaul the agency, and in February named Ms. Maguire to lead the effort.

Daniel Soto died on June 4 after emergency workers arrived at his East Windsor home in response to a call from his mother, Maritza J. Soto, who said the boy was barely breathing. The boy had bruises on his body, including marks on his genitals.

Ms. Soto was charged with first-degree murder by Mercer County authorities on Tuesday and has pleaded not guilty.

The Division of Youth and Family Services had been involved with the family since October 2001, when investigators found that Ms. Soto had abused and neglected the twins, then 6 weeks old. Daniel had suffered a cracked skull and broken bones. Ms. Soto said the injuries occurred when she dropped him in the bathtub, but investigators disagreed.

Daniel, Joel and another older brother, Carlos, were then removed from the home. They were returned last fall, however, after the parents completed court-mandated therapy. Numerous social and counseling services were provided to the family.

Ms. Maguire said the agency's review, conducted on Wednesday, had included representatives from all the nonprofit groups that had provided services to the family, as well as Daniel's state-appointed lawyer.

Ms. Maguire said that the Soto children had been returned to the home too early, before the agency had fully resolved the first instance of abuse, in October 2001.

To improve the evaluations of whether families with a history of abuse would again hurt their children, Ms. Maguire said, she will introduce a computerized questionnaire to help child welfare caseworkers and social workers at the nonprofit agencies assess the danger to children. Pressed as to whether such a tool would have prevented Daniel Soto's death, Ms. Maguire said, "That is the hope."

Ms. Maguire said she was also establishing a policy that all agencies providing services to a family meet with the family and caseworkers at least once every two months. Currently, such meetings occasionally occur, but they are not required. The idea, she said, is to make sure that everyone involved with aiding the families knows what is at stake and can share developments.

In Daniel's case, for example, day care workers who changed the twins' diapers presumably would have been more alert to bruising had they known of the parents' history.

She also said that in the future, interviews with neighbors would be conducted more often. After Daniel's death, several neighbors came forward to say that they had heard sounds of abuse.

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## **Official: N.J. didn't do enough for toddler**

### **Inquiry into death uncovers problems**

BY SUSAN K. LIVIO

June 14, 2003

Star-Ledger Staff

New Jersey's top child protection official conceded for the first time yesterday that the state could have done more to protect 21-month-old Daniel Soto, and said his beating death has prompted officials to adopt new policies for child abuse investigations.

Immediately following the toddler's death at his family's East Windsor home June 4, Deputy Human Services Commissioner Colleen Maguire said social service agencies "seemingly did everything right" in their monitoring of the child and his brothers, who had been returned to their parents after a year in foster care.

The boy's mother, Maritza Soto, was charged Tuesday with his murder. Authorities said Daniel had been severely beaten, resulting in massive internal bleeding.

Maguire said yesterday that while the state Division of Youth and Family Services and two other social service agencies provided counseling and made regular visits to the home, there were communication problems and other gaps in the efforts to ensure the troubled family was stabilizing.

After reviewing the family's file and meeting Wednesday with everyone who had a hand in the case, Maguire said, "We collectively concluded that good was not good enough in this case."

For example, she said, the children's doctors and day care workers were not informed of previous allegations of abuse that might have prompted them to watch more closely for any signs of trouble. And DYFS caseworkers did not interview the family's neighbors, who after the child's death told journalists that they had heard screams coming from the home.

Daniel, his twin Joel and 5-year-old brother Carlos had been removed from their parents in October 2001 after DYFS determined that their mother had abused and medically neglected the twins.

While the children were in foster care, therapists counseled the parents. Caseworkers made sure the mother completed court-ordered parenting classes. Home visits occurred more often than the required once-a-month.

Last fall, DYFS, a family court judge, a law guardian and two social service agencies agreed to return the children to their parents.

Maguire yesterday called the state's efforts to mend the family "good, but good isn't good enough. It has to be the best when we are talking about children and families."

She said that although it was very unlikely the state could have prevented the boy's death, "We did not reach that goal or standard of best."

In hindsight, for instance, Maguire said she is troubled that Maritza Soto continued to deny she did anything wrong when Daniel was seriously hurt in the October 2001 incident that prompted DYFS to place the children in foster care.

Soto has always maintained the child fell out of her arms accidentally after she "blacked out" -- which Maguire said was not consistent with his injuries. The newborn suffered a fractured skull, and did not receive immediate medical

attention, authorities said.

Maguire said she would have slowed down the process of reuniting the family because of the mother's reluctance to accept responsibility for her actions. "My goal is always to err on the side of safety," she said.

Maguire said the Soto case has led to a set of new policies at DYFS:

Social service agencies that work for DYFS will be trained in the state's methods of detecting abuse and neglect and of assessing whether a child may be at risk.

When families are under the supervision of more than one agency, meetings involving the DYFS workers, law guardians, day care directors and other social service providers will be held at least every two months, and the families will be invited to attend.

Neighbors must be interviewed during a DYFS investigation. Current DYFS policy does not require neighbors to be interviewed unless the neighbor was the one who made the complaint, Maguire said.

DYFS must assess whether families need bilingual and culturally sensitive services and provide them. Daniel's father speaks very little English and the anger management therapy he received was with someone who was not fluent in Spanish.

DYFS must share a child's history with other social service agencies and legal representatives involved with the child's family.

DYFS will share a full medical history of a child under its supervision with every physician who sees the child.

In the Soto case, Maguire said, "I was not satisfied the full medical history had been provided to all of these physicians." In March, Daniel's brother Joel was checked at a hospital after his mother said he fell down the stairs. Maguire said if the child's full history had been provided to the doctor, "he might have looked at the case differently."

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**5:27) 15-JUN-2003 07:22 [John Searight \(searighj\)](#)**

## **STATE VOWS TO REMAKE DYFS**

By TRACEY L. REGAN

Trenton Times

June 14, 2003

TRENTON - The McGreevey administration yesterday vowed to make fundamental changes in the way its child welfare agency assesses the risks posed by abusive parents, monitors the safety of children returned to them after stints in foster care and determines what social services to provide families to ensure that abuse does not recur.

Colleen Maguire, the human services official hired earlier this year to oversee reforms at the state's troubled Division of Youth and Family Services, said the proposed changes were prompted in part by the brutal death last week of Daniel Soto, a 21-month-old East Windsor boy whose mother Maritza has been charged with his murder.

Daniel spent much of his first year in foster care following his hospitalization at 6 weeks old with a fractured skull and other injuries.

Maguire suggested yesterday that Daniel and his two brothers might never have been returned to his biological parents under the more protective standards the state plans to adopt this year.

"It is possible," Maguire said, that the family would have been considered too great a risk.

Among other proposals, the state is developing a new method of defining what level of danger children face in their homes, placing them in categories of low, moderate and high risk and tailoring decisions about their placement and the

services provided the family accordingly.

"Even one child harmed or killed is unacceptable," said Maguire. "When there is a question of safety or risk, we must err on the side of safety."

She noted yesterday that the state had never developed a clear picture of how Daniel was injured in 2001, although DYFS managers were skeptical of the mother's story that she blacked out and fell on top of him and his twin, Joel.

"The mother never believed what she did was abusive and still to this day her explanation and the nature of the injuries are inconsistent," Maguire said.

Maguire also suggested yesterday that the many social workers involved with Daniel and his parents may not have had a good read on the family. After his death, Daniel's neighbors reported that the mother screamed and slapped the children so loudly that they could easily hear her from outside their building. She said the state will make it a point to speak with neighbors in future, although she did not outline a specific policy to do so.

She said the state will also require far more communication among the people in a position to evaluate a child's well-being. The community agencies that provide services to the family under contract with the state will have to fill out the same safety assessment sheets that DYFS workers complete following visits, for example.

All doctors and day-care workers who see the children will be informed of the family history and all of the child welfare workers involved with the family will meet together regularly to discuss the case. The parents will be required to attend these meetings, and others, such as the law guardian who represents the child before the courts, will be invited, DYFS officials said.

Maguire had initially defended the state's actions on Daniel's behalf, noting that the family was barraged with counseling and services to ensure the parents' success. Regular visits by state and community agency workers had suggested nothing but progress, she said.

But she said she came to a different conclusion after a meeting this week with the many child welfare workers involved in the case, including DYFS workers, social service agency personnel, as well as the law guardian representing the child and staff from the state Attorney General's office.

"We collectively concluded that good was not good enough in this case and we didn't meet the standard of best," she said. She insisted, however, that DYFS learned of no obvious signs of abuse that doctors or social workers had missed.

Maguire said the state would rethink how it provides services to troubled families, adding that a "cookie-cutter" approach failed to address particular problems.

"We can throw multiple services at a family, but we don't always do the best job of defining what the services should do," she said.

One of DYFS's staunchest critics hailed the proposed reforms yesterday, calling them a necessary step toward providing services with value to troubled families. "These reforms sound very concrete and have the potential to be effective in making changes," said Cecilia Zalkind, director of the Association for Children of New Jersey. "It is an interesting shift to look at outcomes and not just the provision of services . . . there has been a lot of focus in the past on process and not outcomes."

Department of Human Services Commissioner Gwendolyn Harris, who hired Maguire to oversee the DYFS reforms, began yesterday's press briefing by saying there would be significant personnel shake-ups in the agency this summer. Some managers will be asked to leave, she said, while others will see their job titles change.

State officials announced Wednesday that the chief of Nevada's child protection system will become director of DYFS next month when Ed Cotton, 54, becomes director of the Division of Youth and Family Services. The longtime foster

parent and social worker has said he would focus on child protection.

Harris refuted recent published reports that she had begun firing top managers but said she would announce the personnel moves within the next three months.

"Some people will be able to move with us and some won't," she said, adding, "Make no mistake - DYFS will be completely revamped to be more responsive to the children we serve."

Harris said she met recently with Gov. James E. McGreevey to make sure she had his support to make the changes, but said she never gave him a firm number of the people she plans to relocate or fire. "I don't want favorite uncles calling up and saying don't move that person," she said.

Maguire said the department had received more than 500 resumes from people hoping to fill positions at the agency, and would be interviewing candidates "in the evening and over weekends."

DYFS spokesman Joseph Delmar said it was not clear yet how expensive these reforms would be. "Some things can be done without a price tag, and some things will require more resources. Training service agencies (to assess safety in homes) will cost."

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**5:28) 18-JUN-2003 09:17 [John Searight \(searighj\)](#)**

## **New Details on Failures in New Jersey Child Care**

By RICHARD LEZIN JONES and LESLIE KAUFMAN      NYT      June 18, 2003

In the night of Sept. 21, 2002, an officer at a juvenile detention center along the New Jersey shore propped open a door to obstruct the view of a security camera. In the minutes that followed, state records show, the guard allowed one resident to gain access to an adjoining cell and beat the teenage foster child inside.

In another instance, a worker at a central New Jersey group home for foster children was left in charge of two children with a history of sexually inappropriate conduct. "Not to be left alone — ever," was the instruction for their care. State records show the direction went unheeded on the first day of 2000 when the worker left the children unattended while he went to make coffee. The children, ages 9 and 12, abused each other sexually in the interim.

Then, over two consecutive nights in the fall of 2000, a staff member of another group home took a handful of her young charges to her supervisor's home. There, she gave them knives and had them slash the tires of the supervisor's car.

The disturbing and sometimes gruesome details of child abuse and neglect — painstakingly and repeatedly chronicled in state records — emerged yesterday with the latest of three releases of formerly secret files from New Jersey's Division of Youth and Family Services.

Yesterday's reports, made public under court order, focus on the state's failures in overseeing some of New Jersey's most troubled children. Placed in group homes or specialized settings or left to languish in juvenile jails, this population of foster children, the records demonstrate, often wound up harmed the most.

The files make clear that basic supervision at institutions where full-time monitoring was essential was often inadequate. Administrators slept through their shifts. Teenagers were allowed to take joy rides in automobiles that they were not even licensed to drive. Sexually disturbed children were left alone to prey on others.

Additionally, the qualifications of those left in charge of the children were sometimes barely scrutinized at all. One man in charge of caring for foster children had 14 criminal warrants for violence outstanding against him. Another, a guard at a detention center, had not even completed basic training before he was left to help oversee dozens of troubled and

often-violent children.

The case files, dating to 1999, were released as part of a March order by Magistrate Judge John Hughes of Federal District Court in Trenton, in response to a request in court by The New York Times. Judge Hughes ordered New Jersey officials to make public extensive portions of state foster care files that had already been released under court seal to Children's Rights Inc., a Manhattan-based advocacy group that is suing New Jersey over its foster care system. Children's Rights is in settlement talks with the state.

As a result, since March thousands of pages of previously undisclosed state records, including case files and accounts of investigations, have been made public. Those records included cases where children in foster homes were killed or gravely injured. The records also included cases where the failure to conduct proper investigations into alleged abuse and neglect led to children being further harmed.

Yesterday's release of records contained more than 2,000 documents that focused solely on abuse in group homes, residential treatment centers and other institutional settings.

The state's Department of Human Services, which oversees the division, insisted yesterday that children were safe in New Jersey's residential programs. The department's chief of staff, Deborah Bradley Kilstein, said that in the last several months the department had stepped up unannounced inspections at residential programs, closed two facilities that did not meet licensing standards and improved the level of staffing at homes. "This administration inherited a child protection system full of problems and we are addressing them," Ms. Kilstein said.

The chief of staff said that the division had long lacked both the resources needed to keep children safe and a meaningful system of holding its managers accountable if the children were not safe.

The files, in documenting a host of horrible outcomes for children, also shed light on the sense of defeatism and fatalism prevalent among the workers in the homes and institutions. In the documents, some staff members suggested that institutions rewarded those workers who never found trouble and took no action in response to those workers who did.

After two staffers were reprimanded because two teenagers in their care had had sex, for example, the staffers complained that their previous reports of extensive sexual contact among the children at the shelter had been ignored.

"For a time, it appeared it was useless to write incident reports in reference to such activity because very little was being done to prevent such activity," the staffers wrote to state investigators. "Work morale was low and some of us began to adopt the behavior of administration, overlooking the activity or passing it over with a minimum of concern."

Even when workers were modestly attentive, records show, children sometimes came to harm — often under the noses of those ostensibly caring for them.

One February afternoon last year at the Holley Center in Hackensack, a 12-year-old boy considered so dangerous to himself that he was never to be farther than an arm's length from the center's staffers approached a worker saying that he wanted "to kill himself." The worker removed a crumbled plastic sandwich bag the child had stuffed in his mouth but then turned to doing paperwork. The worker, records show, did not report the incident or monitor the child further.

A few minutes later, with the door of his room wide open, the child stood on the windowsill, took his belt, placed one end around a heavy wooden curtain rod and tied the other around his throat. Within moments, he was rescued by a nurse and a worker.

The files also illustrate the apparent inability or unwillingness of the state to conduct rigorous, consistent background checks on the men and women charged with caring for the often-troubled children. For instance, the worker who was arrested with the outstanding bench warrants — he had been involved in repeated instances of domestic violence that even provoked a court order of protection — was only discovered after he took two teenagers to the woods and beat them.

In another instance, a worker at a New Lisbon group home allowed a teenager to drive the house van around a parking

lot with four other children on board, records show. After the teenager smashed the van into a tree, injuring the children, the police learned that neither the teenager nor the staff member himself was licensed to drive.

Indeed, across the thousands of pages, the often-breathtaking details of misconduct can seem commonplace: One worker at a home regularly slept outside the door of a bedroom where four troubled children, ages 6 to 10, sexually abused one another, and one administrator at a home said it never conducted head counts of any kind to determine whether all the children were present at night.

Also, a staff member at a home for teenagers with mental health problems picked a 16-year-old girl up from a home visit during Christmas only to have sex with her in a motel parking lot. "It is a system without the proper checks and balances," said Ms. Kilstein, the state official. "And we are now moving forward to put them in place."

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## **Unhappy kids and abusive staff are DYFS failure**

### **Advocates document dark side**

BY SUSAN K. LIVIO AND MARY JO PATTERSON    Star-Ledger Staff,    June 18, 2003

The boy, 10, had flailed his arms during a fierce temper tantrum but was calming down. He was lying on a table and crying when a child care worker suddenly grabbed him and slammed him into the floor, stunning him into silence and bloodying his nose.

Confidential documents describing the incident, at a place called Ranch Hope, were released yesterday by Children's Rights Inc., a child advocacy group, as part of a longstanding class-action lawsuit against the N.J. Division of Youth and Family Services.

It was the fourth time, in little more than two months, that Children's Rights has released a batch of documents in support of the lawsuit, intended to force an overhaul of DYFS. The latest set detailed 24 cases of substantiated abuse or neglect that occurred at various DYFS institutions from 1999 to 2002.

The child at Ranch Hope, a nonprofit institution in Salem County for boys 9 to 16, was like so many New Jersey children who end up in residential treatment: emotionally disturbed, with unsociable behavior, and unable to live peacefully with his family.

Like many, the documents showed, he was miserable. He repeatedly asked to go home. He was afraid of the dark. He had to sleep alone because his roommate had bitten him and was removed.

He was also abused, in December of 2000, the files showed.

"Children in DYFS institutions are being abused regularly by poorly screened and inadequately trained staff," said Marcia Lowry, executive director of Children's Rights.

DYFS officials responded to the criticism as usual -- by admitting past problems but pointing to improved measures to protect kids.

"Children are safe in residential programs in New Jersey," said Deborah Bradley Kilstein, chief of staff for the Department of Human Services, DYFS' parent agency. "This administration inherited a child protection system full of problems and we are addressing them," she said.

In the course of its lawsuit Children's Rights obtained 1,300 files detailing abuse or neglect allegations, investigated by DYFS' Institutional Abuse Unit. DYFS investigators substantiated only 10 percent of them.

Eric Thompson, a senior attorney with Children's Rights, said DYFS often fails to follow up in substantiated cases and make sure that institutions take corrective action.

At Ranch Hope, the files show, the worker who slammed the boy to the ground was ordered to attend a mandatory "crisis intervention refresher course." DYFS records show he did complete it .

Thompson also criticized DYFS for not insisting that its group homes and institutions have a qualified work force.

"Background checks are not even required, and (there is) a complete lack of adequate training ... and a failure to supervise and monitor their performance," he said.

Pay at such facilities is low, the work is demanding, and turnover is high, said Richard O'Grady, executive director of the New Jersey Association of Children's Residential Facilities.

"It's very difficult to attract people into the work, which is enormously challenging. To be good at it, frankly, there has to be an unusual level of commitment and experience," he said.

O'Grady said that Children's Rights' constant hammering of DYFS could help his group's members. Many have faulted the agency for moving too slowly to investigate abuse.

"Sometimes, while we wait for feedback, that (delay) puts us in an uncomfortable situation," he said.

Some child care advocates believe that institutional settings are hardly ever good places for disturbed kids.

"Children by and large do better with good families. The system must have the ability to build a network of strong caregivers," said John Mattingly, a senior associate at the Annie E. Casey Foundation of Baltimore, a nonprofit national child welfare research and consulting organization.

"The design of these places does not lead to children leading normal lives," he said. "They need strong adults who care for them. That's why families work, not people working on shift in an institutional setting."

Mattingly said finding such a home, while not easy, is "not rocket science."

In Ohio, where he once worked, teenagers in institutional care were brought to foster parent training sessions to talk about how much they wanted a family. Interest in fostering teenagers grew by 25 percent, he said.

"It's not all that difficult to do. You can reach out to people who work at Boys and Girls Clubs, police officers. They are kids," Mattingly said. "They need a family. They are not perfect, none of us are."

Staff writer Russell Ben-Ali contributed to this report.

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5:29) 20-JUN-2003 08:47 [John Searight \(searighj\)](#)

## **Bill to establish watchdog agency for DYFS clears legislative panels**

BY KATHY BARRETT CARTER      Star-Ledger Staff      June 20, 2003

A bill creating an independent watchdog to oversee the Division of Youth and Family Services was unanimously voted out of two committees yesterday, moving the state one step closer to implementing a series of changes aimed at reforming the troubled child protection agency.

If the legislation becomes law, it will establish an Office of Child Advocate with broad powers. It could sue DYFS, review case files and issue subpoenas. It would be headed by an attorney, appointed by the governor to five-year term, and come with a \$2 million price tag.



"There has been strong support for this concept for a number of years," said Assemblywoman Mary T. Previde (D-Camden), adding that recent events prompted lawmakers to act now. Previde chairs the Assembly Family, Women and Children's Services Committee, which approved the measure. Later in the day, the Assembly Budget Committee also cleared it, paving the way for an Assembly floor vote next week. It also needs Senate approval.

Since January, DYFS has been under intense scrutiny following the death of 7-year-old Faheem Williams of Newark. The boy's beaten and emaciated body was found in the basement of a Newark home 11 months after DYFS closed his case without investigating allegations of abuse.

Earlier this month, a second child under DYFS supervision, 21-month-old Daniel DeSoto of East Windsor, was killed, allegedly at the hands of his mother. DYFS workers had been meeting with his family regularly and were prepared to tell the court that the family no longer needed state supervision.

Child deaths averaging around 20 per year and other problems with DYFS have been uncovered in court records made available through a lawsuit against the agency brought by Children's Rights Inc., a national advocacy group. The Institutional Abuse Investigation Unit has also come under heavy criticism for taking too long to confirm and act on allegations of abuse and neglect in foster care. The state's own data show one in every 10 foster children is subject to abuse or neglect.

Gov. James E. McGreevey, who is leading the charge to reform DYFS, said he wanted to see the bill passed before the end of June.

"The events of the past six months have exposed, in the most tragic ways, the need to reform the state Division of Youth and Family Services and strengthen state efforts to protect children and help troubled families," said Cecilia Zalkind, executive director of the Association for Children of New Jersey. "These proposals are good first steps toward that goal."

The Assembly Family, Women and Children's Services Committee also approved a bill establishing a Task Force on Child Welfare to make recommendations for improving DYFS. Experts in education, health, social services and juvenile justice will be appointed to the panel, which will guide and critique reforms. The panel's job also will entail coordinating the efforts of different governmental offices and community agencies to identify children at risk of abuse.

"The thought behind some of this legislation was to streamline and allow one voice to speak. This is a way to try and unify that voice," said Meredith L. Schalick, special assistant for children services in the Department of Human Services.

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**5:30) 21-JUN-2003 07:27 [John Searight \(searighj\)](#)**

RELEASE: June 18, 2003

### **DHS Commissioner: GOP Budget Proposal Will Cut Services to Some of NJ's Neediest Citizens**

New Jersey Department of Human Services Commissioner Gwendolyn L. Harris said today the budget proposal outlined by Republican leaders this week would hurt the state's efforts to make improvements at the Division of Youth and Family Services, slow down the plan to increase community services for people with mental illness, and threaten federal certification at state institutions for people with developmental disabilities.

"If this budget proposal is enacted, it would deliver a major blow to the work we are trying to do at the department to transform child protective services and improve care for people with mental illness and developmental disabilities," said Commissioner Harris.

Proposed cuts in capital funding said Harris, will threaten the implementation of the Statewide Automated Child Welfare Information System (SACWIS) which is key element of the DYFS Transformation plan.

"I am deeply troubled that the cut in capital funding will have threatened this long overdue and critical component of the DYFS Reform effort," Harris said.

The \$5 million cut in the Redirection Two plan eliminates some funds necessary to develop community residential programs and related support services necessary for more than 300 patients being discharged from state psychiatric hospitals. This cut would mean the department could not expand community mental health services aimed at reducing unnecessary hospital admissions and alleviating overcrowding at state hospitals.

The 10 percent cut in non-salary direct state services would directly impact training of staff, the use of medical specialists and replacing outdated medical equipment at the state's developmental centers. That would damage the department's continuing efforts to improve care for residents of developmental centers and endanger federal certification and funding of the centers.

"Overall, I am concerned this budget proposal would have a serious impact on department programs and would jeopardize critical services," Harris said.

RELEASE: June 17, 2003

### **Human Services responds to latest Children's Rights documents**

TRENTON – New Jersey Department of Human Services Chief of Staff Deborah Bradley Kilstein issued the following statement today in response to the latest round of Children's Rights documents: Children are safe in residential programs in New Jersey. Over the past several months, the following actions have been taken:

Developed a more comprehensive program to expand the number of unannounced licensing inspections at residential programs

Closed problematic residential programs that fail to meet licensing regulations (FDM Dorms, Monmouth County- November 27, 2002 and Beta House, Camden County- March 14, 2003)

Closely monitoring residential programs while moving forward with licensing revocation (Newark Transitional Supervised Living Programs- April 22, 2003 and May 5, 2003)

Developing stricter child to staff ratios in residential facilities to allow for better supervision of children  
Required annual training for residential staff on the use of physical restraints including escape, release and defensive blocking techniques.

This administration inherited a child protection system full of problems and we are addressing them. Time and time again the Division of Youth and Family Services (DYFS) was not provided with the resources it needed to protect our children. Even more troublesome has been the lack of accountability at every level. It is a system without the proper checks and balances and we are now moving forward to put them in place.

Earlier this month, my office began its evaluation of IAIU's four regional offices. As previously announced, investigations of alleged child abuse or neglect in foster homes, institutions, schools and other out-of-home settings by IAIU will be transferred out of DYFS and will report to me through the Office of Program Integrity and Accountability (OPIA) effective July 1st.

This move will allow for better communication and more collaboration between IAIU and the Office of Licensing. We will also monitor IAIU investigations so we can move more quickly and effectively to protect children when abuse has

been substantiated in an institutional setting. In addition, the Department is once again seeking legislative approval to conduct criminal history background checks on residential staff. In the past, this legislation has not moved forward. However, Governor McGreevey has pledged his support for this important legislation that will allow us to further protect children in residential programs

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5:31) 24-JUN-2003 05:42 [John Searight \(searighj\)](#)

## New Jersey Sets Outside Review of Foster Care

By LESLIE KAUFMAN and RICHARD LEZIN JONES

NYT June 24, 2003

New Jersey has agreed to the creation of an independent panel to oversee the state's troubled child welfare agency as part of a sweeping settlement to a lawsuit, those familiar with the terms said.

The lawsuit, brought in 1999, accused the state of endangering the lives of its foster children. Full details of the settlement, which is expected to be announced today, were not available yesterday. But a key element is the creation of an independent panel to help develop and oversee a plan to revamp the Division of Youth and Family Services. Those involved in the settlement said that the members of the panel have already been selected and approved by the state and by Children's Rights Inc., the group that filed the lawsuit.

For years, New Jersey officials resisted the formation of an independent panel to oversee the division, despite calls from both child welfare advocates and task forces appointed by the state to examine its workings.

The failings of New Jersey's child welfare agency have long been documented. Five years ago, its inadequacies were outlined by a task force, and were brought into public focus again in January, when a 7-year-old boy was found dead in a Newark basement.

Many critics, including those inside New Jersey government, have argued that the insular nature of the division made it incapable of effectively policing itself.

In recent years, independent panels — in New York and other states — have been put in place as critical tools for making child welfare agencies more accountable.

The Annie E. Casey Foundation, a Baltimore-based child welfare advocacy and research institution, which played a significant role in overseeing a similar settlement between New York City and Children's Rights, will also play an important role in New Jersey, those involved with the agreement said.

Although state officials and lawyers for Children's Rights would not comment on the contents of the settlement, word of the agreement was circulating among child welfare officials yesterday, and most of those reached for comment expressed relief that the lawsuit was coming to an end.

"It is good for DYFS and it is good for children that the lawsuit is settled," said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents social workers. "It isn't good to be in an adversarial process. Now there can be movement forward."

Ms. Rosenstein said she would reserve final judgment on the effectiveness of the lawsuit until she saw what new resources the panel could bring to the table for things like attracting more foster care parents, improving institutions for children and hiring new workers.

In 1999, Children's Rights, a child advocacy group in Manhattan, sued New Jersey, arguing that the quality of its foster care was endangering children. As part of discovery proceedings, child welfare researchers hired by Children's Rights were given extensive access to state files and found that one in 10 children in foster care were abused and one in 5 did not receive proper services for their medical needs.

The researchers also found that youth and family services did not thoroughly investigate charges of abuse. In nearly 60 percent of cases where the state found no abuse, it should have, they said.

The lawsuit took on increased significance for state officials in January, when the body of Faheem Williams, 7, was found in a basement along with two of his brothers, who were emaciated. An outstanding allegation that the children were being abused had not been investigated when the division closed the Williams family file 11 months earlier.

Since Faheem's death, Gov. James E. McGreevey acknowledged that the agency was in need of transformation. He has already taken several steps in that direction in recent months, including moving the abuse investigation unit out of the Division of Youth and Family Services and into a separate office of child protection and hiring a veteran reformer from Nevada, Ed Cotton, to head the agency. Mr. Cotton arrives in July.

However, it is uncertain if Mr. Cotton's role will be affected by the new panel. It was unclear exactly what role the panel would play, whether it would be more extensive than the role of the panel in the New York settlement, with the right to help set policy for the state, or would simply oversee it, like the New York panel did. New York was also sued over its child welfare policies but it came to the settlement table with a plan already crafted by the head of the agency.

The independent panel's main role in that case, in the so-called Marisol settlement, was to make sure the city was making a good-faith effort to meet its targets. Within two years, the city greatly increased its ratio of child care workers to foster children and made other improvements so that the panel dissolved itself.

"In Marisol they were just overseers," said Ross Sandler, co-author of "Democracy by Decree," which discusses the history of public policy made by court order. "If, in this case, the panel will be setting policy, the state has lost partial control of its own agency and must dance to the tune of the monitors."

Others said that the panel's autonomy was crucial.

"If you're going to advocate for children, you can't have an entity overseeing government that's in government," said Dr. Anthony D'Urso, an author of a 1998 report that found that New Jersey's child welfare system was flawed.

Dr. D'Urso said that the independent monitoring of the division that had been agreed to in the settlement was long overdue. He said that he hoped that such an independent review of the agency might help avoid the starkest failures of child welfare.

"There's only so many times you can have tragedy as an impetus for change," he said.

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## **DYFS reformers' lawsuit settled**

By TRACEY L. REGAN

Times of Trenton

June 24, 2003

Just hours after child welfare workers rallied here yesterday, demanding more funds and staff for the state's troubled Division of Youth and Family Services, the McGreevey administration settled a class-action lawsuit brought by a child advocacy group that promises to reform the agency, people familiar with the settlement said.

Democratic lawmakers recently added \$10 million to the proposed state budget for DYFS, which sources described as an element of the settlement.

Some of the money will be used to hire more staff and "reduce caseloads," as one lawmaker put it.

As part of the agreement with the Manhattan-based Children's Rights group, the Annie E. Casey Foundation, a private philanthropic group in Baltimore, has agreed to work closely with the state for the next two years to help guide reforms

at the division and review the agency's progress, sources said.

"This will bring in real partners for a team effort," an administration official said.

The Casey Foundation played a similar role in New York City after the settlement there of a 1998 class-action lawsuit brought by Children's Rights against the city's Administration for Children's Services.

People familiar with the talks said Gov. James E. McGreevey's deputy chief of operations, Kevin Ryan, worked through the weekend to complete the agreement.

Administration officials said yesterday Ryan would not disclose details of the plan, but McGreevey will discuss the settlement today.

Children's Rights sued DYFS in 1999 over what it called the agency's chronic understaffing, poor management of cases and lax supervision of children in foster care and in troubled families, among other problems.

Representatives from the advocacy group, which has released several explosive reports in recent weeks detailing the agency's failure to protect children in its care, could not be reached for comment late yesterday.

Lawmakers in the Assembly and the Senate have in recent months proposed their own reforms for the embattled agency, whose problems came to their attention this January after the death of Faheem Williams, a 7-year-old Newark boy who had been under the agency's supervision. Faheem's emaciated body was discovered in a plastic storage bin in a basement, almost a year after DYFS closed his case without first visiting him.

Among the many proposals before the Legislature is the creation of an Office of Child Advocate to review DYFS' performance. The child advocate, proposed as a semiautonomous unit within the Department of Law and Public Safety, also would have the authority to investigate the state's response to allegations of abuse or neglect, as well as to inspect juvenile detention centers and foster homes.

Other legislative measures include mandating criminal background checks of the staff members who work with children in such settings as residential facilities.

But DYFS workers rallying on the State House steps yesterday said lawmakers were wasting their time pursuing further oversight of an agency incapable of doing its job properly at the current funding and staffing levels. The state also has not gone nearly far enough in addressing the substance abuse that bedevils many of the families under DYFS' supervision, workers said.

"The real question is: Where is the money?" said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America. "They're moving on legislation that doesn't do enough. There is not enough money."

A state panel convened in 2001 to review staffing levels at DYFS has recommended that the agency hire 1,100 new workers, ranging from supervisors to front-line social workers to case aides, over a three-year period, a member of the panel said.

The McGreevey administration has promised its own broad reforms in the wake of Faheem's death, including greater accountability, computerized case files so social workers and their managers can better review a child's history and more workers.

But Rosenstein and others said the administration only would be providing another 130 workers to the agency's district offices, a number they said fell far short of what is necessary.

"I hope there is some money attached to this (settlement)," said Cecilia Zalkind, director of the Association for Children of New Jersey, a Newark-based child advocacy group.

Previous reforms, Zalkind said, have "limped along, never fully achieved, in part because the price tag was too high."

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5:32) 24-JUN-2003 22:28 [John Searight \(searighj\)](#)

RELEASE: June 24, 2003

### **McGreevey Announces DYFS Settlement**

New Jersey Child Welfare Panel to oversee reform effort; Reform plan to include all of the agency's children, not just those within the lawsuit

(TRENTON)—Governor James E. McGreevey announced today that the State has signed a settlement agreement that will resolve the federal class action lawsuit against DYFS, Charlie and Nadine H. v. McGreevey, which was originally filed in August 1999.

The parties agreed to immediate steps to ensure the safety of children in DYFS care. These steps include conducting safety assessments on every child in DYFS custody, immediate review of licensing standards for foster homes and residential treatments centers, and an immediate round of hiring of front-line workers. The safety assessments will be made publicly available. The Office of the Governor and the Department of Human Services will jointly oversee these immediate measures.

"This is a truly innovative agreement and is a major step forward for children and families in New Jersey," said McGreevey. "We have reached a settlement that acknowledges our commitment to fix DYFS and lays the foundation for implementing even more broad-based reforms."

In addition to the \$14.3 million increase in funding for DYFS submitted in the Governor's budget for fiscal year 2004, the Governor agreed to allocate \$8.05 million to support additional hiring, fund space and equipment needs of the new workforce, and provide other needed child welfare resources. An additional \$1.5 million will be set aside for an immediate foster parent recruitment effort.

The overall framework of the settlement involves the creation of the New Jersey Child Welfare Panel comprised of national experts to guide the State in transforming the system. The Panel will be funded and staffed through a generous contribution from the Annie E. Casey Foundation, a nationally recognized foundation focusing on child welfare reform.

As part of the State's ongoing efforts to reform the child welfare system, the New Jersey Child Welfare Panel will work with DHS for the next six months to develop and begin implementation of a reform plan. The Plan will include both immediate and long-term reforms to be undertaken by DHS, and outcomes for children that must be achieved over time.

Although the lawsuit was limited to the approximately 11,000 children in out-of-home-placements, the Governor and the Annie E. Casey Foundation have agreed the Panel will help DYFS to develop and implement a comprehensive child welfare reform plan for all 50,000 children who come into contact with DYFS annually.

"I applaud Children's Rights Inc. for their passionate commitment to our children. I am especially grateful to the Annie E. Casey Foundation for their generous financial support. We welcome the involvement of the New Jersey Child Welfare Panel, which includes some of the country's most respected child welfare experts. This agreement will undoubtedly help New Jersey bring dramatic improvements to the child welfare system," said McGreevey.

"Today is a good day for the children of New Jersey," said Department of Human Services Commissioner Gwendolyn L. Harris. "This settlement will allow all of us who care about the welfare of children in this state to move forward, hand-in-hand, and take the steps necessary to transform the child protection system into one that truly protects children and provides for their well-being. The work to create such a system can now begin in earnest, and I am confident that we will solve the problem of how to not only protect our children, but also support families at risk in such a way that we are able to do a better job of preventing abuse and neglect before it occurs."

The Panel will be comprised of two representatives of the Annie E. Casey Foundation, Kathleen Feely and Steven D. Cohen; Dr. Robert Johnson, Professor and Chair of Pediatrics, Professor of Psychiatry and Director of the Division of Adolescent Medicine at the New Jersey Medical School of the University of Medicine and Dentistry of New Jersey; Judith Meltzer, the Deputy Director at the Center for the Study of Social Policy in Washington, D.C.; and one additional member to be agreed upon by all the parties.

Once the Panel endorses the DYFS reform plan, the Panel will provide technical assistance and oversight to DYFS for an additional 18 months. During this period, the Panel will issue three public reports on the agency's progress during implementation, and make recommendations for continued improvement at DYFS. After the 18-month period, another expert, or one of the Panel members, will stay on to monitor the State's progress. After two years of sustained compliance with the DYFS reform plan, the Agreement will end.

As part of the Settlement Agreement, Lowenstein Sandler P.C. agreed to forego attorneys' fees in the amount of \$1,050,000, and the State agreed to direct these funds to support additional hiring of DYFS caseworkers and supervisors.

Federal District Judge Stanley R. Chesler must approve the agreement before it takes effect.

Governor McGreevey expressed his gratitude to Justice Stewart Pollack, retired of the New Jersey Supreme Court and Of Counsel at Riker, Danzig, Scherer, Hyland & Perretti LLP for mediating the parties' settlement, and to the team from New Jersey which negotiated the Settlement: Kevin Ryan, Deputy Chief of Management and Operations for the Governor; Deputy Attorney General Stefanie Brand; Lisa Eisenbud, Deputy Chief of Management and Operations for the Governor; and Dana Klinges and Charles Hart of Wolf Block Schorr Solis-Cohen LLP.

The Panel will examine key areas of DYFS operations and identify ways to strengthen the agency's reform agenda around 16 core principles:

- Foster care should be temporary an arrangement as possible, with its goal being to provide a safe, nurturing, and permanent home quickly.
- If at all possible, children in out-of-home placements should be quickly and safely reunified with their biological families. If this cannot be accomplished, children need to be placed with an adoptive family or in the permanent legal custody of an appropriate kinship family in a timely fashion.
- Families should be provided with the services they need to keep them together or to allow for safe and speedy reunification whenever possible.
- In making determinations about plans and services, the child's interests are paramount.
- Children in out-of-home placement should be in the least restrictive, most family-like setting appropriate for their needs.
- Children in out of home placement should be placed in settings that promote the continuity of critical relationships: together with their siblings; with capable relatives whenever possible; and in their own communities.
- Children in out-of-home placement should have stable placements that meet their needs, and should be protected from the harm caused by multiple placement moves.
- Children in out-of-home placements should have the services necessary to address their medical and psychological needs, including those services needed to address problems arising from the child's removal from his or her biological family.
- Children in out-of-home placement must have timely decision-making about the where and with whom they will spend their childhood, and timely implementation of whatever decisions have been made.

- Children in out-of-home placement should be protected from abuse and neglect and, to this end, investigations of allegations of abuse and neglect in out-of-home placements should be timely, thorough and complete.
- Adolescents in out-of-home placements should be provided with the skills, opportunities, housing and permanent connections with caring adults they need to successfully make the transition to adulthood.
- Decisions about children in-out-of-home placement should be made with meaningful participation of their families and of the youth themselves to the extent they are able to participate.
- In order to protect children and support families, New Jersey's child welfare system should operate in partnership with the neighborhoods and communities from which children enter care.
- New Jersey's child welfare system should be accountable to the public; to other stakeholders; and to communities throughout the State.
- Services to children in care and their families should be provided with respect for and understanding of their culture. No child or family should be denied a needed service or placement because of race, ethnicity or special language needs.
- New Jersey's child welfare system should have the infrastructure, resources and policies needed to serve the best interests of the children in its care.

The lawsuit was filed in August of 1999 by Children's Rights, Inc., a Manhattan-based child advocacy organization and Lowenstein, Sandler P.C. of Roseland, New Jersey. The action alleged that the State's child protection system violated the substantive due process rights of children by not adequately protecting them. In March 2002, the Court ruled that the case could proceed as a class action on behalf of children in DYFS' custody, and the parties began settlement discussions in February 2003 in mediation with former New Jersey Supreme Court Justice Stewart Pollack.

(Short bios are attached.)

#### Steven D. Cohen

Steven D. Cohen is a Senior Consultant at the Annie E. Casey Foundation where he works with child welfare systems in New York, Tennessee and Philadelphia to help them design and implement system-wide reform projects. From 1999 through 2001, he served as Staff Director for New York City's Special Child Welfare Advisory Panel. The Panel was an expert body assembled by the Annie E. Casey Foundation to assist New York City in improving its child welfare services. The Panel came about because of the settlement of a lawsuit against the City, *Marisol v. Giuliani*, and represented an effort to resolve litigation in a creative, less adversarial manner. From 2002-present, he serves as a member of a revised panel known as the New York City Child Welfare Advisory Panel, which continues to assist the Administration for Children's Services. Since mid-2001, he also serves as Chair of the Technical Assistance Committee working with the Tennessee Department of Children's Services, again as part of the settlement of a lawsuit against that agency.

Before joining the Casey Foundation, he was Associate Executive Director at the Jewish Board of Family and Children's Services, where he worked in various capacities from 1986 through 1998. He led the agency's strategic planning efforts; helped to guide it through multiple transitions brought about by such changes as the advent of managed care and developing needs in the Jewish community; and took the lead in pursuing merger and affiliation opportunities. Earlier, had various other responsibilities at JBFCS, including directing its administrative operations (finances, human resources, MIS, and facilities management) for approximately three years.

#### Kathleen Feely

Kathleen Feely first joined the Annie E. Casey Foundation in 1990. She managed the design and implementation of the Family to Family and Juvenile Detention Alternatives Initiatives (JDAI) and oversaw the state reform work in six states. With regret, she left her post as Vice President after seven years, departing in 1997 to spend a couple of years in



the Netherlands when her husband was appointed Director of Development for NIKE Europe. Since returning to the United States and the Foundation in 1999, Kathleen now serves as Managing Director of the Casey Strategic Consulting Group and is also a member of the Senior Leadership Group of the Foundation. She and her staff are evolving a team-based approach to strategic consulting that melds together the rigorous analytical frameworks of private sector consulting with the best knowledge that Casey has about public systems that serve families and children. With her direction and guidance, staff work with state or city human services agencies that are poised for reform. The teams approach reform work systematically to understand the issues, collect and analyze data, respond to policy and political implications, and develop outcomes-based strategies to improve systems for families and children.

Kathleen's career spans more than two decades of high-level administrative, policy, and philanthropic work in systems serving families, youth, and children. Prior to joining the Casey Foundation, Kathleen spent a year as a Senior Policy Consultant at the Center for the Study of Social Policy in its New York City office. By then, she had already earned her stripes and national recognition as a resourceful groundbreaker serving as Deputy Commissioner for Planning and Program Development at the New York City Department of Juvenile Justice. It was there that Kathleen designed an innovative case management system that won the prestigious Ford Foundation/Kennedy School of Government Innovations Award in 1986. Before her appointment to the Department of Juvenile Justice, Kathleen was a policy analyst in the New York City Mayor's Office of Operations, and also worked extensively in developing programs for juvenile and adult offenders in New York and New Jersey. She earned her Master's in Labor Education from Rutgers University in New Jersey, and holds a Bachelor of Arts in History from the University of Wisconsin.

#### Robert L. Johnson

Robert L. Johnson, MD, FAAP is Professor and Chair of Pediatrics, Professor of Psychiatry and Director of the Division of Adolescent and Young Adult Medicine at the New Jersey Medical School of the University of Medicine and Dentistry of New Jersey. His research focuses on adolescent physical and mental health, adolescent HIV, adolescent violence, adolescent fatherhood and risk prevention/reduction programs with specific emphasis on substance and alcohol abuse, sexuality and sexual dysfunction, male sexual abuse, suicide and AIDS.

He currently serves on the US Department of Health and Human Services' Council on Graduate Medical Education, and The Board of Health Care Services and the Board of Law and Justice of the National Academy of Sciences. He Chairs the Newark Ryan White Planning Council and he is the Chair of the Board of Deacons at Union Baptist Church in Orange, N.J. Dr. Johnson is a Fellow of the American Academy of Pediatrics. He has previously been a Member of the National Council of the National Institute of Mental Health, Member of the NIH AIDS Research Council, Member of the Institute of Medicine Committee on Unintended Pregnancy, Chair of the National Commission on Adolescent Sexuality, President of the New Jersey State Board of Medical Examiners and Chair of the Board of Advocates for Youth. Dr. Johnson has become a well-recognized spokesperson for the adolescent and adolescent issues. He yearly addresses many local, state, national and international audiences and frequently appears on television and radio. He has published widely, and he conducts an active schedule of teaching, research and clinical practice at the New Jersey Medical School. Dr. Johnson's current book, *The Race Trap*, a Harper Collins Business Book addresses the pitfalls commonly encountered in communications across the racial divide. His new book *Strength for Their Journey*, a guide for parents of African American teens was published by Doubleday in the fall of 2002.

#### Judith Meltzer

Judith Meltzer is the Deputy Director at the Center for the Study of Social Policy (CSSP) in Washington, D.C., where she is responsible for project development, research and management for health care, child welfare and human services financing and administration. Her recent work has focused on the development of policies and strategies for child welfare reform and the development of community partnerships for the protection of children. For the past seven years, she has served as Court-appointed Monitor of the District of Columbia's child welfare system. She has been involved with several other jurisdictions who are under Court order to improve their child welfare services, including Arkansas, Missouri, Kansas, Connecticut, New York, Philadelphia and Tennessee. She is a member of a 5-member Technical Assistance Committee to the Tennessee Department of Children's Services, which was established as part of a Court-ordered settlement agreement to improve their child welfare system and a member of a 3-member Technical Assistance Panel in Connecticut. She also serves as Site Coordinator for the Louisville Kentucky Community Partnership for the

Protection of Children, which is one of four community partnership sites originally funded by The Edna McConnell Clark Foundation Children's Program.

Before joining the CSSP, Ms. Meltzer was a research associate at the Center for the Study of Welfare Policy and a lecturer at the School of Social Administration at the University of Chicago, and for several years worked for the Chicago regional office of DHEW. Ms. Meltzer has a Master's Degree in Social Welfare Policy from the University of Chicago.

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**5:33) 25-JUN-2003 06:10 [John Searight \(searighj\)](#)**

## **New Jersey Deal Grants Panel Powerful Role in Foster Care**

By RICHARD LEZIN JONES and LESLIE KAUFMAN      NYT      June 25, 2003

To settle a lawsuit over the failures of its foster care system, New Jersey agreed yesterday to one of the most sweeping transfers of authority ever to a court-mandated overseer, according to those involved in the lawsuit and those who follow similar litigation.

The five-member panel will help state officials develop a detailed plan to change New Jersey's embattled child welfare agency. It will set concrete targets and time frames for improvements in at least 11 separate areas of child welfare.

If the panel finds the plan insufficient, the settlement will be voided and the state must admit liability for violating children's constitutional rights and provide relief ordered by the court. The state has no recourse if it disagrees with the panel's findings on this.

Once the plan is approved, if the panel finds the state is not meeting its targets, it can allow Children's Rights Inc., the child advocacy group that filed the lawsuit, to return to court and ask for penalties.

Gov. James E. McGreevey acknowledged the expansive scope of the agreement at a news conference at the State House in Trenton yesterday. "Today marks the recognition of a new era of openness, cooperation, accountability and one singular clear goal: namely, the well-being of New Jersey's children," he said.

Praising his former adversaries at Children's Rights as "the protectors of our children," he added, "Frankly, for too long, New Jersey failed to meet this obligation. We fell far short. As governor, I refuse to defend the status quo."

While there was celebration at the State House, critics have found plenty to grumble about regarding the settlement. Some worried that the state had given away far too much authority and others questioned where in this time of high deficits the money would come from to support a vast overhaul of the agency.

The settlement is a victory for Children's Rights, a Manhattan-based group which filed the lawsuit in 1999. The group accused the state of endangering its foster children with inadequate and substandard care.

As part of the discovery process, Children's Rights was given access to extensive state records showing that as many as one in 10 children in foster care were being abused and that the state had erred in 60 percent of the investigations of complaints in which it had found no abuse.

The shortcomings of the Division of Youth and Family Services predated the lawsuit — in 1998, a blue-ribbon panel said the child welfare agency was in crisis. But the death of one child, Faheem Williams, a 7-year-old whose case file was improperly closed by the division just 11 months before his body was found in a Newark basement in January, helped galvanize public opinion and convinced the governor that drastic action was warranted.

Although the lawsuit covered only children in foster care, the independent panel will have the mandate to consider all areas of child welfare. A comprehensive road map must be developed within six months, according to the settlement.

The panel is also charged with setting goals for 11 areas of foster care as part of the plan. It will, for example, set the

percentages by which the state must reduce the average length of time children spend in foster care and the average number of foster home placements each child receives. If the state fails to meet these targets by their deadlines, it could face sanctions from the court, including financial penalties.

The panel, whose work will begin three weeks after the federal judge in Trenton approves the settlement, will be composed of a doctor and three public policy researchers including two senior fellows from the Annie E. Casey Foundation, a Baltimore-based child welfare research and advocacy group, which will also finance the panel. One additional panel member has yet to be named.

Judith Meltzer, the deputy director of the Center for Study of Social Policy in Washington, who is one of the panel members, said that with the muscle of the court behind them, they would be able to achieve what public officials, who are subject to budget pressures and inconstant public support, had not.

"Systems that have been in crisis have a very difficult time stepping out of the crisis and creating and sustaining the political will needed for reforms," Ms. Meltzer said. "And systems in crisis have leaders who have frequently lost credibility in the public eye, so it's not that they don't have ideas, but that they sometimes lack the credibility to implement them. That's where outsiders can make a difference."

But former government officials and academics familiar with similar court-mandate solutions argued that New Jersey had given away far too much authority and would eventually be hamstrung by the additional layers of review and input.

"This is an extreme solution," said Ross Sandler, the co-author of "Democracy by Decree" (Yale, 2003), a history of court-ordered public policy. "Under the proposed decree, even with the best of intentions by officials," he said, "plaintiffs, attorneys and outside panels and monitors will likely be controlling the New Jersey Division of Youth and Family Services for decades."

Under the terms of the settlement, the panel will dissolve 18 months after the detailed plan for agency reform is approved. But then a court monitor will be put in place to evaluate the agency's progress on the 11 target areas. As long as the agency fails to be in compliance in any one of the 11 goals, the court monitor will continue.

Even Marcia Robinson Lowry, executive director of Children's Rights, said that her organization was surprised at some of the concessions that her organization won from the state and the candor with which the governor described the division's ills. "This is unusual," she said. "I find that quite extraordinary and quite refreshing."

The court settlement left vague exactly how the state was to pay for all the new services and personnel the new plan would almost certainly require. As part of the settlement, the state agreed to immediately allocate \$22.35 million to hire more social workers and to pay for their space and equipment needs. It also specifically allocated an additional \$1.5 million for the recruitment of foster parents.

The state agreed that those amounts are "only the immediate starting point in securing the resources necessary to accomplish the goals and principles" of the agreement.

With the state facing a \$5 billion deficit, the governor was pressed by reporters yesterday about financing. "We are talking about our children," he said. "We will get this done."

As part of the settlement, Children's Rights will receive \$1.65 million for legal fees and \$85,000 for out-of-pocket costs. Lowenstein Sandler, of Roseland, a private New Jersey firm, decided to waive its legal fees of just over a million dollars. Mr. McGreevey said that that money would be used to hire more workers for the division.

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**5:35) 26-JUN-2003 10:31 [Diane Falk \(falkd\)](#)**

# Hope for the children

Trenton Times

Thursday, June 26, 2003

## BY EDITORIAL

There is nothing more basic to a civilized society and to a great democracy than to care for its children, and particularly the most vulnerable of its children. For far too long, New Jersey has failed to meet this obligation. We fell far short.

- Gov. James E. McGreevey, June 24, 2003

The governor stated the case accurately. And, it should be said, his own commitment to fulfilling this most basic of state responsibilities has been more manifest and consistent than that of many of his predecessors in office. Still, in the end, it has taken a hard-nosed advocacy group, a federal court and an unspeakable tragedy to force New Jersey to a point at which one can realistically hope for a better system.

This week, the state settled a four-year-old class-action lawsuit brought by Children's Rights Inc. on behalf of children under the supervision of the Division of Youth and Family Services. The organization contended that the children's civil rights were violated by DYFS' failure to protect them from abuse and neglect. The McGreevey administration had fought the suit until January, when 7-year-old Faheem Williams' emaciated body was discovered in a storage bin in a Newark basement nearly a year after DYFS closed his case without visiting him. Soon thereafter, the administration dropped its resistance to settlement talks.

The settlement will require New Jersey to immediately spend \$24 million to hire more workers, reduce caseloads, recruit new foster parents and buy computers, cell phones and office space. The state must act within 120 days to assess the safety of all 11,600 children in foster care and remove any who are considered to be at high risk of harm. By December, it must devise a plan to create a better child welfare system by reducing the length of time required to move children from foster care to adoption or to their natural parents, keep siblings together in foster homes and prevent the abuse and neglect of the state's young wards.

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There have been plans and promises before. What makes these plans and promises different is that the state's performance will be monitored by a panel of experts who will demand compliance and will be empowered to secure it. The five-member Child Welfare Panel will be funded by the Baltimore-based Annie E. Casey Foundation, a group with an impressive track record in improving the lives of vulnerable children. The panel will oversee the development of the state plan; if it is dissatisfied, it will notify Children's Rights, which could take the state back to federal court. It will set standards, prescribe outcomes and establish deadlines. At the end of two years, the panel will assess the state's progress. Again, if the state flunks, it could find itself back in court. A court monitor is expected to replace the panel after the two-year period.

No government, no matter how strongly committed, can guarantee the safety of all the children under its supervision. The Casey Foundation's John Mattingly offered a reality check when he called child welfare "a tough business, rife with tragedy," in which children are "dependent on the actions of men and women of moderate capacities making almost impossible decisions at nights and over weekends." But New Jersey can do far, far better than it has done. There's reason to hope, at last, that it will happen.

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5:36) 26-JUN-2003 10:57 [Diane Falk \(falkd\)](#)

## At Children's Rights, accent is on advocacy

**But nonprofit defends its big legal fees in settlements nationwide**

Wednesday, June 25, 2003

BY ROBERT SCHWANEBERG

Star-Ledger Staff

Children's Rights Inc., the Manhattan-based advocacy group whose lawsuit to force New Jersey to improve its beleaguered Division of Youth and Family Services was settled yesterday, has brought similar lawsuits in nine other states and the District of Columbia.

From Connecticut to New Mexico, it has negotiated consent decrees forcing child welfare agencies to speed up adoptions, hire more caseworkers, improve screening of foster parents and protect children from abuse and neglect. Almost always, there is a provision for court-appointed monitors to hold the agencies' feet to the fire.

It is generally regarded as one of the most aggressive, and effective, advocates for children whom the rest of the world has forgotten.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said Children's Rights has "called attention to problems in child welfare systems across the country. In some of their litigation, they have been very successful in bringing resources to systems that have been woefully underfunded."

Of 12 cases the group has brought around the country, so far 10 have resulted in settlements or consent decrees requiring improvements in children's services.

The executive director of Children's Rights Inc., Marcia Robinson Lowry, has been going to court on behalf of children since 1973, when she ran the Children's Rights Project of the American Civil Liberties Union.

In 1995, she split it off into a separate organization, which now has 10 lawyers and 13 support staffers. Frank Askin, founder of the constitutional litigation clinic at Rutgers School of Law in Newark and general counsel to the ACLU, described it as an amicable parting of the ways.

"They had a very narrow focus and were raising a lot of issues that were beyond the scope and focus of the ACLU," Askin said.

Asked why, after three decades, she is still fighting the same kinds of court battles, Lowry replied, "Because I have to."

"How can anybody look at what happens to children and not do everything they can to make it better?" she asked. "How can you walk away from that?"

But the organization's willingness to take government agencies to court -- and to collect big lawyers' fees in the process -- also has brought it controversy. In the end, when the settlement papers are signed, Children's Rights generally presents the state or city it has just sued with a legal bill running into the millions.

Yesterday was no exception. New Jersey's settlement requires the state to pay Children's Rights Inc. legal fees of \$1.65 million for its four years of work on the case, plus \$86,000 for its out-of-pocket expenses.

Lowenstein Sandler, the Roseland law firm that joined Children's Rights as co-counsel in bringing the case, agreed to waive its legal fee of \$1 million on the condition that money is used to hire more DYFS caseworkers.

But Lowry said Children's Rights needs to collect its \$1.65 million in order to monitor New Jersey's compliance with the consent decree and to bring other cases.

"We will use it to support our organization," Lowry said. "That's the only source of funding we have for four years of work. That's what keeps us going."

"There is no other way to do this work," Lowry said. "I don't have a trust fund, and no one on my staff has a trust fund."

Lowry said her group could have demanded \$2.4 million for the 13,000 hours of work it put into the New Jersey case, much of it spent responding to motions filed by the state's private outside defense firm, Wolf, Block, Schorr and Solis-Cohen of Philadelphia. The state has paid Wolf, Block \$1.3 million as of the end of March and still has bills outstanding, according to DYFS spokesman Joe Delmar.

Lowry faced criticism when Children's Rights billed New York City \$7.8 million and the District of Columbia \$2.3 million after settling cases against them. She said yesterday it never got those amounts, but settled for roughly half. Lowry said her group's attorneys and other staff are paid at rates "lower than other public interest organizations in New York."

Askin said Children's Rights is entitled to its fee.

"They've done good work," Askin said. "This is how they support themselves. They basically fund their work by the legal fees they collect, which I think is perfectly appropriate."

"Nobody's getting rich off this," Askin added. "Marcia Lowry's had a very deep commitment to these issues for many years."

Paul Rosenzweig, a senior fellow at the Heritage Foundation, said he could not comment on the specifics of Children's Rights' legal fee. But in general, he said, the federal civil rights laws that allow private parties to bring lawsuits the government would not -- and collect fees when they win -- are "problematic."

"It's a formula for an infinite number of civil rights suits -- many of which are meritless," Rosenzweig said. "It's another part of the litigation explosion."

Robert Schwaneberg covers legal issues. He can be reached at [rschwaneberg@starledger.com](mailto:rschwaneberg@starledger.com) or (609) 989-0324.

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5:40) 28-JUN-2003 10:29 [Diane Falk \(falkd\)](#)

## Experts see child abuse cloaked in neighbors' silence

## **Despite a legal mandate to report mistreatment, most people hesitate -- for many reasons**

Friday, June 27, 2003

**BY ANA M. ALAYA**  
**Star-Ledger Staff**

Sometimes when Jean Syska sits in her front yard, she is haunted.

She looks at the house next door and thinks about the baby boy who used to live there. She wonders: Could she have saved him?

His name was Christian Manookian. One day last month, at the age of 19 months, he drowned in the bathtub of his family's home. Now his parents are in jail, charged with child endangerment and drug possession.

"I'm having a hard time," Syska said one evening recently. "I can still see that face, a beautiful, healthy little boy."

The Manookian case is one of a string of child deaths that have triggered a massive shakeup at the New Jersey Division of Youth and Family Services. In some of those cases, DYFS appears to have missed signals that might have led to early intervention that could have saved a life.

But child welfare experts say the Manookian case and others underscore another culprit: silence.

Like other former neighbors of the family in at least three towns, Syska believed that Jack and Megan Manookian neglected their children. She often saw their little girl wandering the streets of Lakewood late at night, dirty and barefoot, playing in a nearby lot where drug dealers hung out. She thought of calling authorities, but was scared that the parents would retaliate. Then, one day, the family was gone from their tiny brick home. They had been evicted.

"This is a case where if I had to do it all over again, I would have called DYFS," Syska said sadly.

Friends, neighbors and relatives are often aware of child neglect or abuse, experts say, yet never call authorities -- despite a legal obligation to do so.

"People are hesitant to bring the heavy hand of the state into other people's lives," said Cecilia Zalkind, executive director of the Association for Children of New Jersey, a child advocacy group in Newark. "I think there's a reluctance, a sense that parents have complete control over their children and to interfere with that is inappropriate."

New Jersey's law on mandatory reporting of child abuse is one of the broadest in the United States.

It is one of 18 states with statutes requiring anyone who witnesses, or suspects, abuse or neglect to report it. Most states require only that certain people, such as doctors or teachers, report abuse.

DYFS maintains a reporting hotline -- (800)792-8610 -- which received about 50,000 of the agency's overall 70,000 calls last year, according to Andy Williams, a DYFS spokesman. Callers can remain anonymous.

Some child advocates believe the agency's tarnished reputation discourages many from calling. Many people know that DYFS has a poor track record when it comes to substantiating complaints.

"New Jersey is a small state," Zalkind said. "Word gets around if you've made an allegation and it hasn't been responded to, or if the allegations were dismissed."

But Williams said DYFS, which is about to be overhauled, plans to rebuild "public trust."

DYFS also will require social workers to interview neighbors in certain child abuse investigations, he said. That change was prompted by the Manookian case, as well as the June 4 death of Daniel Soto, a 21-month-old in East Windsor.

After Daniel died, neighbors told reporters that they had heard a young child's screams on several occasions but did nothing. They said they were afraid they would have to go to court and face retaliation.

"Neighbors are seeing things and not reporting to us," Williams said. "We realized we need to be more proactive and use neighbors as a resource."

The reporting problem is a national one, said John Holton of Prevent Child Abuse America in Chicago. "The public is confused about whether or not the intervention at the state level helps or hurts a child," Holton said.

"Clearly, if a child is being seriously malnourished, or assaulted, people want the child removed. But after that, the outcomes for those children after the state gets involved is very poor in a lot of states," he added.

Before the drowning death of Christian Manookian, DYFS investigated his parents three times. One investigation was prompted by the death of another son, Jack Jr., 20 months old, who strangled on the cord of a window blind in Old Bridge in 2001.

DYFS did not substantiate neglect or abuse in Jack Jr.'s death, or at any time. Christian's death had a different result. Police learned he was being supervised by a 5-year-old sister when he died. They also found heroin, marijuana, guns and ammunition in the family's home in Wyckoff.

When Syska read about Christian's death, she remembered how much she had worried about him. And she remembered sharing her fears during phone chats with her daughter.

"I would say, 'Oh good, I hear the baby crying,' because I would sometimes think I didn't hear the boy crying and wondered what happened to him. Because I knew he wasn't watched," she said.

Syska's daughter also recalls the conversations.

"My daughter reminded me just the other day -- she said, 'You knew he was going to die,' Syska said. "I said, 'That's a terrible thing to say.'"

Not long ago, Syska picked up the phone and called DYFS, on behalf of the Manookians' two remaining children. While their parents are in jail, they are with relatives.

"I called and I said, 'I want to tell you that when the family lived here, these kids were not watched,'" Syska said. "I told them I was worried, afraid something would happen to the other children if the parents got them back.

"And the DYFS worker basically said, 'Is that it?'"

A variety of factors discourage many people from reporting suspected abuse, said Randi Mandelbaum, director of the Child Advocacy Clinic at Rutgers-Newark. Some people simply don't want to "rat out a neighbor," she said. Others are not sure what constitutes abuse.

"What's discipline and what's not?" he asked. "It's hard. It's a very fine gray line and it depends on the facts of each case."

In the case of Elijah Kelly, a 4-year-old Passaic County boy who died of traumatic head wounds in May 2001, family friend Abhishek Nair said that he didn't call authorities despite seeing the boy's mother punch and whip her son because he "didn't know how to handle it."

The mother, Tauleah Kelly, has since pleaded guilty to manslaughter. Her boyfriend, Jeremiah Parker, a former New York Giants football player, was convicted of child endangerment.

"When she told me I can't tell her how to discipline her kid, I felt she was right," Nair said. "I've never called 911 for someone disciplining their son."

Prosecutors use the state mandatory reporting statute sparingly. Failing to report is a misdemeanor and carries up to a \$1,000 fine and six months in jail.

"Unless someone fails to report with a sinister motivation, what we do generally is to educate people and move on to the next case," said Joseph A. Del Russo, a chief assistant prosecutor in Passaic County who has been handling child abuse cases for a decade.

"We need the community to be vigilant," Del Russo said. "Child abuse is usually a secret, behind closed doors. Sometimes it spills into the yard, or the car. We want neighbors to report."

*Staff writer Mary Ann Spoto contributed to this article.*



5:41) 30-JUN-2003 07:47 [Barry Keefe \(keefeb\)](#)

June 30, 2003

Mental Wards at New Jersey Hospitals Are Made to Double as Foster Homes  
By RICHARD LEZIN JONES and LESLIE KAUFMAN

t Trinitas Hospital in Elizabeth, N.J., roughly three dozen patients are in the children's psychiatric ward, and more than half of them are foster children stuck there simply because the state has nowhere else to put them.

Hospital administrators and child welfare officials say the situation is sad, but not unique.

In the children's psychiatric ward at St. Clare's Hospital in Boonton, for instance, roughly one out of every six patients is a foster child who was classified upon admission as among the state's most troubled. Hospital officials admit that these children, after being stabilized, no longer need to live in the unit, which is kept locked.

Across New Jersey, in fact, in nine such specialized wards, scores of the state's foster children have met the same fate in recent years. While in the custody of the state's Division of Youth and Family Services, the children are admitted to the wards for emergency eight-day stays, but wind up remaining for weeks or months.

One foster child, records show, was in a locked ward for nine months. Stays of three months or longer, according to records, are hardly uncommon for foster children who have otherwise been cleared for release.

"The situation now is horrific," said Kathy Wright, executive director of the New Jersey Parents Caucus, a federally financed nonprofit organization that supports parents of children with psychiatric disorders. "DYFS workers bring them there, if they have failed in a foster placement. But once they are in, they stay from 20 days to 180 days. Once a kid has a mental past or violent past, no one wants them."

Hospital administrators acknowledge that extended stays on the wards are seriously inappropriate. The wards were conceived as a triage stop of sorts, where severe mental and emotional problems could be diagnosed and treated, and then the children moved on to long-term care in a residential program or to their own homes.

The conditions in the wards, by most accounts, are clean and well monitored. Professionals are on duty, and treatment is given. But the wards, known as Children's Crisis Intervention Services units, were not designed for long stays. Thus, officials concede that children kept there often go without consistent schooling, if they get any at all. And because of security concerns, the children, even once they are stabilized, can go days without even a walk outside.

More than 300 of the 4,000 or so New Jersey children who spent time in the inpatient wards in the last year — children ages 6 to 17 — were foster children. They spent, on average, a month in the wards, four times the average stay for other children.

Hospital administrators, child welfare officials and others say there is just no real alternative — that scarcely any spots are available in residential after-care, and that even fewer foster families are capable of taking in difficult children.

State officials, who last week agreed to turn over control of much of the state's child welfare system to an independent oversight panel, said they had been working to address the problem of prolonged and unnecessary stays in the psychiatric wards. But the challenge, they admit, is formidable, one made even more difficult in recent years.

According to state figures, 700 more patients spent time in the wards in 2002 than five years ago.

Most of the children who enter the psychiatric wards are admitted by families not involved with New Jersey's child welfare system. Because those children are able to return to their own homes, their stays on the wards typically last a week.

But many of the children who are sent to the wards are children in the custody and care of the state. Some of them have been turned over to the state because their parents were not able to handle them, or could not pay for their care. Some of the children were already in foster care when they first displayed symptoms of emotional or mental problems, and some have been surrendered to the state because their parents cannot afford psychiatric care. All of the children have problems that doctors have determined require immediate treatment.

Often these children have severe troubles — sexual aggression or pyromania. Others are admitted to the wards for depression or anxiety. Hospital administrators also say that a sizable percentage of foster children who enter the wards suffer from attention deficit disorder or attention deficit hyperactivity disorder. Administrators say that most children can be stabilized in the wards within a week or two and be ready to be discharged to an after-treatment program. But often — even after doctors, lawyers and a family court judge agree that a child in state custody is ready for discharge — they wait.

A spokesman for the Division of Mental Health Services, Val Casey, said the extended stays of some foster children were the result of bureaucratic challenges like coordinating the efforts of several state agencies.

But others who have worked with the children in the wards over the years question the ability of state child welfare workers to adequately monitor their cases, and still others say the size of those workers' caseloads further complicates the placement process.

Whatever the full set of reasons, the consequences are obvious on the wards of two hospitals, Trinitas and St. Clare's. The problem of extended stays became so acute at Trinitas that in 1995 its administrators created an intermediate care unit to accommodate children who were expected to remain in its psychiatric ward for extended stays. The average stay for those in the intermediate unit now exceeds six weeks.

A visit to the ward at Trinitas this month found many of the children gathered expectantly in the hallways. It was court day, as it is known on the ward, and a handful of children who had been in the psychiatric wing for weeks or months were eager to hear if a judge might at last order them released.

A young girl in a pink dress and ponytails shuffled nervously outside a therapy room that has been converted to court chambers. Adolescent boys clustered together, hoping that they might soon be saying their goodbyes.

On this day, however, most of the children who appeared in the improvised courtroom wound up disappointed. There was one bit of good news, though. The ward was abuzz over one child who was finally told by a judge that he was being released, about eight months after doctors first recommended that he be discharged.

"It's frustrating," said Michelle Perna, the director of the crisis intervention and intermediate care units at Trinitas. "If you don't know where a kid is going, you can't really give them anything to look forward to."

Ms. Perna said that it pained her to watch children in the unit who, knowing they have been cleared to go, simply remain indefinitely.

"They get excited, and they also get disappointed because they think they're going to get good news," she said.

And while hospital workers try to make the children's stays productive, they are candid that the wards are improper long-term settings.

"We're not a group home," said Jean Bronock-Zaccone, a behavioral health official at St. Clare's Hospital, which has a 28-bed children's psychiatric ward. "Our job is to stabilize, and then let them move on to a less restrictive facility."

Ms. Bronock-Zaccone said the presence of children who should have been discharged from the wards sometimes keeps

others from getting the kind of emergency help the wards were designed to provide.

The experiences in the wards, then, can be extremely frustrating.

One 7-year-old child, who is not being identified to protect her privacy, had a history of misbehaving during a troubled childhood that included abuse and neglect at the hands of her mother.

In the fall of 2002, her grandmother, with whom she had been living, became homeless, records show, and she signed the child into state custody. But once in foster care, the girl had episodes of screaming and kicking. She wound up in one of the locked wards after she threatened her foster mother with a knife.

Documents from subsequent court hearings to determine her fate record numerous failures that prevented her from getting the kind of care recommended by doctors, and approved by a judge. At one hearing, the state child welfare worker simply did not show up. After the child spent two months in the hospital and was on the verge of being discharged to Davis House, a residential program, her file contains this notation: "By voice mail, Davis House canceled the placement." After nearly three months, a judge ordered a social worker to take her from the ward.

Child welfare officials said they do not comment on cases involving specific children.

State officials say they are now aggressively attacking the problem of foster children lingering in psychiatric wards. The state's recent agreement to create an independent panel with broad powers to oversee the Division of Youth and Family Services came with an implicit commitment of more money, some of which will likely be used to provide more beds in New Jersey for children after they are treated in the wards.

For now, officials are optimistic that a program — the Partnership for Children — will allow troubled children to receive sustained and sophisticated mental health care in their homes or foster homes.

"If we can ensure that children, whatever their family circumstances, get services earlier and closer to home, we hope we can prevent the kind of escalation in behavior that leads people to the hospitals," said Julie Caliwan, director of the partnership.

But hospital administrators, parents and child welfare agency workers say that so far the program has been more theoretical than practical for New Jersey's poorest children. And they are skeptical that such a system will ever solve the predicament of the children who stay on the wards for the longest.

"It's all so appealing," said a state judge who has worked in the system for many years and who spoke only on the condition of anonymity. "It sounds great, but if you have a sexual offender or a kid who has set 15 fires, who's going to want to take them in?"

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**5:43) 30-JUN-2003 19:51 [Barry Keefe \(keefeb\)](#)**

A chance for real change in DYFS

Sunday, June 29, 2003

Last Tuesday, announcing the settlement of the suit against the state Division of Youth and Family Services by the child advocacy group Children's Rights Inc., Gov. James E. McGreevey declared, "This is the end of DYFS as we know it."

Boy, do we ever want that to be true. And boy, do declarations like that ever make us skeptical, whether they're about

DMV or urban schools or suburban sprawl. In this particular case, haven't we been trying to reform DYFS for years? Decades?

Well, yes. But this attempt has the potential to be dramatically different, because the settlement's required remedies trigger a process that should create an unprecedented sea change in the agency.

"We've done something landmark," says Kevin Ryan, McGreevey's deputy chief of management and operations. "This is the first time a panel will be articulating what the benchmarks are, how to meet those benchmarks and what the outcomes will be for children. And this will be enforceable in federal court."

The panel he's referring to is the New Jersey Child Welfare Panel, a group of national experts who will monitor the marching orders set forth in the settlement. It will be funded and staffed by the Annie E. Casey Foundation, a national foundation whose sole focus is child welfare reform.

It is depressing but true that meaningful changes in DYFS were only going to be realized as a result of tragedy. For years, people have been describing the agency as a tinderbox, one day destined to ignite and explode. The first of those explosions occurred six years ago with the death of Amara Wilkerson, a 2 1/2-year-old who was beaten to death by her mother's boyfriend. That case prompted Children's Rights Inc. to institute a class-action suit against the state on behalf of all children under its protection, and -- as if to underscore the urgency of the argument -- several other tragedies have followed while the case made its way through the legal system.

But it was the death last January of a Newark boy, 7 1/2-year-old Faheem Williams, that may have created the ultimate pressure to reach an agreement. The "never again" mindset it triggered put enormous pressure on the state to help forge a solution that would far exceed any mere vow of good faith.

At least while this case was fresh in memory, the public would find insufficient all the familiar explanations for how this could happen: too few caseworkers, insufficient infrastructure. It's not that there was no truth there. It's just that a window opened during which a public that ordinarily doesn't pay much attention agreed that DYFS must have the proper tools to safeguard the well-being of society's most defenseless members.

Retired state Supreme Court Justice Stewart G. Pollock, who mediated the negotiations, says he "never had any doubt that everyone wanted to do the right thing." The only differences, he said, were over "how you get there. That's totally understandable."

Now, of course, the real question kicks in: Will this settlement solve these complex, deep-rooted problems?

Marcia Robinson Lowry, executive director of Children's Rights Inc., says "confident" is not a word she would use "when we're trying to reform a system that has been so bad for so long." But she will say the settlement creates "the very best set of circumstances to make (the governor's) statement a reality."

It includes "very specific commitments," Ryan notes, starting with a plan that within six months will address everything from DYFS management structure to out-of-home placement, including the care environment, keeping siblings together and the amount of time children spend in foster care.

"We're fixing a very troubled system," says Ryan, "but it will be a better system because of the collaboration.

"Quite frankly," he adds, "we need these experts. We need the Casey Foundation and this highly qualified panel so we can avoid mistakes other states have made."

Ten other states have come to similar settlements with Children's Rights Inc., he says, but New Jersey "is the first to call for an expert panel of people who have been through this, the first time these types of minds have been given authority and power."

Lowry says she is "pleased by the governor's attitude that he's not going into this grudgingly or reluctantly." She's also pleased that the plan is not entirely dependent on political goodwill, which can ebb and flow from election to election.

"We have the courts with us," she says. "So if worse comes to worst we can go to court and get the orders we need."

As far as the governor is concerned, says Ryan, "the state will deliver on this." That sentiment is shared by Pollock, who says he was impressed with McGreevey's determination for meaningful change.

"What came through to me was the sincerity of his commitment to kids," Pollock says. "(The governor) told me, 'Government doesn't get any more basic than this.'"

True. But it will take a governor with unshakable resolve to create a DYFS that can reliably live up to its mission. If McGreevey turns out to be that governor -- well, it would be hard to imagine a greater legacy he could leave New Jersey.

Fran Wood is a Star-Ledger columnist.

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MORE FRAN WOOD

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5:45) 10-JUL-2003 23:16 [John Searight \(searighj\)](#)

## New Jersey Measures Toll of Child Abuse Report Reveals Trends in 123 Deaths Since '98

By RICHARD LEZIN JONES

NYT

July 11, 2003

More than half of the New Jersey children who died of abuse or neglect over the last five years were less than a year old, and the numbers of those fatalities have been climbing markedly in the last two years. And of the 123 children total who died of abuse or neglect, more than 30 percent of them came from just two counties — Essex and Camden.

Those were some of the findings of what New Jersey officials yesterday called the most comprehensive portrait yet of its child welfare agency's worst failings. The report was full of charts and graphs, and page after page of stark statistics — scores of deaths broken down by age and race, county and cause of death.

Among the most disturbing conclusions, the officials conceded, was that some of the 81 children known to the state's child welfare agency died or were killed shortly after their households were declared safe.

State officials, in announcing what they called the most far-reaching documentary effort mounted by the Division of Youth and Family Services, said the report was a painful but necessary part of the agency's efforts at reform. The state recently agreed to turn over much of the oversight of the agency to an independent panel of experts.

In many respects, New Jersey's record closely mirrors that of other states. For instance, the rate at which children have wound up dead because of abuse or neglect — up 13 percent from 1998 to 2001 — is consistent with climbing numbers across the country. Similarly, the vast majority of the children were black or Hispanic, and lived in the poorer sections of the state.

Still, New Jersey's Human Services commissioner, Gwendolyn L. Harris, said that she was troubled by her agency's performance, specifically by the repeated instances in which children died in homes the state had determined to be safe.

"This points out one of the essential flaws in our case practice model," she said.

Ms. Harris said one of the agency's measures to improve its performance was to formalize the practice of using traditional background checks, from criminal records to mental health histories, to predict possible harm to children. Ed Cotton, the recently appointed director of the child welfare agency, made his reputation in Illinois by improving the ability of the state to assess potential risks to children.

In yesterday's report — a grim kind of demography of premature death — the researchers paid considerable attention to the deaths of the very youngest children.

There were 70 abuse or neglect deaths of children under the age of 1 for the past five years, a rate that is in line with the national one. Of the 70 deaths in New Jersey, nearly half happened in the last two years. The report found that nearly a quarter of those deaths were caused by drug exposure during pregnancy, a percentage that has tripled since 1998.

The report offered further confirmation that New Jersey parallels other national trends in child abuse deaths. Roughly 4 out of every 10 children in the study died because of physical abuse. Of those, 60 percent were killed by their fathers or other males in the household.

Inadequate supervision, or a complete lack of it, was cited in about a quarter of the deaths. Ms. Harris said that those cases may indicate the need for greater parental education, a step that she said was already under way. In some cases of abuse, the commissioner said, the intent to harm children was unmistakable. In other cases, it might have been ignorance.

One death report in yesterday's release described the death of a 1-year-old, Gary Waltz-Shutter. One morning in April 2002, Gary's mother, Denise Waltz, placed him and her 2-year-old niece in the bathtub. After removing Gary from the tub and dressing him, Ms. Waltz said, she let him play in a hallway within her line of vision while her niece remained in the tub.

Ms. Waltz went to the kitchen to make formula and use the phone, the state report said. She said that she was gone from 50 seconds to two minutes. When she returned to the bathroom, she saw Gary face down in the bathtub.

In all, more than two-thirds of the 123 deaths involved children who were black, Hispanic or Asian. Boys made up slightly more than half — 53 percent — of the children who died.

Geographically, three counties — Essex County, which includes Newark; Salem and Atlantic Counties — had the highest rates of child death per 100,000 children. Those counties and two others, Passaic and Hudson, made up 61 percent of the state's child deaths.

All of the seven children who died in Atlantic County during the five years reviewed had been monitored by the state child welfare agency at some point.

Fourteen other counties also reported child deaths during the period covered by the report. Only two counties, Somerset and Bergen, the states most populous county, had no child abuse or neglect deaths reported during the reviewed period.

Ms. Harris said that supervisors in several offices were reviewing cases that had been closed. That review, the commissioner said, had already led officials to re-open several cases.

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**DYFS reveals 'alarming' data on childhood fatalities**

MARY JO PATTERSON Star-Ledger Staff

July 10, 2003

The undertaker scooped the white pine box holding the body of Jaquan Holmes from the trunk of his hearse, and carried it to a freshly dug grave. It was light as a bread box.

In under five minutes, the burial was over. There was no service at his graveside, no ceremony, and no grieving relatives, just the undertaker and a caseworker from the N.J. Division of Youth and Family Services. Jaquan, a premature baby, was seven days old when he died, the eighth child of a heroin-using mother.

Between 1998 and 2002, 123 New Jersey children died of neglect or abuse, and Jaquan was among them. Yesterday his name appeared among the last 55 additions to the tally, which the state Department of Human Services has been working to complete since January. Today, half way through 2003, it is possible to publish for the first time the names of children who died of abuse or neglect in New Jersey over the five-year period.

More than half of those 123 children were less than a year of age, and almost half of them were African-American, according to a 22-page statistical analysis of the deaths that was released at the same time. While the father or another male killed 61 per cent of those were physically battered, mothers figured heavily in cases of fatal neglect -- through lack of supervision, or drug abuse.

Many children died in tubs, pools or fires, when no one was watching them. In one case, a toddler drowned in a bathtub while supposedly under the supervision of an older sibling. The father had left them alone for about a half hour to smoke marijuana with his girlfriend.

Two-thirds of the children who died came from families who had been counseled by DYFS, suggesting that the state's efforts on their behalf may have failed more often than not. The agency provides a variety of services to families, but its core mission is to protect children.

Human Services Commissioner Gwendolyn L. Harris called that finding alarming, during a press conference yesterday to discuss trends identified in the report. "(There were) cases that were open and then closed, and then a child death occurred within a year after the case was closed," she said.

But rather than blame individual performance, she faulted what she called the state's "flawed" guidelines for assessing whether a child is safe in his home. Other states use more scientific measures for deciding when a child should be removed.

"The division has not have a risk assessment. Risk assessments have been available in the field of child protection for a number of years," she said. "Why the state of New Jersey has not had it is an open question."

The departmental report itself, however, analyzed the performance of each of DYFS's 32 district office and reported disturbing differences in outcomes.

Offices in Newark, Camden, Ocean County, and Central Passaic had a "disproportionately large" percentage of fatal abuse cases that were open at the time of child's death. In Atlantic County, every single child who died of abuse or neglect was known to DYFS, the report said.

Departmental officials said the analysis was undertaken to help the reform of DYFS, following the public outcry over a child abuse case bungled by a Newark district office in January.

Police discovered the shriveled corpse of Faheem Williams, 7, in a Newark basement, months after DYFS failed to follow up on a report that he was being abused. Within days the news media, including The Star-Ledger, demanded reports on the child abuse fatalities in New Jersey that had occurred in the previous five years. By law, such reports are public. The long delay was caused, in part, by poor record-keeping by case workers and their managers.

Those reports -- sparse case summaries describing how the child died and whether DYFS had involved -- formed the basis of yesterday's report.

In emotionless, telegraph-style, they frame the cause of each child's death.

"Mother and father admitted to beating Elliot over a period of time. Father admitted to hitting the infant with a car seat," one such report states in the case of Elliot Burgos, a four-month-old boy killed on Nov. 14, 2000.

"Rhakida Daniels, mother of Aljaneer, left her son in the care of a friend's ten-year-old son, while she went out for fast food," states another, filed in the July 28, 1998 death of Aljaneer Caraway, a four-month-old boy. "It appears the 10-year-old was unable to cope with Aljaneer's crying and punched the baby in the stomach and head."

At the press conference, Harris said one of the most disturbing trends uncovered by the report shows that the number of very young children suffering fatal neglect or abuse has been on the rise since 1998.

In the five-year study period, children 12 months old or younger accounted for almost 57 percent of all deaths. But the proportion of children who died before their first birthday has risen, from a low of 40 percent in 1998 to a high of 66.7 percent in 2002.

Boys under one year were more likely than girls to die from neglect or abuse, the report said. Overall, however, the deaths were fairly even split between boys and girls; boys accounted for nearly 54 percent of all fatalities.

Jersey's death toll of abused children is similar to other states in the northeastern United States. In 2001, state fatality data from the National Child Abuse and Neglect showed abuse and neglect death rates ranged from a rate of .32 deaths per 100,000 child population in New Hampshire to 7.89 per 100,000 in Delaware. New Jersey has a rate of 1.58 while Pennsylvania has 1.65 and New York 1.67.

Harris underscored the need for improved services to mothers who use drugs. About 80 percent of the DYFS caseload consists of parents who use drugs, according to state officials.

"We've got to start acting like this is more the case as opposed to the exception," she said.

Harris also said the department, under the direction of deputy commissioner Colleen Maguire, has begun a systematic attack on the agency's documented shortcomings.

"We started in Newark," she said, which had 19 children die as a result of abuse or neglect from 1998-2002. "We are meeting with a cross-section of folks, agencies we contract with, health professionals, maybe law enforcement, to look at what we are doing and what we are not doing."

Finding successful ways to intervene in the life of drug-using mothers, especially those who have had a number of children, is extremely difficult, said Michelle Rennert, a social worker in the neonatal intensive unit of University Hospital in Newark.

"Most of the time, with mothers with a long history of drug abuse, the intervention doesn't seem to be very successful," Rennert said.

At University Hospital about 8.3 percent of all live births there involve mothers with a history of substance abuse, said Elmer David, attending neonatologist at the hospital and an associate professor of pediatrics at New Jersey Medical School/UMDNJ.

"Drugs add insult to injury," he said. In addition to the usual risks posed by prematurity, drug-exposed babies have other daunting medical problems, such as feeding intolerance, necrotizing enteritis and short bowel syndrome, he said.

DYFS not only knew about Jaquan Holmes' mother use of drugs; it also paid to provide drug treatment services. It also had also provided her with foster care services, medical care, transportation, clothing, furniture, shelter care, respite care, homemaker services, and psychological services. After Jaquan died, DYFS paid one last bill -- for a funeral and burial.



By the time he was born, on Dec. 11, 2002, his mother had already given birth to seven children.

One was already an adult, and the other six were wards of the state. DYFS had taken away all her children. Her involvement with the division dated back to 1989.

The baby was born at home, and his mother had no pre-natal care. They were rushed to Jersey City Medical Center, where Jaquan died seven days later.

Not mentioned in the report is the fact that his body lay in the Newark office of the regional Medical Examiner for the next four months. The reason for that is unclear, and queries to the state Medical Examiner Office and to DYFS did not produce an answer.

Staff writer Susan K. Livio contributed to this report.

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### **Camden County murder-suicide father subject of DYFS claims**

BY DAVID KINNEY AND SUSAN K. LIVIO Star-Ledger Staff July 10, 2003

The Division of Youth and Family Services has launched an internal investigation into why social workers last year closed their case on a Camden County man who last weekend killed his two children, his ex-girlfriend and then himself.

Ten complaints involving the two children were filed with DYFS over eight years, including reports from relatives who claimed the father hit his young children and used drugs in front of them. Child-welfare workers could not substantiate those claims and closed the case in September, DYFS spokesman Joseph Delmar said.

Police say a despondent Steven Wasserman murdered his 10-year-old daughter, 8-year-old son and 33-year-old ex-girlfriend before committing suicide in the garage of his Magnolia house over the Fourth of July weekend.

One neighbor, Joanne Dominick, said the children's mother told her in 1997 that Wasserman hit his son in the face. The neighbor was there when the mother reported it to DYFS. Though DYFS found the claim unsubstantiated, it sent Wasserman to get anger-management counseling.

Dominick said she worried at the time that not enough was done.

"The woman said to us, 'There's nothing we can do. There's not enough proof.' I said, 'Wait -- you're saying the kids need to get beaten more for something to be done?' I said, 'Something's going to happen to these kids, and it's going to be too late,'" she said yesterday in an interview.

The disclosure of the child abuse claims in the Magnolia deaths added another chapter to a year of controversy over DYFS' inability to safeguard children. The state said in a long-awaited report released yesterday that 81 of the 123 children who died from abuse and neglect between 1998 and 2002 were under DYFS supervision at one time. Of the kids, six in 10 were -- like the Wassermans -- killed by a father or unrelated male caretaker.

Delmar said DYFS will finish its examination of its contacts with the Wassermans within two weeks.

"On the surface, it may appear we did not act appropriately since there was a large number of referrals," Delmar said. "However it is too early to make that determination."

Authorities said it appeared Wasserman, 44, killed his daughter Rhiannon first. Next, Wasserman used a baseball bat to

bludgeon his ex-girlfriend, Valerie Soto of Chester, Pa., to death, they said. Then, authorities said, he killed himself and his son Michael in his Chevy Blazer by running the engine in their garage until they died of carbon monoxide poisoning.

Authorities said Wasserman left a long note behind in which he bemoaned his life and troubled relationships. Magnolia Police Chief Robert Doyle said he may have been unemployed at the time of his death. He had broken up with Soto in May.

Last night, about 200 people, including classmates of the two children and their parents, filled the Magnolia Elementary School gymnasium last night for a memorial service for the slain children.

Some of Wasserman's neighbors have described him as a stormy father who sometimes yelled and cursed at his children in public, and constantly fought with his wife, Lisa Asquith, before they were divorced several years ago.

Police said they responded to domestic violence complaints involving Wasserman and Asquith. Court officials said Asquith sought temporary restraining orders against him three times between May 1995 and August 1996, but all of them were either dismissed or withdrawn. When Wasserman and his wife divorced, they fought over custody of their children -- and he won.

Asquith filed complaints to DYFS five times.

In July and August 1997, she said he hit Rhiannon; social workers found she had insect bites.

In November that year, she accused him of hitting Michael in the face, prompting the anger-management order. Six months after that, she again claimed her husband hurt Michael, and again, DYFS found the charge unfounded. This time, DYFS helped ship the kids off to summer camp.

In 2002, she said he held Rhiannon face-down in a tub of water. Investigators concluded the allegation to be unfounded after the daughter told them her mother had ordered her to make up the story.

"Many times these allegations are unfounded and they have no merit." Delmar said. "However we have a responsibility to investigate every referral. A referral should not be looked at in terms of a custody battle. Every referral should be given equal weight."

The sole substantiated complaint did not involve either parent: In 1999, Rhiannon was treated for dehydration, and Wasserman's mother -- who lived with the family -- was cited for refusing to get hospital treatment as ordered by a doctor. Delmar said DYFS took no action in that case.

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**5:46) 20-JUL-2003 07:58 [John Searight \(searighj\)](#)**

## **Experts called in to reinvent DYFS**

### **Foundation has proven record of repairing child welfare systems**

BY SUSAN K. LIVIO

Star-Ledger Staff Sunday

July 20, 2003

Before last month, the state had high regard for but no involvement with the Annie E. Casey Foundation of Baltimore, a \$2.7 billion philanthropic organization and troubleshooter for failing child welfare systems in dozens of cities and states across the country.

Now state officials have placed the future of New Jersey's troubled child welfare agency largely in the hands of the foundation, which has committed experts and money to help reinvent the state Division of Youth and Family Services over the next two years.

The foundation's rise to local prominence stems from a June 24 settlement between DYFS and Children's Rights Inc., the national advocacy group that sued the state for violating the civil rights of the 11,600 children DYFS supervises in foster homes, group homes or institutions. The class-action suit accused DYFS of putting foster children at risk of abuse and neglect, and trapping them indefinitely in a cash-strapped, mismanaged system.

Children's Rights and the state agreed an independent panel of child welfare experts was needed to devise a new blueprint for DYFS, and gave the Casey Foundation a prominent place at the drafting table. They named Casey senior staff to occupy two of the panel's five seats. Casey also will supply the full-time staff to assist the panel.

"Casey is the country's largest and most revered child welfare foundation, with a huge corpus and investments in every single state," said Kevin Ryan, Gov. James E. McGreevey's deputy chief of management and operations. "And here we were squarely in the midst of the country's most infamous child welfare nightmare. It was a natural place for Casey to want to be. It was a matter of us convincing them they needed to be here."

The nightmare is the case of 7-year-old Faheem Williams, who was found dead in January. The case prompted the state to settle the 4-year-old lawsuit with Children's Rights. His death highlighted how DYFS failed him and his dysfunctional family. Child welfare workers had gotten a tip the boy and his two brothers were being scalded and beaten, but they never completed their investigation and closed the case.

Ryan, as a negotiator in the lawsuit, said he consulted many colleagues, including Nicholas Scoppetta, former Mayor Rudy Giuliani's child welfare commissioner. Scoppetta's message to Ryan: Settle the suit and get Casey involved.

The foundation was appointed in 1998 to help clean up New York's child welfare system.

"They were nonpolitical and objective," Scoppetta said. "They funded it entirely themselves because they did not want to be beholden to the city government on the funding of their activities," Scoppetta said.

Children's Rights, too, insisted on Casey's involvement in New Jersey.

"The state knows it's in a very deep hole here," Children's Rights Executive Director Marcia Robinson Lowry said.

The McGreevey administration has six months to develop a plan that cures DYFS' many ills. The panel's job is to make sure the plan is viable, and to hold DYFS accountable for carrying it out.

In New York, Casey spent \$4.5 million over three years to run the panel's operations, according to John Mattingly, a Casey senior associate. He said he envisions a similar multimillion-dollar effort here.

The 65-year-old foundation, created by one of the founders of United Parcel Service, Jim Casey, and his siblings, reported \$2.7 billion in assets and \$180 million in grants awarded last year, Casey spokeswoman Diane Camper said. Annie was the Casey children's mother.

The foundation's projects and clout have been growing steadily for the last decade. It provides intensive foster home finding and adoption family services, helps communities plan for new schools, and invests in job training, housing and commercial development in low-income neighborhoods. One project provides financial counseling to Camden residents.

Until now, New Jersey has known Casey through its annual KidsCount reports, a compilation of data on children's health, economic stability, safety and mortality in every state.

The foundation officially moves into New Jersey this week, although the panel has met once privately. Once the plan is devised, the panel must release progress reports for the public every six months, according to the settlement.

The panel consists of Casey associates Kathleen Feeley, who has managed and designed the foundation's foster children and juvenile offenders programs and overseen reform efforts in six states; Steven Cohen, who oversees reform efforts in New York, Tennessee and Philadelphia; Robert L. Johnson, a psychiatrist, pediatrician and recognized authority on

adolescent medicine; and Judith Meltzer, deputy director of the Center for the Study of Social Policy in Washington, D.C.

A fifth member has yet to be named.

Susan Livio covers health and welfare. Copyright 2003 NJ.com. All Rights Reserved.

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**5:47) 23-JUL-2003 08:56 [John Searight \(searighj\)](#)**

## **New DYFS chief vows change**

### **Cotton will place child safety first in overhaul of troubled agency**

BY SUSAN K. LIVIO

Star-Ledger Staff

July 23, 2003

On his second day as director of a child welfare agency that has gained national attention for its failures, Edward Cotton vowed yesterday that New Jersey will dramatically improve its system to protect abused and neglected children.

"Safety is paramount," said Cotton, the new director of the Division of Youth and Family Services. "Anything else comes after that. I can't stress that message enough."

Cotton said he will make the foster care system so safe it will pass a federal audit that begins next spring. And he knows there are more challenges. He must win the confidence of a court-ordered panel of child welfare experts that will decide whether DYFS is doing its job. The work force suffers from morale problems. And he needs to restore the public's trust in an agency criticized for missteps involving children who were known to DYFS and ultimately died or suffered serious injury.

Cotton, 54, a former foster father who left the state child welfare director's job in Nevada to take the \$110,000 post in New Jersey, said he is "not coming in blind."

He said he knows DYFS has endured seven tumultuous months since the body of 7-year-old Faheem Williams was found in a basement in Newark in January. DYFS workers had closed his family's case 11 months earlier without investigating a complaint that he and his brothers had been beaten and scalded.

The case plunged the agency in the national spotlight and forced the state to settle a civil rights lawsuit brought on behalf of foster children. The settlement established the panel that will monitor DYFS for the next two years.

"I've been asked quite a bit by my friends in other states, 'Why New Jersey?'" Cotton said. "I believe the governor's commitment to kids has been out front."

Cotton's new boss, Human Services Commissioner Gwendolyn Harris, said she hired him for his track record in Illinois, where as deputy director of that state's child welfare agency he helped design a "safety assessment," a set of questions that determines the long-term danger faced by a child who had been abused.

When workers used the assessment, the number of children who were abused again dropped 16 percent in the first year. By the program's fifth year, the instances of repeat abuse had dropped 50 percent.

Harris said Cotton will use this assessment system to improve DYFS' track record in the first U.S. Department of Health and Human Services audit of New Jersey's foster care system. Future federal funding may depend upon the audit. DYFS' credibility is also at stake: a study based on DYFS statistics said one in 10 children had been abused in foster care.

Based on case records dating from 2000, New Jersey would fail the audit, but federal officials allow states another chance to improve.

"We must have improvement in all areas. Those are his marching orders," Harris said.

Although he has only skimmed the records, Cotton said a safety assessment could have aided the staff involved the Williams case.

"What concerned me (in that case) was, 'How were safety decisions made? Where are the supervisors when workers are making decisions?' One person should not be hanging there on his own," Cotton said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said Cotton "is coming into the agency at a very critical time. This is a one-time opportunity to really make changes. You could have the greatest reform on paper, but carrying it out is what's important."

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### **Legal costs of DYFS suit top**      July 22, 2003    Associated Press

The state's four-year court battle with a children's rights group will cost taxpayers more than \$5 million in legal expenses.

New York-based Children's Rights Inc. had sued New Jersey in 1999 in an effort to force changes at the troubled Division of Youth and Family Services. The two sides reached an agreement in June, and the state is paying the legal fees it incurred and those of the advocacy group.

"This was the most heavily defended lawsuit I have seen with a system that was undefendable," Marcia Robinson Lowry, Children's Rights executive director, told the Philadelphia Inquirer for yesterday's editions.

While legal costs in the case grew from the expense of copying hundreds of thousands of pages of records, hiring experts and documenting testimony by dozens of witnesses, the costs could have been higher.

Wolf, Block, Schorr & Solis-Cohen, a Philadelphia law firm that assisted the state, billed New Jersey \$165 an hour per attorney rather than the normal \$400 an hour or more, and has so far filed invoices totaling \$1.26 million for legal fees plus \$130,000 in expenses. In the past year, after state officials objected to paying for two Wolf Block lawyers, the firm agreed to bill for only one even when providing two.

The state also had paid \$1.2 million to the Child Welfare League of America, principally to have social workers read case files, said Joe Delmar, a DYFS spokesman. Delmar said the analyses of the files will help the agency overhaul the changes spelled out in the settlement.

Delmar also said more than \$500,000 was spent on expenses in the case, including costs related to expert witnesses, depositions and requests to produce more than 200,000 pages of records.

A law firm that worked with Children's Rights, Lowenstein Sandler of Roseland, waived more than \$1 million in fees. Andy Williams, a spokesman for the state Department of Human Services, said Children's Rights had \$1.65 million in legal costs, plus \$86,000 in expenses.

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**5:48) 06-AUG-2003 07:19 [John Searight \(searighj\)](#)**

### **State flunks fed audit of foster care system**

### **DYFS may have to return millions in aid**

BY SUSAN K. LIVIO      Star-Ledger Staff

August 06, 2003

New Jersey has failed a federal audit of its embattled child welfare system and may have to give back as much as \$10 million in U.S. aid, according to officials familiar with the review.

Federal regulators have told the state that the audit found the Division of Youth and Family Services was performing badly in several critical areas of its foster care system, state and federal sources said. The problems included:

Failing to document it has made reasonable efforts to keep children out of foster care, or reunite foster children with their families as soon as possible.

Placing children in foster homes without proof that they had been licensed to certify their safety, cleanliness and the character of the foster parents.

Keeping children that parents have voluntarily placed in foster care longer than six months without a judge's approval.

Seeking reimbursement for a foster child who does not live in poverty. The federal government requires individual states to foot the bill for foster children who do not qualify for welfare benefits.

The audit by the U.S. Administration for Children and Families is routinely performed every three years. New Jersey failed its previous review, in 2000, but was forced to return only a modest \$191,000.

The exact amount the state would have to return will not be known until DYFS officials receive the federal government's written report later this month. But they already know the report will not contain much good news.

"We are anticipating we are not going to pass the audit," DYFS Chief of Staff Jean Marimon said in a recent interview.

The audit examined the files of 150 foster care cases, chosen at random, from April to September 2002, during which time DYFS collected \$32 million in federal aid.

After finishing the review in June, the federal auditors told DYFS it had failed to meet the strict guidelines for federal reimbursement, and estimated it would have to return about \$10 million of the aid, according to officials familiar with the process. That number could be adjusted as the audit report is finalized, they said.

The potential loss of as much as \$10 million comes after state lawmakers scraped together \$30 million in a cash-strapped budget to start funding several DYFS reform measures.

Every three years, all states undergo a "Title IV-E" audit, named after the federal law that helps subsidize care for roughly 542,000 children in foster homes and institutions across the country, including 11,600 in New Jersey.

Susan Orr, associate commissioner of the U.S. Children's Bureau within the Administration for Children and Families, said "We give the states a chance to improve. Most states that do not pass (the first time), pass the second time."

New Jersey didn't. Officials said some of the same mistakes made in the 2000 audit were repeated this year.

Of the 80 cases scrutinized in 2000, 49 were disqualified for federal reimbursement. In 33 of these cases, DYFS placed a child in an unlicensed foster home, or failed to re-inspect a foster home before its license expired. The state also failed in 14 cases to obtain a court order determining that DYFS had made "reasonable efforts" to keep the child with his or her family before being placed in foster care.

Federal auditors required the state to develop a correction plan so DYFS could be ready to pass the 2003 review.

Deborah Bradley Kilstein, chief of staff for the state Department of Human Services, which includes DYFS, said a plan was in place. "What was missing," she said "was continued evaluations to ensure the action steps were adequate and were being maintained over time."

State officials are hoping a new reform campaign will solve these problems.

With a new quality assurance team in place -- including an oversight committee involving officials from every local and regional office, and an automated tracking system, the same mistakes will not go unnoticed again, Kilstein said. "We will make sure the changes will make a lasting difference."

Marimon of DYFS said the state had a hard time correcting its mistakes after the 2000 audit because "the automation was not there to track it." The state is about to replace its antiquated computer system with the high-tech Statewide Automated Child Welfare Information System, which should automate and simplify many of the paperwork demands DYFS employees must meet.

"By the beginning of September, all offices will be trained. ... Once it's institutionalized, it will be easier to track and address any problems," Marimon said.

In June, the state settled a federal class-action lawsuit brought by a children's advocacy group that accused it of underfunding its child care agency and trapping foster children in a system that puts them at risk for abuse and neglect. Under the settlement, a panel of national child welfare experts will oversee the state's reforms.

New Jersey is far from being the only state that struggles with the federal foster aid reimbursement rules, according to child welfare experts.

"Determining eligibility of foster children for (federal) funding is a complex issue. Some states are more successful than others," said Pat Wilson, a senior consultant at the Child Welfare League of America, a national research and advocacy organization in Washington, D.C. "The issue of Title IV-E eligibility would be better if it were simpler."

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5:49) 07-AUG-2003 06:54 [John Searight \(searighj\)](#)

## **Work soars for child welfare staff**

### **Surge in abuse calls following Faheem Williams tragedy outpaces the expansion of DYFS**

BY SUSAN K. LIVIO

Star-Ledger Staff

August 07, 2003

In the seven months since the discovery of a Newark boy's remains spurred a push for reform, the state child welfare agency has been swamped with new reports of abuse and neglect. Meanwhile, its hiring of new social workers has failed to keep up, causing caseloads to soar.

The number of abused and neglected children being monitored by the state Division of Youth and Family Services jumped 24 percent to 58,300 from January through July, according to statistics compiled by the Association for Children of New Jersey.

That pushed the average number of children monitored by each district office caseworker to 41 last month, up from 32 at the end of last year, according to DYFS spokesman Joseph Delmar.

A combination of new abuse complaints that must be investigated, and a backlog of cases waiting to be closed, is outpacing the state's efforts to reduce caseloads by hiring new workers.

DYFS officials partly attribute the surge in abuse complaints to publicity surrounding the death of 7-year-old Faheem Williams in Newark. The boy's battered and emaciated body was found in a relative's basement Jan. 5, 11 months after DYFS had closed his case without investigating an allegation of abuse.

"The number of calls has risen drastically," DYFS Director Edward Cotton said yesterday. Not all calls turn out to be bona fide cases of abuse or neglect, but it takes time to determine that, he said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, a watchdog group on child welfare

issues, said the increase in cases could benefit the children involved -- if the DYFS staff can handle it.

"If it means more cases are opening appropriately and not closed too quickly because they need to be open, that's a good thing," Zalkind said.

But she added: "More critically, what is the impact on staffing? How many more caseworkers will be needed? If workers are dealing with more cases, what does that do to the quality of work for children who need their help?"

In the aftermath of the Williams case, Gov. James E. McGreevey and Human Services Commissioner Gwendolyn L. Harris pledged to overhaul DYFS and earmarked \$14 million in February for 271 new positions, including 65 caseworkers and 47 supervisors.

Since then, DYFS has hired 99 caseworkers and front-line supervisors, but they simply filled vacant positions, Delmar said. There are still 38 vacancies to fill before the agency "breaks even" and starts adding new positions.

But for DYFS -- where it typically takes three months to hire somebody -- this is progress. "We are doing quite well," Delmar said, noting that the number of vacant positions two years ago climbed to 150. "We continue to get a large number of people applying for positions."

A last-minute addition of \$4 million in June to the DYFS budget will allow the state to add even more caseworkers and front-line supervisors, although how many is under discussion, Cotton said yesterday. "There is no reason to delay. We have the authority to hire," he said.

Unionized DYFS workers sounded skeptical about the state's resolve to hire enough workers.

"The caseloads are amazing ... It's at crisis proportions," said Hetty Rosenstein, president of Communications Workers of America Local 1037, which represents 2,000 DYFS workers. "That's why we need a caseload cap," said Rosenstein, referring to proposed legislation that would set a limit on the number of children supervised by a single front-line worker.

"Left to their own devices, (the administration) will not hire enough staff," Rosenstein said. "I have numbers now in Sussex County, where workers have 70 or more cases, including one with 100. In Sussex County? This is unprecedented."

DYFS officials say it is not surprising their agency is busier following a high-profile tragedy like the death of Faheem Williams, which makes the public more aware of the problem of child abuse.

"We're getting twice as many referrals as we had been since Faheem died," Deputy Human Services Commissioner Colleen Maguire said in a recent interview. "Workers are actually frightened not to attend to these calls, so we have caseloads that have increased across the state, some higher than others."

More cases often means workers don't have the time to complete the required interviews and paperwork to close a case that no longer needs the state's intervention, Maguire added.

Cotton noted that some of the complaints DYFS receives do not warrant intervention. "One call consisted of a child throwing rocks at a cat and urinating in the yard. We dealt with it as an investigation, but ... investigating a parent for neglect in this case is inappropriate."

To help inundated workers, Cotton will deploy senior staff later this month to examine older case files and to talk to staff to determine whether select cases need to be closed, he said. The senior staff -- including himself -- would then complete the paperwork and make visits to the families to close out cases.

He said of the caseworkers, "We will take that burden off of them so they can do social work."

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5:50) 12-AUG-2003 09:22 [John Searight \(searighj\)](#)

## **Beneath Faults of Foster Care in New Jersey, a Grim Burden**

By RICHARD LEZIN JONES

August 12, 2003

In the thousands of pages of foster care records that a federal judge has forced New Jersey officials to make public in recent months, the state's failures to protect children are widespread, recurring and dramatic. The documents are a record of botched abuse investigations and the often utter lack of oversight of troubled households.

But at a more basic level, the documents, 2,900 pages of which were released yesterday, provide an unrelenting, unvarnished look at the often gruesome capacity of adults to harm children. And in that, even if they hardly offer evidence to excuse the state, they do make clear the size of the threat and the dimensions of the challenges in protecting children from all and any kinds of danger.

For in the documents, even when the public may be inured to disturbing newspaper headlines, the range of the established harm done to children is breathtaking.

Particularly troubling to those who studied the system is that in many of the cases released yesterday, caseworkers failed to recognize what advocates and others say were obvious signs of abuse.

In one case, the records show, two foster children were punished by having pepper and dish detergent placed on their tongues, which caused them to vomit.

In another, the files show, two foster children were punished by repeatedly being forced to stand on one leg, their arms extended, for minutes on end.

And in a third case, a foster mother made her two charges sleep outside on an unheated porch during the winter, documents show. The state also found that she sometimes used a small wooden baseball bat to hit the children, sending one to the emergency room for treatment.

"There are just people who prey on vulnerable people," said Cecilia Zalkind, executive director of the Association for Children of New Jersey, an advocacy group based in Newark. "I think that has happened in some of these cases. You're talking about a system that serves vulnerable people and has no oversight."

Such abuse is certainly not unique to children in New Jersey. According to federal figures, about 900,000 children suffer maltreatment each year, and roughly 1,100 children die annually because of abuse and neglect. That people can commit the unthinkable, then, is well established.

However, the thousands of pages that New Jersey has released — which include cases from across the state that were collected in the past several years — depict a world of near-limitless invention in ways to harm children. The files, in page after page of clinical, almost neutral language, make the unimaginable seem commonplace.

In the case of the children who had detergent and pepper placed on their tongues, workers with the State Division of Youth and Family Services also found that the children's foster mother beat them with a belt and forced them to stand in a corner for long periods as a method of punishment. The victims were two girls who were 5 and 6 years old.

Other files described the deplorable living conditions of some foster homes. Workers found that a 6-year-old was so neglected in one home that he picked through the garbage at school looking for food. His foster mother beat him with a belt and refused to take him to the hospital after he suffered first- and second-degree burns in a kitchen accident.

In another incident, caseworkers discovered a foster home that reeked of urine and was so littered with garbage bags and newspapers that they had to hold on to a wall for balance. After one visit, a caseworker wrote to a colleague, "We have to move these babies."

The documents released yesterday were designated in a court order issued by United States Magistrate Judge John Hughes. In March, Judge Hughes ordered New Jersey officials to make the documents public in response to a court action brought by The New York Times.

The files were previously in the possession of Children's Rights Inc., a Manhattan-based advocacy group that sued New Jersey over its foster care system and had been given the confidential records as part of court proceedings.

From April to June, three sets of state records were released by the judge's order. On June 24, Gov. James E. McGreevey announced a wide-reaching settlement with Children's Rights that, among other measures, called for the creation of an independent Child Welfare Panel to help overhaul the state's foster care system.

Yesterday, Children's Rights officials said they hoped that the files that were made public would be used as a tool in the state's effort to change the way it cares for foster children.

"It's always shocking to read the case file details, as recorded by the agency, of abuse of children," said Eric Thompson, a lawyer with Children's Rights. "This should be a further wake-up call to the state."

Mr. Thompson was particularly troubled because in many of the cases released yesterday, caseworkers had ruled that allegations of abuse were unsubstantiated.

"It's essential that trained professionals be able to recognize the red flags of abuse and neglect in order to protect these children," he said.

A spokesman for the State Division of Youth and Family Services, Joe Delmar, said the agency was determined to improve its performance.

Mr. Delmar said the agency was reviewing its licensing requirements for caregivers, conducting safety reviews of foster children and increasing its monitoring of foster home and other programs by taking steps like having more unannounced visits.

"We will continue to move forward with our transformation plan with support and guidance from the Child Welfare Panel," Mr. Delmar said.

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## **DYFS failed to pay heed to signs of child abuse**

### **Advocate releases data about 37 cases**

BY MARY JO PATTERSON      Star-Ledger Staff      August 12, 2003

The 6-year-old foster child certainly looked like a classic case of abuse or neglect.

He rooted through garbage at school looking for food. His clothing was filthy. He showed up one day with an untreated burn. He said his foster mother beat him.

Yet an investigation by the state Division of Youth and Family Services in 2002 failed to substantiate abuse or neglect. The boy's foster home was eventually shut down, but only at the request of the foster mother.

Confidential records in that case, and 36 others where DYFS failed to substantiate reports of abuse or neglect involving foster children, were released yesterday by Children's Rights Inc., the New York group that sued DYFS in 1999 for failing to protect its foster children.

The case was settled June 23, when DYFS agreed to a court-supervised plan of emergency reform. Three days earlier,

however, a judge gave the plaintiffs permission to publicize internal DYFS documents considered critical to their case.

Yesterday, they released 2,900 pages, saying they presented additional evidence that New Jersey's child welfare system is dysfunctional. Names of children and foster parents were removed.

It was the fourth time since April that Children's Rights has released a batch of documents appearing to damn the state's child protection agency. Lawyers for the group said it was likely to be the last.

The newest documents reflect the work of DYFS' Institutional Abuse Investigation Unit, which is responsible for investigating reports of abuse to children in residential and foster care.

"These reports offer dramatic evidence that New Jersey has been failing to protect its foster children," said Marcia Robinson Lawry, executive director of Children's Rights.

DYFS had little new to say in response.

"We will continue to move forward with our transformation plan," said Joe Delmar, spokesman for the beleaguered child welfare agency. "The review of IAIU continues. Safety assessments will be conducted for all children in out-of-home placement."

The documents released yesterday cover 37 cases between 1999 and 2002 where DYFS received, but did not substantiate, reports of possible maltreatment. Sixteen of the children involved were living in foster homes and 21 in institutions.

Some of those foster homes were eventually closed, though not as a result of the reports. And in later investigations, some of the children were eventually found to have been harmed.

While detailed, the documents do not always provide insight into DYFS investigators' thinking.

The 6-year-old Irvington boy who came to school hungry and dirty, for example, told an investigator, "Mom hits me almost every day, sometimes she puts me outside."

He also said that he arrived at school "real early," without food, while his foster mother slept at home.

Yet the investigator assigned to his case concluded that he had not had been neglected or abused. She did note numerous "concerns," however.

Eric Thompson, a senior staff attorney at Children's Rights, said it is not unusual for DYFS to overlook evidence of abuse.

"Many times the actual abuse was minimized by the investigator, even though there was concrete and admitted evidence of physical abuse, including visible marks," he said.

In one case, Thompson said, foster parents repeatedly used a tree switch on an 11-year-old girl, first at their home in East Orange and two years later after moving to Roselle.

Both times, the beatings produced marks on the girl's leg that were consistent with the switch. The mother also admitted using corporal punishment, in violation of DYFS policy. Still, no one substantiated physical abuse.

In Millville, in another case of "unsubstantiated" abuse, a foster child ended up in an emergency room.

Thompson called the division's habit of acknowledging concerns, without substantiating abuse, "a recipe for allowing ongoing abuse to continue."

Three institutions were named in yesterday's documents: Lipman Hall in Newark, a residential treatment center for severely disturbed youth; Vision Quest in New Lisbon, which also treats teenagers with severe emotional problems;

and a now-closed program called Newark Transitional Supervised Living.

Twelve of the 21 reports of alleged maltreatment or neglect at the three institutions involved charges that workers inappropriately restrained teenagers.

Five of the remaining nine reports detailed sexual encounters between unsupervised residents.

Children's Rights has previously faulted IAIU.

In May, it distributed a report commissioned from a professor at the University of Maryland that blamed the unit for discounting far too many complaints.

"IAIU findings decisions were found to be professionally unreasonable 25% of the time," wrote the author, Diane DePanfilis, co-director of the university's Center for Families. "First-hand observations by DYFS workers of serious abuse and neglect in out-of-home placements were repeatedly discounted by IAIU."

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**5:51) 19-AUG-2003 20:09 [John Searight \(searighj\)](#)**

## **DYFS mom held in fatal beating of 14-year-old son**

### **Agency called family 'low risk'**

BY ANA M. ALAYA AND SUSAN K. LIVIO      Star-Ledger Staff      August 19, 2003

A Bergen County woman was charged yesterday with beating to death her 14-year-old son, who had called 911 and asked for help after she repeatedly punched and kicked him, authorities said.

Linda J. Calbi, 47, of Old Tappan was charged with murder and child endangerment hours after her son, Matthew, died early yesterday at Pascack Valley Hospital in Westwood.

The Calbi family has been under the supervision of the state's embattled child welfare agency, the Division of Youth and Family Services, for the past two years. A DYFS spokesman said yesterday the agency had classified the family as "low risk," but is now reviewing how it handled the case. Matthew is the 18th child to die this year from what authorities suspect is abuse or neglect by a parent or caretaker.

Linda Calbi is accused of beating her son after a night of heavy drinking at her home, said Bergen County Assistant Prosecutor James Santulli, chief of the homicide unit. Santulli said the two had been fighting for at least an hour Sunday morning before Matthew was finally able to lock himself in a room and call for help.

"This happened over a period of time," Santulli said. "After being kicked and punched, he shut the door and was able to call 911."

Calbi, a petite woman with long, sandy blonde hair, followed the ambulance to the hospital, where she was treated for bruises to her arms and legs and a bite to her wrist, Santulli said.

Matthew died of a ruptured neck artery. He also suffered bruises to both legs and had five hemorrhages in the head and a hemorrhage in the right eye, Santulli said. The boy initially was treated at Pascack Valley for injuries to his right eye, right shoulder and right arm before doctors discovered internal bleeding from a neck artery and performed emergency surgery. He died at 12:50 a.m. yesterday.

Santulli said he believes the fight began over Linda Calbi's heavy consumption of brandy on Saturday evening. Authorities are investigating whether she was drunk at the time of the incident, he said.

Calbi, who is unemployed and attends Bergen Community College, was arraigned before Judge William C. Meehan in

state Superior Court in Hackensack shortly before noon yesterday. She faces 30 years to life in prison on the murder charge and five to 10 years on the child endangerment charge.

She was being held last night at the Bergen County Jail in Hackensack in lieu of \$1 million bail.

Calbi and the boy's father, Christopher Calbi, are divorced and have lived apart since 1999, authorities said.

Santulli said Matthew's 9-year-old brother, Dean, was at the Old Tappan house at the time of the altercation, but would not comment on whether the boy witnessed the fight. He said the child is staying at his father's home in Teaneck.

"It's a terrible tragedy and the family asks that at this time, its privacy be respected," Brian Sokoloff, a spokesman for Christopher Calbi, said in a statement read in front of the father's home.

School friends and neighbors described Matthew as a slight boy who liked music and didn't make trouble.

"He was very athletic and very friendly and very into his music," said Azka Iqbal, a former neighbor who was a year behind Matthew in school in River Vale.

Former and current neighbors of the Calbis said Linda Calbi appeared stressed and bitter, particularly after her separation and divorce. Neighbors along the cul-de-sac in River Vale, where the Calbis had lived for five years, said she drove erratically and that they often saw police at the house.

About a year ago, Calbi moved into a \$500,000 townhome in Old Tappan, an affluent community in northern Bergen County where the median household income is more than \$102,000. The townhouse complex is fairly new, with a pond and a pool.

Meanwhile, DYFS workers in Bergen County knew the Calbi family for nearly 2 1/2 years before Matthew's death.

The agency had last seen Matthew and his brother May 13, although it was unclear from the files last night whether the boys were living with their mother in Old Tappan or their father at the time.

"The caseworker said they were doing well," DYFS spokesman Joseph Delmar said.

DYFS delayed visiting the boys for three months -- instead of maintaining the typical monthly visitation schedule -- based on what workers perceived as a low risk, Delmar said.

Matthew's death may prompt state officials to tighten the visitation policy and require monthly visits in all cases. Deputy Human Services Commissioner Colleen Maguire and DYFS Director Edward Cotton had discussed revising the policy before the boy's death.

"We will do a comprehensive review to ensure we follow proper procedures and will make a determination if policy needs to be changed based on what we learn," Delmar said.

DYFS had first gotten involved with the Calbi family on March 23, 2001, after Linda Calbi was arrested for driving drunk and causing an accident while her children were riding with her. There were no injuries.

She was referred to a community agency under contract for DYFS to assess her drinking problem, but "she was not diagnosed with alcoholism," Delmar said.

Eleven months later, on April 29, 2002, DYFS received a complaint against the boy's father. Christopher Calbi, someone had alleged, kicked Matthew and left bruises. But DYFS workers who investigated did not substantiate the claim and closed the case.

DYFS reopened the Calbi file on Dec. 28, 2002, this time to investigate a claim that Matthew's mother had hit him, leaving bruises and scratches. Again DYFS investigated and did not substantiate the allegation, Delmar said.

On May 2 of this year, Linda Calbi overdosed on prescription medication. DYFS workers arranged for her to obtain outpatient alcohol and drug treatment and to see a therapist. The Calbis then decided among themselves that their boys would live with their father.

It was unclear last night when or why the boys moved back with their mother.

Matthew is the 18th child to die this year from suspected abuse or neglect, Delmar said. Many cases are still under investigation and this number may change.

DYFS has endured seven tumultuous months since the body of a 7-year-old boy, Faheem Williams, was found in a Newark basement in January. DYFS workers had closed the Williams family's case 11 months earlier without investigating a complaint that Faheem and his brothers had been beaten and scalded.

A state report issued this year revealed that of the 123 child deaths in New Jersey between 1998 and 2002, 81 of the victims had been under DYFS supervision at one time.

Staff writer Robert Gebeloff contributed to this report. Copyright 2003 NJ.com

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**5:52) 20-AUG-2003 07:40 [John Searight \(searighj\)](#)**

### **For Relatives of Beaten Boy, Tears Trump Finger-Pointing**

By RICHARD LEZIN JONES

NYT

August 20, 2003

NEWARK, Aug. 19 — There was no second-guessing of a system that seemed to have failed again.

Instead, for the family of 14-year-old Matthew Calbi, who the police believe was beaten to death by his mother on Sunday — just two months after New Jersey child welfare officials returned him to her custody — there is nothing but grief.

"Somebody said to me, 'Is the family pointing fingers at this point?' " said Brian Sokoloff, Matthew's uncle. "I said, 'They're so numb, they don't even know they have fingers at this point.' "

So now, Mr. Sokoloff said at the home of Matthew's father, Christopher Calbi, in Teaneck, N.J., there is only mourning for the boy, who was a juggler, a fan of hip-hop music, and the kind of teenager whose idea of a perfect world was a place where the Yankees never lost another game.

And today, family and friends tried their best to remember Matthew by those threads of his young life rather than the attention given in his death.

The authorities believe that Matthew was punched and kicked so badly by his mother, Linda J. Calbi, during an altercation Sunday afternoon that he suffered massive internal bleeding that led to his death. Ms. Calbi, 47, of Old Tappan, N.J., has been charged with murder and child endangerment and is being held in bail of \$1 million.

State child welfare officials, already under intense scrutiny this year, have promised to look into their handling of the Calbi family's case. Matthew died about three months after he and his brother were temporarily removed from Ms. Calbi's custody by child welfare officials concerned for the boys' safety after the authorities said she overdosed on prescription drugs. A month later, she was given custody again.

It was one of four investigations of the family since 2001. And a spokesman for the child welfare agency promised a thorough examination.

"We're going to conduct an exhaustive review," said Ed Rogan, a spokesman for the state Division of Youth and Family Services. "As with any of the cases we deal with, we want to get to the bottom of it. Certainly, if there are any failures found, we are going to address them."

The agency has come under intense scrutiny since the body of 7-year-old Faheem Williams was found in a locked Newark basement in January.

The state has promised a sweeping overhaul of child welfare. As part of that effort, it settled a lawsuit in June with Children's Rights Inc., a Manhattan-based advocacy group, by agreeing, in part, to the creation of an independent Child Welfare Panel with broad powers to reshape the agency.

Social work experts have pushed for change, citing child deaths around the state that they say could have been prevented. They also cite the agency's routine failure to recognize what experts say are obvious signs of abuse.

In Matthew's case, investigators found that two allegations of abuse made against his parents in the last 18 months were not substantiated.

While the state began its review of the Calbi family's case file, Mr. Calbi declined to speak to reporters today. Mr. Sokoloff, who acted as the family spokesman, said the Calbis divorced several years ago. Officials have placed Matthew's brother, Dean, 9, in Mr. Calbi's custody.

Mr. Sokoloff, who declined to discuss the family's dealings with child welfare officials, said the family members were focused solely on helping one another through the grieving process.

"I'm not interested in dealing with the political issues," he said. "I'm worried about my family and keeping it intact, and keeping a 9-year-old, Matthew's brother, who is also the joy of everyone's life, trying to spare this kid from as much of this horror as is possible."

Mr. Sokoloff said Matthew was an active, charming teenager. He joked that his nephew had only one fault: his love of the Yankees.

"We have endless debates about it," said Mr. Sokoloff, a Mets fan. "Among my many, many deep regrets is one trifling regret that he wasn't able to live long enough where I could say, 'Matt, you see, the Mets are better than the Yankees.'"

The two also had playful debates about music. "He was endlessly trying to convince me of the artistic merit of rap music, and he would make CD's. 'Listen to this, listen to this,' " Mr. Sokoloff said, noting that his response was always the same: "Matthew, this is not music."

"It's hard to fathom that he's not here," Mr. Sokoloff said. "He was really a bright light to many people."

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## **DYFS role in teen death spurs probe**

### **Charges of fatal beating by mom leave angry governor 'frustrated'**

BY ANA M. ALAYA AND RUDY LARINI

Star-Ledger Staff August 20, 2003

Gov. James E. McGreevey ordered an investigation yesterday into whether the state's troubled child welfare agency properly supervised the family of a 14-year-old Bergen County boy who police say was beaten to death by his mother.

Describing himself as "frustrated and angry" over the death of Matthew Calbi early Monday, McGreevey said he expected the state Division of Youth and Family Services to provide him with the results of its internal probe by the end of the week.

DYFS, in the midst of an overhaul prompted by the deaths of several children under its supervision, has been involved

with the Calbi family for more than two years. During that time, the agency allowed Matthew and his 9-year-old brother to remain with their mother, 47-year-old Linda Calbi, despite several complaints.

A DYFS caseworker was due to visit the family's Old Tappan home for an evaluation later this month.

"I'm frustrated and I'm angry," McGreevey, asked about Matthew's death, said at an unrelated news conference in Newark. "I'm frustrated that a mother would do this to a child. It's heinous. It's barbaric. And the mother will be prosecuted to the fullest extent of the law. I'm also frustrated that evidently DYFS did at one point conduct a review of the case, and a decision was made.

"I have requested that there be a complete evaluation to determine what DYFS did, and perhaps more importantly, what DYFS did not do," McGreevey said.

Linda Calbi, charged with murder and endangering the welfare of a child, is accused of repeatedly battering her son during an hour-long confrontation in the townhouse she shared with both of her children. She and her husband, Christopher Calbi, divorced in July 2001.

Bergen County Assistant Prosecutor James Santulli, chief of the homicide unit, has said mother and son were arguing about Calbi's alcohol consumption Sunday morning when the argument became physical.

Matthew was punched and kicked repeatedly before he managed to lock himself in his bedroom and call 911, Santulli said.

He was taken to Pascack Valley Hospital in Westwood, where he was treated for injuries to his head, right eye and legs. Doctors later discovered internal bleeding from a ruptured neck artery.

Calbi, a petite woman with sandy blonde hair, was treated at the same hospital for bruises to her arms and legs and a bite to her wrist. Authorities are trying to determine if she was drunk at the time of the incident.

Santulli said Calbi was undergoing a psychological evaluation yesterday at Bergen Regional Medical Center in Paramus and likely would be transferred to the Bergen County Jail in Hackensack sometime today. She was being held in lieu of \$1 million bail.

Calbi's drinking has played a central role in DYFS' involvement with the family and has been the source of strife with neighbors at her former home in River Vale.

Police in River Vale, an upscale community in northern Bergen County, charged Calbi with drunken driving in March 2001 after she was involved in a traffic accident. Her children were in the car at the time, sparking the child welfare agency's first visit.

DYFS referred Calbi to a community agency to assess whether she had a drinking problem. DYFS spokesman Joseph Delmar said Calbi was not diagnosed with alcoholism.

But Calbi's former neighbors on Ellen Court Lane, a cul-de-sac lined with expensive homes, said the woman was repeatedly seen driving erratically on the block and frequently had alcohol on her breath.

"Within a very short time, she was driving drunk up and down the block. She was drunk all the time," said one woman who said she clashed repeatedly with Calbi during their five years together on the block.

The woman, saying she feared for her safety and that of her children, spoke only on condition that she not be identified.

The neighbor said that when she complained to Calbi, the woman began to harass her, shouting at her and her children and at one point, in February 2001, banging on her car windows and issuing threats.

"We have been living in fear for the last five years," the neighbor said.



River Vale police confirmed that they had received frequent complaints about Calbi from neighbors. Police also confirmed that on Feb. 10, 2001, a judge ordered Calbi to stay away from the family of the neighbor with whom she had been feuding.

Calbi moved to Old Tappan last year. Neighbors there said they had seen no outbursts, nor had they seen any sign of potential violence toward her children.

"She was always very friendly to me," said Carmella Cherpock, who lives in the townhouse next door. "She was nice to her children, always watching over them."

Another neighbor, Kelly Bennett, said Calbi sometimes shouted at her children, but not so frequently or vociferously that Bennett became suspicious.

"It seemed like maybe she yelled a lot, but not in a violent manner," said Bennett, a mother of two daughters, ages 5 and 2. "I didn't witness any kind of swearing or outwardly destructive behavior toward her children."

DYFS' involvement in the case continued in Old Tappan. On Dec. 28, 2002, the agency investigated a report that Calbi hit Matthew, leaving scratches and bruises. The agency did not substantiate the allegation.

On May 2 of this year, the agency was called in again after Calbi overdosed on prescription medication. DYFS workers arranged for her to obtain outpatient alcohol and drug treatment and to see a therapist. The Calbis then decided among themselves that their boys would live with their father.

Matthew and his brother returned to their mother's home in June, a move DYFS did not oppose. Delmar, the DYFS spokesman, said he could not immediately say why, but he did note yesterday that Calbi was in therapy and treatment for substance abuse at the time.

A DYFS caseworker last spoke with Calbi by telephone on Aug. 7, but Delmar would not discuss the nature of the call.

One complaint, from April 2002, alleges that Matthew's father also struck the teen, but the allegation was likewise unsubstantiated.

At the father's Teaneck home yesterday, Matthew's uncle, Brian Sokoloff, said the family was blindsided by the death.

"Nobody could imagine a mother harming a child in this way," Sokoloff said. "It's too horrific to even think of. The family is numb. It's an unspeakable tragedy. There really are no words in the English language for this kind of thing."

Sokoloff described his nephew, who would have entered the ninth grade next month, as a fun-loving boy who enjoyed people.

"He was a light in the lives of a lot of people," Sokoloff said. "He loved being around people. He could really work a room. He loved juggling. He would pick up two, three pieces of wood, and the next thing you knew, you would have a whole show going on in front of you."

Then Sokoloff paused and recalled how frail Matthew was when he was born several months premature.

"I know that he weighed only a pound-and-a-half when he was born," Sokoloff said, adding that Matthew suffered through some early health problems. "But ultimately, he was a normal kid. He was a great kid. Born premature. Died premature."

Staff writers Mark Mueller, Susan K. Livio and Jeff Whelan contributed to this report.

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5:53) 20-AUG-2003 07:55 [John Searight \(searighj\)](#)

Posted on Sun, Jul. 27, 2003 Philadelphia Inquirer

Editorial **URGENT REPAIRS**

**Fixing N.J. child agency a must-do job.**

Pity poor Edward Cotton. But pity more the 50,000 children under the care of the agency he now heads.

Cotton took over Tuesday as director of the New Jersey Division of Youth and Family Services. Enough said. But not enough done.

Reforming the agency requires monitoring, coordination and a sustained commitment that includes money, staff recruitment and training, and changes in procedure.

Cotton comes in as the cleanup man after a number of highly publicized deaths of children under DYFS' care, reports documenting just how broken DYFS is, and the settlement of a federal civil rights lawsuit that came about because of the deaths and the reports.

The legal action, brought by a New York-based Children's Rights Inc., had been filed in 1999. But, as DYFS ignored its problems, state officials ignored DYFS.

It shouldn't have taken 7-year-old Faheem Williams' death to force change. But the state no longer could turn away after it was revealed that the DYFS case file on Faheem, whose starved body was found last January in the basement of a Newark home, had been closed without a caseworker ever having seen him or his two brothers. His brothers were found emaciated but alive that same week.

The avalanche of reforms and proposals is a good thing. It highlights just how great an opportunity there is to fix DYFS. Consider what's under way:

Gov. McGreevey has announced a children's cabinet; a state Child Advocate Office has been established; Department of Human Services Commissioner Gwendolyn L. Harris has launched administrative and policy changes in DYFS, including cross-review of cases by supervisors; a reorganization will create a Division of Child Protection and Permanence; and a new panel, called for in the settlement and featuring the prestigious Annie E. Casey Foundation, will help reimagine the child welfare systems.

None of that even begins to address the agency's incredibly antiquated system of record-keeping, still done largely on paper. Funding (part of \$30 million for DYFS in the budget) has been set aside to buy a sophisticated computer system to track cases statewide. But that could be years away.

Until then, the Department of Human Services, which oversees DYFS, will gin up a Web-based monitoring system aimed at red-flagging instances of a child not being regularly visited by a caseworker.

Cecilia Zalkind is executive director of an advocacy group, the Association for Children of New Jersey, and a member of the governor's children's cabinet. She said the cabinet has met twice, yet its role remains unclear.

"What we're doing remains to be seen," she said.

She fears that state officials are clueless about how all of these many efforts will come together. Any harsh judgment on that concern would be premature - the ink on the settlement is barely dry and Cotton has been on the job a week. The consequences that would result from failure, though, are too great to sit back and wait.

A recent state analysis of deaths of children under 5 caused by abuse and neglect - most of the cases having had some involvement with DYFS - found that the percentage of those victims under a year old rocketed from 40 percent in 1998

to 67 percent in 2002. The main causes? Increases in prenatal drug abuse, shaken baby syndrome and male adults physically abusing children.

Cotton has some good ideas, chief among them establishing a safety assessment system that could reduce the number of repeat abuse cases of children under state care. He got good results with that system when he was at the Illinois Division of Child Protection.

But he will need all sorts of support, much of which is required by the legal settlement. Still, McGreevey, Harris or Maguire will have to keep track of all these groups and reforms to make sure efforts are complementing each other, not duplicating or working at cross purposes. Someone at the top will have to make sure reports and recommendations aren't set aside. Unions will have to be more flexible.

And the state will have to scrape together more money to hire more experienced staff, to pay for more training to review decisions made about cases, and for all of the cars, phones, computers and other equipment that help workers keep children safe.

The troubles at DYFS are as deep as the troubles that threaten so many of New Jersey's suffering children. Even a perfect state agency couldn't protect every child from harm.

But as Eric Thompson, senior staff attorney with Children's Rights Inc., said of DYFS:

"Certainly we can do better than this."

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**5:55) 23-AUG-2003 07:28 [John Searight \(searighj\)](#)**

The pressure just bumped up another notch. Our work is indeed cut out for us, and our responsibility is considerable.

### **DYFS report uncovers laxity in boy's death**

BY SUSAN K. LIVIO      August 22, 2003      Star-Ledger Staff

The Bergen County mother accused of beating her teenage son to death earlier this week did not receive proper scrutiny from the state child welfare agency, which failed to see how chronic turmoil in the home was threatening the child's safety.

Human Services officials shared these conclusions with Gov. James E. McGreevey yesterday following Monday's death of 14-year-old Matthew Calbi. Bergen County authorities have charged his mother, 47-year-old Linda Calbi, with murder. They allege that she battered her son during an hour-long confrontation Sunday morning at their home in Old Tappan.

McGreevey, in the midst of overseeing an overhaul of DYFS since January, demanded an accounting of DYFS' role in the case. The answers came yesterday and they left him "very concerned," said Micah Rasmussen, McGreevey's spokesman.

"It was clear to him the family did not receive all of the attention they warranted," Rasmussen added. "The supervisor should have recognized the escalating physical conflicts and repeated substance abuse issues."

The Calbi family had a 2 1/2-year history with the state Division of Youth and Family Services, and an active file at the time of the boy's death. The mother also had a history of alcohol and drug abuse, according to authorities, who believe the Sunday fight began over Linda Calbi's drinking the previous evening.

The internal report to the Governor also says:

Linda Calbi was accused of physically abusing her son on Dec. 28, 2002, but DYFS workers did not substantiate the claim. Human Services Commissioner Gwendolyn Harris' report said the boy had physical injuries, yet caseworkers never took him to a doctor.

There was a lack of supervisory oversight in the case and a failure to investigate all of the allegations. Part of the problem may have been that workers downplayed the urgency because Matthew was older, a teenager.

There were several missteps in the case. When DYFS first opened a case against Calbi after a traffic accident in March 2001, Matthew's father was never interviewed. Then after the mother took an overdose of prescription drugs and alcohol in May 2003, DYFS workers interviewed Matthew and his brother, Dean, 9, six days later, instead of within 24 hours as state policy requires.

McGreevey told Harris and Deputy Commissioner Colleen Maguire to provide specific remedies to fix the problems within the next two weeks, Rasmussen said.

Human Services spokesman Ed Rogan said the analysis will continue.

"Both Commissioner Harris and Colleen Maguire were very concerned and upset about this case," Rogan said. "What it raised for them were some basic concerns about the way the case was supervised and the judgments that were made. In some respects, this family was not really supervised."

Maguire will detail more of the findings at a news conference Tuesday, Rogan said.

Linda Calbi was arrested Monday and is being held at Bergen Regional Medical Center in Paramus under psychiatric observation. She has not entered a plea in the case.

River Vale Superintendent Frank Alvarez said he is doing an internal investigation into how the school district handled the Calbi case. He said two of Matthew's teachers reported suspected abuse to DYFS on two separate occasions when he attended the Holdrum Middle School in River Vale in 2000 and 2001.

He said in both cases the boy had bruises, but that DYFS did not substantiate neglect.

"We want to look at our procedures and look at what we have done," Alvarez said. "I think in both cases, the guidance counselor was aware of the calls to DYFS and I'd like to say the principal did also. I don't think there was negligence on the part of the school, but I would like to see what we did."

Staff Writer Ana Alaya contributed to this report. Susan K. Livio covers health and welfare issues. She can be reached at [slivio@starledger.com](mailto:slivio@starledger.com) or (609) 989-0802.

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**5:56) 24-AUG-2003 21:03 [John Searight \(searighj\)](#)**

From a Newark Star Ledger Editorial

**Still no reason for trust**      Friday, August 22, 2003

This time it was a teenager, not a toddler. The setting was not an inner-city basement but a \$500,000 townhouse in upscale Old Tappan.

But once again a child under the supervision of the state Division of Youth and Family Services has died.

Linda J. Calbi, a divorced mother of two, is charged with kicking and beating her older son, 14-year-old Matthew, to death. The family came to DYFS's attention more than two years ago, after Calbi had a drunken driving accident with her sons in the car. There were also charges of abuse, but DYFS said they were never substantiated.

It is too early to say whether DYFS was in any way at fault. Even if the agency does its very best, it cannot provide absolute protection against dangerous parents.

However, DYFS has not earned the right to the benefit of the doubt.

DYFS must take a hard look at itself to see if Matthew's age or the family's zip code in any way influenced decisions about how much protection he needed.

The sad truth is that DYFS has yet to show that it can or does handle any of these cases well. The Calbi file is loaded with the kind of optimistic information we have every reason to distrust.

Linda Calbi was referred for an alcoholism evaluation, then for drug counseling after a prescription overdose. DYFS said everything was fine and labeled the family low-risk. But it said the same in the case of 21-month-old Daniel Soto, who died earlier this year.

Abuse was suspected, and the parents were referred for counseling. With no clear indication of what DYFS expected or whether anything had changed, the agency then said everything was fine. The child's mother was subsequently charged with the fatal beating of her child.

Allegations of abuse were dismissed in the Calbi case. A lawsuit by Children's Rights Inc. against DYFS opened a truckload of files that said the same thing in case after case in which children were in fact being horribly abused or neglected.

Abuse was not substantiated in the case of Faheem Williams and his siblings because DYFS never saw the children. Yet the family's file was closed. It blew open when 7-year-old Faheem was found dead in a locked basement near two starving siblings.

Because of Faheem and the Children's Rights lawsuit, DYFS has been in full reform mode. The division says that just before the Calbi tragedy, the agency decided to require monthly visits with no exceptions in all child abuse cases.

Great. That is what DYFS was supposed to be doing anyway. But from what the Children's Rights suit revealed, DYFS cannot be trusted to tell itself which children should be on the required monthly visit list. Matthew Calbi, last visited in May, would not be. His was not a substantiated child abuse case. His family was labeled low risk.

The reformers must work in two directions. They must make certain that every new case gets the attention, review and followup that all too often were lacking in the past.

The reformers must also make certain to find the tragedies still incubating in the mess they inherited. Whatever was wrong most likely still is. No child should have to suffer or die to make that point. Again.

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**5:58) 27-AUG-2003 07:12 [John Searight \(searighj\)](#)**

## **New Jersey Removes 10 From Foster Homes**

By RICHARD LEZIN JONES

NYT

August 27, 2003

TRENTON, Aug. 26 — Ten children have been removed from New Jersey foster homes that officials have determined are unsafe as part of a statewide review of all foster care placements, child welfare officials said today.

The review, required as part of a June settlement of a lawsuit against the state's child welfare agency, has so far covered about half of the more than 12,000 foster children in the agency's care, officials said.

Officials said that during the last two months, a look at about 5,800 foster homes disclosed safety concerns in the homes

of 10 children, who were at such risk that caseworkers decided to remove them immediately and place them with other foster families. The risks included child abuse and inadequate care.

The findings were included in a report about efforts by the agency, the State Division of Youth and Family Services, to meet the terms of a sweeping settlement agreement that ended a lawsuit filed against the state by Children's Rights Inc., a Manhattan-based advocacy group.

Colleen Maguire, the special deputy human services commissioner charged with helping to overhaul the agency, said at a news conference here that the review of foster child safety was part of a larger effort to change the culture of the agency, which has been criticized as insular and reluctant to change. Some of those changes, Ms. Maguire said, were initiated before the settlement agreement was reached.

"We believe so strongly that safety and the focus on safety has been so lacking here," she said, "that we've tried to structure this project so that it becomes institutionalized, that it becomes part of the day-to-day operations."

Eric Thompson, a lawyer with Children's Rights, said the 20-page report seemed to indicate that the measures agreed upon at the settlement table were being put in place. However, he said, quality control teams and others will continue to work to ensure that the terms of the settlement are being met.

"It's gratifying to know that one child who is in a dangerous placement is removed from harm's way because of these measures," Mr. Thompson said.

Ms. Maguire said the 10 children were removed for reasons including abuse, the foster families' unwillingness or inability to care for them, and threatening behavior by the foster child. She said safety concerns were identified for 45 children, but officials determined that removals were not warranted in those cases. Child welfare officials said some safety issues, like unsafe housing, could be changed to improve conditions for children.

"Those concerns were not escalated to the point where we felt removal was necessary," she said. Child welfare workers will continue to monitor the safety of those 45 children, Ms. Maguire said.

Officials also announced early findings in their review of how the agency handled the case of Matthew Calbi, a 14-year-old boy who the authorities said was beaten to death on Aug. 17 by his mother, Linda J. Calbi, just weeks after he was returned to her Old Tappan home. Ms. Calbi has been charged with murder and child endangerment and is being held in \$1 million bail.

Ms. Maguire said the agency had failed to "connect the dots" regarding information like police reports of neighborhood disputes involving Linda Calbi and her former husband, Christopher. Those details, Ms. Maguire said, might have suggested that problems in Matthew's home, including fights and alcohol abuse by Ms. Calbi, were escalating and that he was at serious risk.

The agency allowed Matthew and his 9-year-old brother, Dean, to live with their father in Teaneck after their mother overdosed on prescription medication in May. Matthew and his brother were returned to their mother in the weeks before his death.

In all, the agency has conducted four investigations of the family since 2001, including two instances in which it found that abuse allegations against the Calbis were not substantiated. "There were some missteps," Ms. Maguire said.

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### **Failing to connect the dots before teen died**

## **Review of Old Tappan case finds warning signs were not shared between agencies**

BY ANA M. ALAYA      Star-Ledger Staff

August 27, 2003

Police, child welfare workers, therapists and others involved in the care of a 14-year-old boy beaten to death last week worked in fatal isolation from each other, like "silos," a state official said yesterday.

Deputy Human Services Commissioner Colleen Maguire said the state's own review of the case shows there was a community-wide breakdown between the various agencies that had contact with Matthew Calbi of Old Tappan, whose mother was charged last week with beating the boy to death.

"No one had all the facts," Maguire said. "Clearly, had we connected the dots and we had a team approach, we would have acted differently."

Bergen County authorities say 47-year-old Linda Calbi battered her son during an hour-long confrontation on the morning of Aug. 18 at their home.

The case, and the Division of Youth and Family Services' role with the family for the past two years, has drawn the attention of Gov. James E. McGreevey, who demanded an accounting from the beleaguered agency. Maguire briefed the media yesterday on her agency's review of how the case was handled.

Calling the boy's death "senseless," Maguire said the various agencies that knew about the family may have downplayed the urgency of their problems because the Calbis were well-off financially and because Matthew was older, a teenager.

A memo will go out to all caseworkers at DYFS "reminding the staff that children of all ages and socio-economic backgrounds are subject to potential abuse and neglect," Maguire said.

The caseworker who investigated an allegation of abuse in the months before Matthew died "didn't exercise best judgment" when she investigated allegations that indicated the boy might be in danger, Maguire said.

The Calbi family had a 2 1/2-year history with the state Division of Youth and Family Services and an active file at the time of the boy's death. The mother also had a history of alcohol and drug abuse, according to authorities, who believe the fight began over her drinking the previous evening.

Linda Calbi is being held in the Bergen County Jail in lieu of \$1 million. She has applied for a public defender to represent her.

According to DYFS records, Matthew was taking medication for a behavioral problem following the breakup of his parents, Linda and Christopher Calbi, two years ago. Linda Calbi was going to therapy for an alcohol problem.

Four referrals made to DYFS, including two of suspected abuse made by school staff in River Vale, where the family lived up until a year ago, were not substantiated. The school is conducting its own inquiry into how it responded.

Maguire said DYFS workers were unaware that police had charged Linda Calbi in September 2001 with driving under the influence. They were also unaware that the River Vale police had received 21 complaints about her, most involving neighborhood disputes.

"Had we known about those reports, we probably could have pursued that," Maguire said. "We have a mom who clearly couldn't handle Matthew's behavior. Matthew couldn't handle the divorce and the mom had issues," Maguire said. "Had we worked together as a team we could have possibly prevented this death."

Maguire said she also wondered if there should have been more communication between DYFS and therapists who treated the boy and the mother.

"Everybody didn't have all the facts," she said. "I'm not sure if we all sat at the table at the same time. We had 'silos,' if

you will."

There were other missteps in the case, she said. When DYFS first opened a case against Calbi after a traffic accident in March 2001, Matthew's father was never interviewed.

Then after the mother took an overdose of prescription drugs and alcohol in May 2003, DYFS workers interviewed Matthew and his brother, Dean, 9, six days later instead of within 24 hours as state policy requires.

Maguire said she will meet with case supervisors in September to talk about evaluating abuse allegations and recognizing "escalating" risks.

The agency is also going to "get very prescriptive," DYFS Director Edward Cotton said. To help guide the staff, he said, he is working on rewriting "nebulous" definitions of the 35 recognized types of abuse and neglect.

Maguire also spoke yesterday of continuing changes within DYFS, which has been under intense pressure to reform after the scandals involving the agency's failure to safeguard children it was monitoring.

Maguire said 10 children have been removed recently from foster care homes and other facilities as part of a statewide review of the safety of the more than 12,000 children in the foster care system. So far, safety assessments have been done for about half of the children.

The safety assessments are being performed as part of the state's settlement of a lawsuit brought by Children's Rights Inc. of Manhattan on behalf of abused New Jersey children.

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**5:59) 23-SEP-2003 20:40 [John Searight \(searighj\)](#)**

## **How Years of Budget Cuts Put New Jersey's Children at Risk**

By LESLIE KAUFMAN and RICHARD LEZIN JONES The New York Times September 23, 2003

The admission of government failure could not have been more sweeping. On June 24, New Jersey, under legal attack and amid a storm of public outcry, agreed to grant broad powers over its child welfare system to outside experts.

By almost every measure, the system was in collapse, often at the brutal cost of children's lives. As many as one in five children in foster care was being abused, and it took years to have imperiled children adopted. New Jersey ranked among the worst in the country, according to child welfare groups, with fully one-quarter of the state's foster children stuck in institutions that national experts have regarded for years as the worst environment.

"We recognized that the system is broken in many places," said Kevin Ryan, an aide to Gov. James E. McGreevey who led the negotiations on turning over control of the system, "and it took a long time to make it as broken as it was."

In explaining how New Jersey's care for its most vulnerable children came to be broken so badly and for so long, experts and government officials consistently point to several critical failures: money, staffing and repeated delays in embracing child welfare practices that had succeeded elsewhere in the country.

Across more than a decade — involving both Democratic and Republican administrations — the state engaged in what many claim was a financial retreat involving the kinds of programs deemed by experts to be most essential for protecting children: drug treatment programs for troubled parents, day care for abused children, and a modern computer tracking system that might make it easier for state workers to monitor and manage a growing number of abuse and neglect cases.

At the same time, the state's efforts to keep caseloads down, and to effectively train and support child welfare workers with equipment and expertise, were sporadic and always short-lived.



One administration in Trenton closed the training academy at the Division of Youth and Family Services for six years; another administration cut the number of workers devoted to monitoring the quality of caseworker performance. The State Legislature failed to set limits on the number of cases a worker could be assigned, so that today the average is 41 per worker, as it was a decade ago. Veteran caseworkers say that over the years, the number of staff members assigned to desk jobs has risen, while those assigned to work in the streets and homes where children are at risk are increasingly overwhelmed.

Finally, New Jersey took years to adopt and use what for other states had become obvious answers for handling the growing crisis in child welfare. Among them were requiring that foster homes be formally licensed, and placing foster children with relatives rather than strangers — a tactic known as kinship care that many experts believed made for safer and more reliable settings for endangered children.

Indeed, the state's track record of programmatic negligence — in the face of one bad newspaper headline after another and despite multiple expert panel reports — has been so pronounced that the federal judge who approved the takeover by outside experts in June pledged that he himself would not allow it to happen again.

"What I want to assure the parties on both sides is that for better or for worse, while the political administrations may or may not change, I will be living with this case until it's closed," Judge Stanley R. Chesler said. "I will be going nowhere, and I hope and will do the best I can to make sure that the political will continues to exist to make this settlement become reality, that this is not simply a response to the latest crisis which vanishes when the next crisis appears on the horizon."

Looking back on the failure of New Jersey's foster care, one explanation jumps off the pages of the state's budgets. In the last decade, the number of children under the state's care rose alarmingly, to 58,000 from 40,000. Yet for fiscal year 2003, the state's spending on the child welfare agency had barely budged over the 10 years, up only to \$312 million from \$275 million.

But that modest rise in spending captures only part of the story. The state, in the fiscal years 1995 through 1999, actually cut spending by \$67 million despite some of the most robust economic conditions ever.

And to this day, numerous legislators involved in the budget fights cannot explain the repeated collapse of political will.

State Senator Diane B. Allen, a Republican who pushed unsuccessfully to spend money to reduce social workers' caseloads, said, "I can't exactly say why we weren't able to do it, except that those constituencies that don't vote have less influence than those that do."

The most marked of the cuts occurred during the administration of Christie Whitman, a Republican who served as governor from 1994 through late January 2001, although Democratic administrations also displayed a disinclination to invest in the child welfare system.

While the agency handles nearly 9,000 more cases annually than it did in 1989, the state has only about 300 more workers to manage them, a result of years of layoffs and what union officials and outside experts say has been inadequate hiring.

From 1989 to 1995, the agency lost one out of every six of its caseload-carrying workers, largely because of layoffs initiated by Ms. Whitman and her predecessor, Jim Florio, a Democrat. The move left the agency ill prepared for a four-year period in the mid-1990's when the caseload for most workers rose by more than 13 percent.

The Child Welfare League of America suggests that workers be responsible for no more than 17 cases at one time, a figure that is widely accepted as the national standard. The lower the number of caseloads, experts say, the more time workers can spend with individual children and, in theory, better identify whether they are at risk.

According to state figures, the average caseload for workers in New Jersey is about 41, or more than twice the recommended standard. And, even with Governor McGreevey's promised changes to child welfare under way, officials

acknowledge that the number of cases handled by each worker has risen since the beginning of the year.

The cuts, as well, took tools from the hands of the dwindling number of workers, including their cars and cellphones. Even children's car seats were allowed to become scarce.

To those who worked both for and with the agency, the late 1990's, with flush general budgets, were particularly demoralizing because, to them, the cuts seemed entirely without rationale.

"You would hear someone like the governor saying she wanted to help kids," said Bernice L. Manshel, who was the agency's director until 1982 and then watched as DYFS was dismantled in the subsequent decades.

But, she said, "there was no depth of knowledge or real understanding of the needs."

Perhaps the most searing example of a failure to invest in the system concerned what many current and former government officials regard as the tragedy of the agency's computer system.

In the mid-1990's, the federal government passed a series of sweeping foster care reporting requirements that demanded, among other things, that each state have a centralized database to track foster children or risk losing federal matching funds.

With an ancient computer system, and with many agency offices using half-complete paper files to document cases, New Jersey knew it had to allocate money for the new system as early as 1997, when it actually put up \$7 million to buy computers.

In fiscal years 1999, 2000 and 2001, new money to pay for the software and networking for the system was dutifully allocated in the budget. Then, like a slow-motion train wreck, the money was removed at the 11th hour in compromises. The state now says the computers bought in 1997 are out of date anyway.

But for many child welfare workers, and the judges and lawyers who worked with them, almost no budget cut was more counterproductive than the failure to provide the services that might have improved the family conditions for vulnerable children.

The number of residential substance abuse treatment slots specifically for mothers with their children — drug abuse is one of the most frequent factors in child abuse cases — has not increased in the last four years, even as the foster care population took off. Parents struggling with substance abuse often wait months to gain admittance to such treatment programs, advocates for the parents say.

Children, then, were frequently removed and placed in an already overtaxed foster care system.

"The situation is quite desperate," said Nancy Goldhill, vice president and assistant general counsel for Legal Services of New Jersey, which represents parents in cases against the state.

Money alone, of course, does not explain the dizzying decline in the quality of the state's services. Mismanagement and neglect also took their toll.

To run an effective child welfare system, said Ms. Manshel, the former agency director, "it takes sustained interest."

"And at the highest levels of policy making," she said, "there was no real interest."

As a result, experts say, New Jersey was often late — too late — in adopting some of the most basic case practice innovations in child welfare even as they became common in most other states.

It was only in 2001 that New Jersey agreed, for example, to offer foster care stipends to relatives of foster care children who took them in — a step long known to be crucial in poor communities.

"New Jersey was late to recognize kinship care," said Rob Geen, a senior research associate at the Urban Institute, a

social policy research group based in Washington. "It really tried to divert kin from any kind of foster care payment, which is discriminatory against relatives. Changes have made for the better, but there are still policies that could be better."

At an even more basic level, officials said, New Jersey went for years without even requiring that foster homes be formally licensed. It was only in 1999, after an astounding amount of abuse was found to be occurring in foster homes, that the state began to do formal certification of homes (it started full licensing in 2002).

To this day, residential facilities are not required to do criminal background checks on their employees. A law mandating such checks is awaiting Governor McGreevey's signature.

In a similar sense, New Jersey's failure to abandon some discredited practices, particularly one known as voluntary placement, also set it apart as a distinctly troubled system. Voluntary placement occurs when parents agree to sign their children over to the foster care system — in many cases, parental advocates say, because they believe the child will ultimately be taken away anyway. But those children who are turned over to the state under those circumstances are not afforded the lawyers and other safeguards meant to ensure that the state responsibly handles its case and protects them from harm.

A 1992 report by Legal Services found that 75 percent of children in New Jersey's foster care system were there via voluntary placements, a rate far in excess of any other state.

In the ensuing years, the agency passed regulations limiting the length of time children could remain in such placements without judicial review. Still, the practice continues. As of 2001, the last year for which records were available, there were 2,217 voluntary placements into foster care, or close to half the entire population taken in that year.

Gwendolyn L. Harris, the state's Department of Human Services commissioner, has seen the agency's ills as both a social worker in Newark in the mid-1980's and as the cabinet officer charged by Governor McGreevey with oversight of the agency.

Looking back at what went wrong, she said that the politicians and the public never really understood how dire a situation the agency was in.

"I think there was a lack of political understanding of how severe the problem is," she said. "They'd say, 'We've got to be O.K.' People wanted to believe that we fit somewhere in the middle. That we can't be too bad."

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**5:61) 27-SEP-2003 20:49 [John Searight \(searighj\)](#)**

## **State creates Child Advocate post**

### **Covenant House former executive heads agency**

BY RUSSELL BEN-ALI

Star-Ledger Staff

September 27, 2003

In a move to help fix a child welfare system he called failed and broken, Gov. James E. McGreevey signed legislation yesterday creating an independent Child Advocate with sweeping investigative and administrative powers.

The governor also announced the appointment of Kevin M. Ryan, his deputy chief of management and operations, to the \$126,500-a-year-post before a group of more than 100 child welfare officials and politicians.

"The Child Advocate will have among the broadest powers of state government, including the power to subpoena records, the power to demand corrective action, the power to initiate litigation and the power to publicly report," McGreevey said.

Ryan, 36, an attorney and father of five, spent nine years as counsel and associate executive director of Covenant House, the Newark youth shelter that hosted yesterday's ceremony.

The new law sets up the Child Advocate as an independent agency that may inspect juvenile detention centers, foster homes, youth shelters or any other private or public facilities or programs that serve children.

The office will have a budget of \$2 million and a staff of about two dozen social workers and attorneys. They will work out of the Attorney General's Office in Trenton and two small satellite offices in Newark and South Jersey.

Staff will run a 24-hour toll-free complaint hotline and possess broad powers to subpoena records, investigate complaints and even sue the state on behalf of children's rights -- something Ryan said he would not hesitate to do.

"Frankly, the streets of heaven are too crowded with the children of New Jersey," Ryan said.

Ryan told the group he would begin work by monitoring foster care homes for abuse and neglect and investigating overcrowded juvenile facilities.

The governor has touted the Child Advocate as one of the main reforms needed to rebuild credibility in the Division of Youth and Family Services following a string of high-profile child abuse deaths in the past nine months.

In January the agency was rocked by news of the death of Faheem Williams, a 7-year-old boy whose body was found in a Newark basement. DYFS acknowledged it had closed its case file on the Williams family without investigating an allegation of abuse.

In June, Ryan and Deputy Attorney General Stefanie Brand brokered a settlement with Children's Rights Inc., a national advocacy group that sued the state for violating the civil rights of the 11,600 children DYFS supervises in foster homes, group homes or institutions.

The class-action suit accused DYFS of putting foster children at risk of abuse and neglect, and trapping them indefinitely in a cash-strapped, mismanaged system.

"He played a pivotal role in the negotiations and in the parties being able to reach a settlement," Eric Thompson, Children's Rights senior staff attorney, said of Ryan. "We have enormous respect for him as a lifelong child advocate and we welcome his appointment."

Ryan holds law degrees from Georgetown University and New York University and is a former adjunct professor at Seton Hall and Fordham law schools. He was staff counsel to the Democratic State Committee in 2001 and to McGreevey's unsuccessful 1997 election campaign. Ryan, his wife, Clare, and their five children live in Monmouth County.

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**5:62) 26-OCT-2003 20:59 [John Searight \(searighj\)](#)**

## **DYFS fails 4 starving children**

**Sunday, October 26, 2003**

### **Camden County couple arrested, 5 state workers suspended in case**

BY SUSAN K. LIVIO AND MARK MUELLER     Star-Ledger Staff

In what a prosecutor called the most horrific case of child neglect he's ever seen, a Camden County couple has been charged with starving four of their adopted children over several years, leaving them so emaciated and stunted that authorities initially mistook a 19-year-old for a boy of 10.

The discovery of the alleged abuse in Collingswood, a middle-class community bordering Camden, marks a stunning new blow to the state's troubled Division of Youth and Family Services, which approved the boys' adoptions and which has been in close contact with the family. A caseworker had visited the home 38 times in the past two years.

At least five DYFS employees, among them supervisors and managers, have been suspended, and more suspensions are expected, said Micah Rasmussen, a spokesman for Gov. James E. McGreevey. An "angry and shocked" McGreevey has directed the state's newly appointed Child Advocate to investigate the case, Rasmussen said.

Vanessa Jackson, 48, and Raymond Jackson, 50, were arrested Friday, two weeks after police discovered one of the couple's adopted sons rummaging through a neighbor's trash can for food.

The subsequent investigation found that the Jacksons locked up the kitchen of their Victorian home, allowing the boys only small servings of oatmeal and pancake batter, Camden County Prosecutor Vincent P. Sarubbi said.

Two of the boys told investigators they sometimes sated their hunger by eating pieces of wallboard and insulation. One boy gnawed on a window sill for sustenance.

Ranging in age from 9 to 19, none of the four weighed more than 45 pounds. All are likely to face long-term developmental problems, Sarubbi said.

"The children were extremely emaciated," the prosecutor said. "You could see their ribs. They had distended bellies. Their shoulder blades were sticking out from their bodies. They actually looked like children you'd see from third-world countries on television commercials. What happened was an absolute disgrace."

DYFS, in the midst of an overhaul following a series of high-profile failures to protect children in the agency's care, most recently dispatched a caseworker to the Jackson home in early October. The worker was there to assess the well-being of a 10-year-old female foster child the Jacksons were seeking to adopt.

Two other girls, ages 5 and 11, also lived in the home. One of them, state officials said, was the Jacksons' biological child. The other had been adopted through DYFS.

The three girls showed no signs of abuse or malnutrition, indicating a home of haves and have-nots. The girls were well-fed and taken on vacations to Williamsburg, Va., while the boys were denied food and rarely permitted off the property, Sarubbi said. Vanessa Jackson told anyone who asked that the boys suffered from eating disorders, the prosecutor said.

State officials were at a loss to explain why the caseworker did not report the boys' severe malnutrition, which the prosecutor said was obvious. The caseworker has since resigned.

"You can't even fathom how somebody wouldn't notice this," Special Deputy Human Services Commissioner Colleen Maguire said. "I don't know if we are dealing with negligence, indifference or gross incompetence or a combination therein."

DYFS Director Edward Cotton, terming the lapse "totally intolerable," said the investigation suggests the caseworker saw some or all of the boys on her monthly visits to the home on White Horse Pike.

The Jacksons made their first adoption through DYFS in 1995. Other adoptions followed in 1996, 1997 and 2000. Because of the adoptions, the Jacksons received an annual state stipend, which peaked at \$28,000 before the oldest child turned 18 last year.

The 10-year-old foster child the Jacksons were waiting to adopt has been with the family since 1999. Before every placement, DYFS found the Jacksons to be capable, caring parents.

"They had cleared every background check every time they adopted another child," state Human Services spokeswoman Laurie Facciarossa said. "The court reports and adoption studies had lots and lots of positive things said about them,

about being loving parents. The kids are described as very bright, friendly."

What police found when they were called to the area earlier this month conflicted with the DYFS reports. On Oct. 10, a neighbor of the Jacksons dialed 911 to report someone rooting through her trash at about 2 a.m.

When Collingswood police arrived, they found what they believed to be a child, probably 10, hunting for food, Sarubbi said. The youth, at 4 feet tall and 45 pounds, turned out to be the 19-year-old, Sarubbi said.

The teen led police to his house, where authorities were stunned to find three other severely malnourished boys. A 14-year-old boy weighed 38 pounds. That child's biological brother, age 9, stood 3 feet 1 inch and weighed 23 pounds. The fourth child, age 10, weighed only 28 pounds.

Police immediately notified DYFS, which removed all seven children from the Jacksons' home. The four boys were hospitalized, while the girls were placed with foster families. Just one of the boys, the oldest, remained in an undisclosed hospital yesterday with a heart irregularity, Sarubbi said.

"They've gained more weight in their time in the hospital than they did in seven years with the family," the prosecutor said.

In addition to the malnutrition, the boys had not seen a doctor or a dentist in more than five years. Most of their teeth were rotting, Sarubbi said. All four had head lice. And they had been living without electricity for five months and without gas service for a month, an indication of the family's poor financial condition.

Sarubbi said the couple owed more than \$8,000 in rent on their home and had defaulted on their purchase of two vacation timeshares, in the Poconos and Virginia.

The Jacksons are charged with four counts of aggravated assault and 14 counts of endangering the welfare of a child. While the boys did not appear to have been beaten, the aggravated assault counts were warranted because of the "extreme indifference to the value of human life," Sarubbi said.

The couple were held in lieu of \$100,000 bond in the Camden County jail. A court appearance had not been scheduled. The prosecutor said the investigation was continuing, and he would not discount the possibility of additional charges, either against the Jacksons or others involved with the boys.

Two adult children of the Jacksons, a man and woman in their 20s, also lived in the home.

With the exception of the foster child, the children were home-schooled, eliminating an additional safety net, and authorities said the boys rarely ventured from the property.

Outside the home yesterday, the brother of Raymond Jackson defended the couple, saying the boys' size was not a function of malnutrition but of fetal alcohol syndrome and the drug addictions of their biological mothers.

"It has nothing to do with being neglected," William Jackson said. "They were born with drug addiction and eating disorders. As long as I've known these kids, they've never grown."

William Jackson said his brother works for a financial company, though he would not provide the firm's name. Vanessa Jackson is a stay-at-home mother.

"They've provided everything for them," William Jackson said.

Sarubbi dismissed that idea, saying physicians, including geneticists and abuse experts, extensively examined the children and found prolonged malnutrition to be the culprit in their failure to physically mature.

"These parents were literally starving their children," the prosecutor said.

Neighbors said they noticed the boys were painfully thin but did not suspect criminal negligence.

"The two boys who were so skinny, I thought they had AIDS," said Caroline DiMattia, who lives next door.

DiMattia and other neighbors said they frequently saw the children performing chores in the yard. At least two people said they saw the boys cutting the lawn with a pair of scissors.

"They were always out here working their butts off," DiMattia said.

The home, beige with red trim, had an American flag at the doorway and yellow ribbons scattered about. A psalm was posted on a window pane in three places.

"As for me and my house, we serve the Lord," it said, a Bible notation beneath.

The case comes at a particularly critical time for DYFS, which is undergoing a thorough overhaul in the wake of several high-profile failures. The process was ordered after the death of Faheem Williams, a 7-year-old Newark boy whose case had been closed by DYFS prematurely.

On Thursday, the agency announced it had completed an innovative new safety assessment in which 14,393 children in foster homes, group homes, and institutions had been visited and deemed safe.

The state was required to perform the unprecedented check under the terms of a lawsuit settlement DYFS reached with a national advocacy group, Children's Rights Inc., on June 23. Children's Rights had sued the state for violating the rights of foster children by putting them at risk of harm.

Yesterday, the State Child Advocate, Kevin Ryan, questioned the veracity of the safety assessments and vowed to launch his own investigation into what went wrong.

"Considering the department's recent determination that a child in this house was safe, despite the fact that the utilities have been turned off for six months, the kitchen was locked and four of the children were starved is just inconceivable," Ryan said.

## **Boys found severely malnourished**

**October 26, 2003**

### **Collingswood couple held on endangerment, assault charges**

**By JASON LAUGHLIN**

**Courier-Post Staff**

A local couple starved their four adopted sons for years, feeding them only oatmeal and pancake batter - a nightmarish regimen that continued despite monthly visits by a state social worker, authorities said Sunday.

Raymond and Vanessa Jackson, who are charged with aggravated assault and endangering, were preparing to adopt another child when the emaciated youths, ages 9 to 19, were discovered, officials added.

A state social worker who regularly visited the Jacksons reported no problems at a house where neighbors said home-schooled youngsters washed laundry outdoors in buckets and cut the grass with hand clippers.

That social worker has resigned, and eight to 10 managers at the state's Division of Youth and Family Services have been suspended with pay pending an investigation, a state official said.

"What happened to these children is simply unspeakable," said Colleen Maguire of the state Department of Human Services.

Raymond Jackson, 50, and his wife, Vanessa, 48, were being held Saturday in Camden County Jail in lieu of \$100,000

bail each.

Six of their seven children were placed in new foster homes. The oldest child, a 19-year-old who weighed 45 pounds when found by authorities, is being treated at an area hospital for medical complications.

Neighbors in the 300 block of the White Horse Pike reacted with shock and anger.

"All this time I thought the little kids had a medical condition," said Peter DiMattia, 39, who lives next to the Jacksons. "I could choke this guy knowing this, that he did this."

Authorities said a neighbor alerted them to the suspected abuse on Oct. 10, calling police to report a child rummaging through their trash about 2 a.m.

Officers arrived to find Bruce Jackson, 19, who was so slight that they initially thought he was 10. The young man is only 4 feet tall, his growth apparently stunted by malnutrition, officials said.

Police later went to the Jackson house, a nondescript three-story building on one of the borough's busiest streets, and found three other boys described as "extremely small and underweight."

They were identified only as M.J., 9; T.J., 10; and K.J., 14. The 10-year-old and the 14-year-old are biological brothers, officials said.

The four boys had a combined weight of 136 pounds when they were found, said Camden County Prosecutor Vincent P. Sarubbi. Some of the boys have physical or mental disabilities that predate their adoption by the Jacksons, he said.

Sarubbi said the Jacksons contend the boys were underweight due to eating disorders. But the prosecutor said doctors dismissed that claim.

All of the boys were hospitalized after being found by authorities. The three youngest, who have all added several pounds, were released to foster homes on Friday.

Sarubbi said the youngsters had received no medical attention and were malnourished for a five-year period. He called it the worst case of child abuse and neglect that his office has encountered.

"They really, truly didn't understand how horrible their life was," said Sarubbi, who described the boys as friendly and well-mannered. "They didn't know you could go to Friendly's and get an ice cream."

Three girls living in the Jackson house, ages 5, 10 and 12, were not malnourished, he said.

Authorities said the Jacksons received \$28,000 a year from the state to help care for some of the children. And neighbors said the couple enjoyed relative luxuries - like silk suits for Raymond Jackson, who was identified as a financial planner - and time-share vacation homes in Williamsburg, Va., and the Poconos.

But officials and neighbors described primitive conditions at the Jackson home, which lacked electricity from June 18 to Oct. 6 and had no gas service from Sept. 8 to Oct. 6 due to unpaid bills. The Jacksons owe \$8,000 in back rent on their home and have defaulted on both time-share properties, officials said.

An investigation of the home revealed bite marks on window sills. Pieces of wall and insulation were missing, Sarubbi said.

One boy had a wadded mass in his stomach and investigators suspect the youths gnawed on parts of the house out of hunger.

The boys were so skinny their ribs and shoulder blades protruded beneath skin that was chalky, almost gray, neighbors said. All of the boys were unnaturally short.



In the quiet neighborhood near the imposing Scottish Rite Consistory, residents said they wondered about the frail children they sometimes saw doing chores in their front yard.

"I thought maybe they were just ill," said Kristine Kordacki, 57, whose apartment overlooks the Jacksons' home. "I just feel horrible that maybe I should have called somebody."

A state official said some blame must fall on DYFS, an agency already reeling from reports of neglect and mismanagement. The agency two days ago completed a court-ordered safety review of the 14,000 children under its care.

A DYFS employee visited the Jackson home each month for the past two years as the couple sought to adopt a 10-year-old girl already in their care, said Maguire of Human Services. She said other cases handled by the social worker are being reviewed.

"There is serious incompetence, indifference or negligence associated with this case," she said, weeping. "There are no words."

Reach Jason Laughlin at (856) 486-2476 or [jlaughlin@courierpostonline.com](mailto:jlaughlin@courierpostonline.com)  
Thank you for visiting [www.courierpostonline.com](http://www.courierpostonline.com)

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**5:64) 27-OCT-2003 08:16 [John Searight \(searighj\)](#)**

## **State bans three more in child abuse inquiry**

### **DYFS vows to check on 1,000 other kids**

Monday, October 27, 2003

BY SUSAN K. LIVIO AND JUDITH LUCAS Star-Ledger Staff

State child welfare officials suspended three more employees yesterday as they scrambled to find out why four severely undernourished boys adopted into a Camden County family escaped the scrutiny of caseworkers who had visited the home dozens of times.

The Division of Youth and Family Services also promised to assemble teams of outside experts to check on 1,000 other children placed by the same office responsible for monitoring the Collingswood home of Vanessa and Raymond Jackson.

The Jacksons were charged Friday with assault and endangerment for allegedly starving the four boys, who ranged in age from 9 to 19 but weighed less than 50 pounds each. Police discovered the conditions two weeks ago after an officer found the oldest teen -- who was so small they thought he was 10 -- scrounging for food in a neighbor's trash can around 2 a.m.

The Jacksons remained jailed in Camden County yesterday, unable to post their \$100,000 bail, as separate investigations emerged to untangle the latest in a string of horrifying cases involving neglected New Jersey children.

Gov. James E. McGreevey said he had ordered the office of the state Child Advocate to undertake its own review of DYFS' performance and submit a report within two weeks. Advocate Kevin Ryan said he would subpoena records if the agency or its personnel refuse to cooperate.

"I don't yet know how this happened, but I will," Ryan said.

Meanwhile, neighbors around the Jacksons' three-story Victorian home struggled to make sense of the allegations. And some friends defended the couple, insisting the accusations are misguided.

"We've gone out with them to feed the homeless," said Mary Romaska, a fellow congregant at Come Alive New Testament Church in Medford, where the Jackson family worshipped. "Why wouldn't they feed their kids?"

Camden County Prosecutor Vincent Sarubbi said the boys' malnutrition was painfully obvious. The boys had distended bellies, with shoulder blades and ribs ready to poke through their skin. They told investigators they were sometimes fed small servings of pancake batter or oatmeal, and other times survived by eating pieces of insulation, wallboard or the window sill.

Three girls, two of whom were also adopted, lived in the house but none showed the same signs of neglect. All the children have since been placed in foster care. The oldest boy remained hospitalized yesterday at an undisclosed location.

Lynne Jackson, who is married to Raymond Jackson's brother, said the couple has five biological children. She said they began accepting foster children about 15 years ago, and decided about eight years ago to adopt the children "who had nowhere else to go."

Jackson blamed the boys' appearance on Fetal Alcohol Syndrome, and she said the 19-year-old suffered from an eating disorder she said was similar to bulimia.

"He binges and purges to an extreme condition," she said in an e-mail to The Star-Ledger. "They were told to lock the food away at night because his continual bingeing and forced vomiting was endangering his health. So they did."

Bill Shralow, spokesman for the Camden County Prosecutor's Office, said investigators spent nearly two weeks examining the boys and their medical histories before bringing the charges.

"That is not a viable explanation for their condition," he said. "We didn't rush to judgment."

Authorities were weighing whether to file more charges against the couple or others -- including the caseworker who had visited the house 38 times in two years to monitor a female foster child there.

"That hasn't been ruled out," said one source close to the investigation.

That caseworker resigned, and the three suspended yesterday bring to eight the total number of workers disciplined in the case. Special Deputy Human Services Commissioner Colleen Maguire would not identify the employees or their roles, but said they include managers and caseworkers.

Maguire spent much of yesterday behind closed doors as state officials prepared their response to the latest crisis. She said the agency will enlist private-sector advocates, and perhaps investigators from prosecutors' offices, to review the status of 1,000 foster children under the care of Southern Adoption Resource Center, which seeks placements for children in South Jersey.

Maguire also said the Jackson family case speaks to the core of what is broken in DYFS: "its culture."

She said that when questioned, the Jackson parents routinely told agency workers that the boys had eating disorders. The DYFS workers never attempted to verify it.

"That can't be the end of story," she said. "They didn't go further."

One state official said that Human Services Commissioner Gwendolyn Harris, whose department includes DYFS, was expected this week to send out 7,000 letters to child welfare employees and foster and adoptive parents conveying "how serious it is for us to be sure that kids are safe."

The disclosure of the Jackson case came just two days after DYFS announced it had visited more than 14,300 children in foster homes, group homes and other institutions under its care. The agency deemed all but 31 of the children to be safe, and relocated those it considered in jeopardy. The foster child in the Jackson household was not among the 31.

The visits were required under a legal settlement with Children's Rights Inc., a national watchdog that has sued New Jersey over its child welfare system. Eric Thompson, senior attorney for the group, said yesterday the association will review whether the Jackson case represented a violation of the settlement.

"We're going to need some quick answers on this because it calls into question the continued safety of every other child in foster care," Thompson said.

Gov. James E. McGreevey expressed outrage.

"What happened in Collingswood is simply unforgivable, and we're taking the necessary actions," the governor said after a bill-signing ceremony at Carteret Public Library.

McGreevey's comments were hauntingly similar to ones he made nearly 10 months ago after the death of Faheem Williams, a neglected 7-year-old Newark boy whose case had been closed prematurely by DYFS. When reporters noted the parallels, McGreevey replied: "This is a system that's been broken for 25 years -- 25 years. It's not going to get fixed in 25 hours."

At the Come Alive New Testament Church in Medford, the congregation at the 10:30 a.m. service gasped in disbelief when Associate Pastor John McGaw announced that the Jacksons had been arrested.

"We need to be in prayer for Vanessa and Ray and the children," said McGaw. "We weep with that family. The truth will be revealed."

The Jacksons -- and their children -- were regular worshippers at the Burlington County church. On some Sundays, the four boys and three girls performed dance renditions or Raymond Jackson sang.

"They are just a wonderful family," McGaw said. "We recognized that the children looked emaciated but we believed they had some kind of disease, some kind of physical disability."

Romaska said she invited the Jackson family to her Cherry Hill home for a barbecue in August. The children, she said, "were not running for the food like they were hungry."

But some in the Jacksons' neighborhood weren't so sure.

Kris Kordacki, whose condominium overlooks the Jacksons' house, noticed the boys looked thin and peaked. She said she didn't know the family, and didn't want to wrongfully accuse them.

"I had a funny feeling," said Kordacki, whose eyes grew teary as she spoke. "I feel bad now. I should have called someone."

Staff writers Jeff Diamant, John P. Martin and Katie Wang contributed to this report.

## **Friends stand by couple Pair charged in starving of four adopted sons**

By STEVE LEVINE and JASON LAUGHLIN  
Courier-Post Staff      October 27, 2003

### **COLLINGSWOOD**

By most accounts, Raymond and Vanessa Jackson were polite, community-minded people. They attended church just about every Sunday, served food to the homeless during the holidays and rescued six foster children from troubled backgrounds in hopes of providing them a better life.

That's why their friends still can't fathom why anyone would accuse them of willfully starving their four adopted boys.

"In my heart of hearts, I don't believe this happened," said Mary Romaska, 52, of Cherry Hill.

Romaska and her husband, John, knew the Jacksons for 21 years. Their families dined together, socialized and volunteered to help the needy in Philadelphia.

They never saw any sign of mistreatment, said John Romaska, who sang in a gospel choir with Raymond Jackson.

"Until we're proved otherwise, we're supporting them," John Romaska said.

Authorities say they have a case that indeed proves otherwise.

The Jacksons, arrested on Friday, failed to provide adequate nutrition and medical care for the boys. That resulted in "dramatic growth retardation and other serious health problems," Camden County Prosecutor Vincent P. Sarubbi said.

The Jacksons each were charged with four counts of aggravated assault and 14 counts of child endangerment. They remained in Camden County Jail on Sunday on \$100,000 bail.

The boys - 19, 14, 10 and 9 - were locked out of the family's kitchen and fed a diet of uncooked pancake batter, cereal, and peanut butter and jelly, authorities said.

The boys, who told investigators they gnawed on wallboard and insulation for more nutrition, had a combined body weight of 136 pounds when authorities removed them from the home on Oct. 10.

The children were in such bad shape because of problems with their mothers' pregnancies, said William Jackson, Raymond Jackson's brother.

"It has nothing to do with being neglected," William Jackson said. "They were born with drug addiction and eating disorders. As long as I've known these kids, they've never grown."

That isn't true, authorities reiterated Sunday.

"We were looking at all aspects of this for two weeks," said Bill Shralow, spokesman for the Camden County Prosecutor's Office. "Their medical histories and genetic makeup were part of the investigation."

The Jacksons' biological son and daughter, both in their 20s, also lived in the home, authorities said. Three other girls in the home - two adopted and the third a foster daughter the couple were trying to adopt - all seemed to be in good shape, authorities said.

The alleged malnourishment of the adopted boys occurred even as a caseworker from the state Division of Youth and Family Services conducted monthly visits with the family. Those visits stemmed from the family's desire to adopt the 10-year-old girl already in their care.

The caseworker has resigned and eight to 10 other DYFS workers have been suspended with pay, state officials said. The agency has launched an internal investigation. Investigators have not ruled out the possibility of charges against DYFS employees.

A DYFS spokeswoman did not return calls seeking comment Sunday.

The boys always seemed small for their ages, Mary Romaska said, but their size never alarmed her.

One of the kids - Bruce Jackson, 19 - showed signs of an eating disorder and would eat to throw up, Mary Romaska said. The others were just "tiny kids," she added.

"When Raymond and Vanessa took them in, they were already victims of abuse," she said. "All they wanted to do was take care of them."

Raymond Jackson, a 50-year-old financial consultant, and Vanessa, a 48-year-old stay-at-home mom, moved from Pennsauken about six years ago, friends said. They adopted the boys between December 1995 and July 1997.

The Rev. Harry Thomas of Come Alive! New Testament Church in Medford said he joked with the couple about their

growing family.

"I'd say, 'You got another one,' and they'd say, 'Well, we just loved them and didn't want to let them go, so we adopted them,'" Thomas said.

The Jacksons have attended the church for nearly 15 years, Thomas said. He described the kids as happy and joyful, always wanting to sit in the front row and willing to give anybody a hug.

Nothing about the family seemed amiss until Sunday, when Thomas returned from a trip to Nashville and learned Bruce Jackson - who was 4 feet tall and 45 pounds less than three weeks ago - was 19 years old.

"I think his real age shocked all of us," Thomas said. "He looked like he's 9 or 10."

Still, Thomas and others from the church insist there were no other warning signs, adding the kids would come to church cookouts and eat normally like every other child.

"We were told their growth was stunted" because of prior medical conditions, Thomas said. "Beyond that, they were very loving little children.

"Ray is the kind of guy who goes out on Sunday afternoons and sings in a nursing home to encourage older people," Thomas added. "He's not a monster, believe me. We want to know the truth as much as anyone."

Nobody answered the door Sunday at the Jacksons' home in the 300 block of the White Horse Pike.

A white Chrysler minivan and a passenger car sat in their driveway. Power Ranger action figure stickers clung to glass on the front door, while placards in windows at the sides of the door read, "As for me and my house, we will serve the Lord."

Pete DiMattia, who lives next door, said he saw a DYFS caseworker at the Jacksons' home at least once a month. He blames DYFS and the family for what happened.

"The kids never said anything about being mistreated," DiMattia recalled. "I'd say, 'Is everything all right?' and they'd say, 'Yeah, Mr. Pete.' I knew they were skinny, but I had no idea."

Authorities had been investigating the Jacksons for about two weeks before their arrests. They got involved when a neighbor called police and told them a small boy was rummaging through their trash.

That boy was Bruce Jackson, authorities said.

Raymond Jackson dismissed the police activity, DiMattia said.

"He walked over and said, 'Everything's all right, Pete. It's just a misunderstanding,'" DiMattia said.

Pete D'Amico, who lives a few blocks from the Jacksons, said if more neighbors had known what was happening, they would have gotten involved. \

"So help me, God," D'Amico said, "I did not see the physical facts, or I would've been there."

The Associated Press and Staff Writer Mark Leiser contributed to this report. Reach Steve Levine at (856) 251-3346 or [orslevine@courierpostonline.com](mailto:orslevine@courierpostonline.com)

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**5:65) 27-OCT-2003 08:58 [John Searight \(searighj\)](#)**

Here is more on this very distressing case. First, an article in the Star-Ledger from this past Friday, when things were looking up for DYFS, and then the New York Times reporting from this morning (Monday) on the events of the weekend. I wonder how much DYFS can withstand at this point. We need to await the results of the internal investigation, but obviously something went terribly wrong in how the agency worked with this family. Will transformation be enough, and is it even possible at this point? And where does training come in and is it ever going to happen?

## **Extensive review of foster kids is complete**

### **DYFS finds only 31 of 14,393 are at risk**

BY SUSAN K. LIVIO      Star-Ledger Staff      October 24, 2003

After meeting a court-ordered deadline to visit all 14,300 of New Jersey's foster children, state child welfare officials announced yesterday that nearly all appeared safe, while 31 were found to be at risk and were relocated.

The Division of Youth and Family Services conducted the unprecedented review as part of its settlement of a class-action lawsuit brought on behalf of foster children by the national advocacy group Children's Rights Inc. The settlement was reached in June as the state was taking heavy criticism over a series of high-profile child abuse deaths.

After meeting a 120-day deadline to visit all 14,393 foster children -- including 786 living in 17 other states -- DYFS seized the moment yesterday to congratulate its beleaguered workforce.

"I want to emphasize the monumental task this was," Human Services Deputy Commissioner Colleen Maguire said at a news conference in Trenton yesterday. "This is the first full assessment of all the children ever conducted in New Jersey. It's a landmark effort."

Using a new process that no other state has tried before, child welfare workers used extensive interviews and a questionnaire to evaluate the immediate safety of children placed in foster care after being removed from their troubled families.

The workers determined 87 of the 14,393 children to be in harm's way, but elected to keep 56 children where they were while helping their foster parents improve conditions in the home.

DYFS Director Edward Cotton said in one case, DYFS allowed a 12-year-old boy to stay with his foster parent-grandmother after helping her obtain a restraining order against the child's abusive grandfather.

But DYFS workers found 31 children to be living in unacceptable situations they could not readily improve. Cotton said one example involved a 7-year-old whom the foster parent said she "could not control without hitting."

Maguire said these "safety assessments" would become routine.

"So much work remains to be done. We have a huge mountain to climb in New Jersey," Maguire said.

The chairman of the court-appointed Child Welfare Panel, monitoring the state's compliance with the settlement, agreed.

"They did a ton of work and they deserve credit," said Steven Cohen from the Annie E. Casey Foundation, a child and family philanthropy based in Baltimore. "But nobody should think this has come to an end.

"Should the public feel better after 14,000 safety reviews? Sure. But should the public feel good? No," Cohen added. "There are thousands of things that need to be done to make this child welfare system better."

The state must turn in a long-term plan for reform on Jan. 18 to comply with the settlement. The panel will then judge the state's effort and report to a federal judge whether the state has kept its side of the agreement.

The state also evaluated the safety of the 146 licensed group facilities that house foster children, as well as the state's child psychiatric hospital, the Arthur Brisbane Child Treatment Center in Wall Township. The state found most of them safe but required 10 to make improvements, such as hiring additional staff, retraining staff and beefing up supervision.

Child advocates questioned aspects of yesterday's report, particularly why the state relocated so few children. A

Children's Rights' expert report had concluded at least one in 10 foster children were at risk.

"I think I was surprised at the relatively low number of children removed, especially in light of cases highlighted in Children's Rights' discovery," said Cecilia Zalkind, executive director of the statewide advocacy group, the Association for Children of New Jersey.

Kevin Ryan, the state's newly appointed Child Advocate, agreed.

"I think 31 kids is really not that many children, given the fact the state undertook 14,300 assessments," Ryan said. "But the assessments are a snap shot -- a point in time. While I think an enormous amount of work went into that, the safety assessments are not as important as the risk assessment" -- a planned program to look at factors that will affect the child's long-term stability and well-being.

But Maguire noted that the state started weeding out bad foster homes about 18 months ago, when it began licensing foster parents. By April DYFS had closed nearly 300 homes for failing inspections or for abusing or neglecting children.

"A lot of these problems were attended to before. I am pleased with the steps DYFS has taken over the past year and a half," Maguire said.

Children's Rights senior attorney Eric Thompson credited DYFS for a good start. "We're gratified there are fewer children in dangerous situations," Thompson said. "Clearly the division, itself, acknowledges there are still numerous systemic problems that will need to be addressed in order to protect children."

The settlement also required the state to review and revamp its hiring practices. The state's budget for DYFS this year provided funds to add 331 jobs. DYFS said only 59 of those positions are currently filled because there were many existing vacancies, and turnover remains extremely high.

Maguire and Cotton admitted progress is frustratingly slow in hiring and keeping employees.

The workforce is even more frustrated, said Hetty Rosenstein, president of Communication Workers of America Local 1038, which represents about 2,000 DYFS workers. "Even if they hired everybody they said they were going to hire, it's not enough people -- not enough direct field staff," she said.

## **New York Times October 27, 2003**

### **New Jersey Couple Held in Abuse; One Son, 19, Weighed 45 Pounds**

By LYDIA POLGREEN and ROBERT F. WORTH

COLLINGSWOOD, N.J., Oct. 26 — The parents of four boys adopted from New Jersey's troubled foster care system were arrested Friday, two weeks after the police found that the children, ages 9 to 19, had been starved to the point that none of them weighed more than 50 pounds, according to the Camden County prosecutor.

The boys were so badly malnourished that their shriveled bodies gave no hint of their ages, investigators said. At 19, the oldest was 4 feet tall and weighed 45 pounds. The police initially thought he was just 10 years old. The boys' condition was discovered when a neighbor called the police because the 19-year-old, Bruce, was looking for food in the neighbor's trash at 2:30 a.m. on Oct. 10, according to the county prosecutor, Vincent P. Sarubbi. The boys were removed from the home later that day.

The boys had been locked out of the kitchen of the house in this blue-collar Philadelphia suburb and were fed a diet of pancake batter, peanut butter and breakfast cereal. They ate wallboard and insulation to sate their hunger, investigators said.

A caseworker from the Division of Youth and Family Services, the state agency that oversees the foster care system, had visited the house at 318 White Horse Pike 38 times in the past 2 years, investigators said. The parents, Raymond Jackson, 50, and his wife, Vanessa, 48, rented the house, which passed a safety assessment by the caseworker and her supervisor in June.

"This is the most horrible case we have ever encountered in our child abuse unit," said Mr. Sarubbi, who charged the parents with aggravated assault and endangering the welfare of their children. "It has been impossible for me to rationalize how parents could treat children this way." Mr. Sarubbi announced the arrests at a news conference on Saturday.

The case is the latest in a series of discoveries revealing the collapse of New Jersey's child welfare system, which left the youngsters it was charged with protecting vulnerable to abuse and neglect in troubled homes with little oversight.

To settle a lawsuit over the failures of its foster care system, the state agreed in June to hand oversight of the agency to a five-member panel of child welfare experts. Last month, Gov. James E. McGreevey appointed an independent child advocate to protect the rights of children.

The advocate, Kevin M. Ryan, said Sunday that this latest case revealed the magnitude of the agency's problems. "The question that has to be penetrated is, how did 38 visits over 2 years not rescue these children from slow torture and starvation?" Mr. Ryan said in an interview. "I am completely baffled at this point at how a failure of this magnitude could happen."

He contrasted this case with the one that ultimately led to the call for major reform of the social service agency, the death of a 7-year-old boy in Newark named Faheem Williams, who was found hidden in the basement of a duplex where his cousin was supposed to be taking care of him. An investigation later revealed that Faheem's case had been closed prematurely despite serious allegations of abuse.

Of the Jackson case, Mr. Ryan said, "Here we had a caseworker who was going into this house and seeing these children," adding "It was not a failure of interaction."

The caseworker, whom officials would not identify, resigned from the agency as the conditions at the Jackson home came to light, said Gwendolyn L. Harris, the commissioner of the state Department of Human Services, which oversees the Division of Youth and Family Services. Agency officials described her as experienced, and Ms. Harris said the agency would review other cases she handled.

At least 8 and as many as 10 employees of the Division of Youth and Family Services, including managers and supervisors, face suspension and some could be fired depending on the outcome of the department's investigation into the Jackson case, she said.

Also living in the Jackson house were two girls, ages 5 and 12, whom the couple had also adopted from the foster care system; a foster daughter, 10, whom they were planning to adopt; and two of the couple's adult biological children — a son and a daughter, Mr. Sarubbi said. None of the children other than the four boys appeared to be malnourished, Mr. Sarubbi said. The family had received a total of as much as \$28,000 a year from the state to take care of the adopted children and their foster daughter, investigators said. That stipend was reduced when the oldest boy turned 18.

The caseworker, with her supervisor, had completed an inspection of the home in early June, an investigator said. The inspection was one of more than 14,000 completed in the last six months in response to repeated problems in the foster care system. The assessments were intended to root out problems similar to the Faheem Williams case and others that troubled the agency in recent years, and were preceded by training courses for all the employees sent to perform them, officials at the Division of Youth and Family Services said.



Mr. Ryan said he had begun an investigation of the operations of the division's office that dealt with the family, the Southern Adoption Resource Center. The center handles foster children who are likely to be candidates for adoption. Each child who came into the Jackson home through the foster care system was overseen by the Southern Adoption Resource Center, investigators said, adding that the caseworker was assigned to the family to look after the 10-year-old girl whom the Jacksons were planning to adopt.

Once a child is adopted, officials said, the child is no longer assigned a caseworker.

Mr. Sarubbi said the adopted boys lived in a state of constant want. They had lice, and their teeth were rotting because they had not seen a dentist or doctor for at least five years, investigators said. They were home-schooled by the adults and were not permitted to leave home often, investigators said.

In marked contrast to the four boys, the three girls were well fed, went to medical appointments and took vacations with their parents to Williamsburg, Va., where the family had a time-share apartment. The girls were permitted to order Chinese takeout while their brothers starved, Mr. Sarubbi said.

Yet the boys seemed unaware of their plight, he said.

"The parents had essentially brainwashed the children into believing they had eating disorders," the prosecutor said, adding, "The saddest part is I don't think the children even knew how bad off they were."

The family had financial trouble, Mr. Sarubbi said. They were \$8,000 behind on their rent and had defaulted on loans on their vacation time shares in Virginia and the Poconos, he said. Neighbors said Mr. Jackson worked as a mortgage broker and wore tailored suits, but investigators said he was now unemployed. The electricity had been turned off recently for four months, Mr. Sarubbi said, and the gas was off for a month.

Neighbors said that they noticed that the boys were small and thin, but that Mr. and Mrs. Jackson had told them they had medical conditions that kept them from growing properly.

Pete DiMattia, who lives next door to the family, said he never thought to call the police or a child welfare agency because he often saw a state car parked outside the house and assumed that the family was being supervised.

"I thought the kids had medical problems," Mr. DiMattia said. He said the boys were polite and respectful, referring to him as "Mr. Pete."

The evangelical church attended by the Jacksons, who are born-again Christians, is in Medford, about 20 miles away. Congregation members said they could not imagine that the Jacksons had starved their sons.

"There is no way on God's green earth that this happened," said Frank Jacobs, 50, a member of the Medford congregation, the Come Alive New Testament Church, who said he has known the family for 15 years. He said the children were lively and active members of the church, attending Sunday school, acting in pageants and singing.

Medical examinations of the boys ruled out any natural cause for their small stature, Mr. Sarubbi said. One boy, a 14-year-old identified only by his initials, K. J., weighed 38 pounds when the Jacksons adopted him in 1996. When he was removed from their home on Oct. 10, he was 4 feet tall and weighed just 40 pounds, Mr. Sarubbi said. After 13 days in a hospital, K. J. had gained seven pounds, he said.

"To look at the children, it was just gut-wrenching," Mr. Sarubbi said. "They had distended stomachs. You could see their ribs. Their shoulder blades protruded from the skin. The boys' faces were gaunt."

He said it seemed impossible that anyone, particularly someone charged with looking out for the welfare of children, would fail to notice the boys' condition. He said he would examine how the Division of Youth and Family Services handled the Jackson case, but he would not say if anyone from the agency would face criminal charges.

The three younger boys have been released from hospitals and are in foster homes, Mr. Sarubbi said. Bruce, the oldest,

remains hospitalized; doctors are monitoring a possible heart problem. The girls living in the house have also been placed in foster homes.

Marcia Robinson Lowry, executive director of Children's Rights, a Manhattan-based child advocacy group that sued New Jersey over its foster care system, said the Jackson case was a stunning reminder of just how difficult it will be to right the troubled system. It was particularly distressing, she said, that the very process that was intended to find problem homes — the inspection of all homes with foster children — failed to help the Jackson children.

"I think we have got to immediately start talking about redoing a large number of these assessments because I don't know how many of them have been done and how many of them done appropriately," Ms. Lowry said. "It is clear that this system can't be fixed quickly."

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**5:66) 27-OCT-2003 18:40 [John Searight \(searighj\)](#)**

Press Release, Department of Human Services  
222 South Warren Street  
Trenton, NJ 08625

October 27, 2003

Contact: Ed Rogan, Laurie Facciarossa (609) 292-3703

### **Nine DYFS workers terminated after foster parents' arrest for starving four adopted boys**

### **More than 6,000 foster-child safety assessments to be independently reviewed**

Commissioner Gwendolyn L. Harris announced today that nine Division of Youth and Family Services (DYFS) employees will be fired and thousands of foster-child safety assessments will be redone in response to the recent arrests of two foster and adoptive parents who allegedly starved four boys in their care.

"We had no less than five people in that home over the past two years, and none of them apparently voiced any concern or took any action to follow up on the condition of the boys in that house," Commissioner Harris said. "This is unacceptable, and we are holding people accountable for this. Our mission is to protect children, and we clearly failed that here."

The nine workers who will be terminated include the managers of two offices – the DYFS Adoption Resource Center for South Jersey and the Camden Central District Office – two supervisors, three caseworkers, a foster home evaluator, and a licensing inspector. Colleen Maguire, the DHS Special Deputy Commissioner in charge of DYFS, said the nine employees were suspended over the weekend and would be served termination papers by tonight.

The arrests of foster parents Vanessa and Raymond Jackson of Collingswood came just a day after DYFS announced that it had completed safety assessments on more than 14,300 children in foster homes, institutions, group homes and other out-of-home placements. As a result of the assessments, only 31 children were deemed unsafe and had to be removed from their placements.

The Jacksons' arrest has called into question the validity of the safety assessments, Commissioner Harris said, so DYFS is arranging an outside independent review of nearly half of those assessments. The department has contacted professional social workers' associations, child advocacy centers and various social service agencies to handle the re-assessments.

The review will encompass all 1,400 children supervised by the southern Adoption Resource Center and about 5,000 additional children statewide. The adoption resource center is currently being managed by a four-person team dispatched by Commissioner Harris.

The commissioner also has sent letters about the case to foster parents and every DYFS employee. The letter to DYFS

staff urges anyone with doubts about any of their safety assessments to immediately visit the home and redo the assessment.

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5:67) 28-OCT-2003 19:02 [John Searight \(searighj\)](#)

New York Times    October 28, 2003    By IVER PETERSON

### **In Home That Looked Loving, 4 Boys' Suffering Was Unseen**

COLLINGSWOOD, N.J., Oct. 27 — Bruce Jackson was found rooting through his neighbors' garbage, so weak from starvation that he could not open the Tastykake that the shocked couple had given him out of pity.

Two weeks later, investigators and neighbors are still trying to make sense of two sharply contrasting realities: four adopted youngsters starving in plain sight and a family that was widely seen as loving and deeply religious.

That apparent contradiction may be one reason why state caseworkers made 38 visits in 4 years to the house at 318 White Horse Pike in this town near Philadelphia without reporting what the Camden County prosecutor, Vincent P. Sarubbi, has called "the most horrible case we have ever encountered in our child abuse unit."

Officials with the New Jersey Division of Youth and Family Services said on Monday that they were dismissing nine workers responsible for investigating the household headed by Raymond and Vanessa Jackson.

The Jacksons are in jail in Camden County, charged with starving and neglecting the 4-foot, 19-year-old Bruce and three other boys adopted from the New Jersey foster care system — Michael, 9, Tyrone, 10, and Keith, 14 — so seriously that none of them weighed more than 50 pounds when they were found by the police.

Friends and relatives were grappling with their own sense of the case on Monday, their view complicated by the fact that the family had taken in numerous children from difficult backgrounds, including the four involved in the abuse case.

Bruce, who was adopted eight years ago, when he was 11, was taken from his biological family because they were also starving him, according to case files at the Division of Youth and Family Services. At the time, he suffered from medical ailments caused by the lack of food.

Mr. Sarubbi said that two of the boys had eating disorders when they arrived at the Jacksons' home and that the two others were born with fetal alcohol syndrome, which can retard growth. (He would not say which child suffered from what.)

Still, Mr. Sarubbi said, an extensive battery of tests by doctors had ruled out a disorder or illness as the primary cause of the children's emaciated state, and officials say that, whatever their history, there is no way to justify the near-starvation diet they lived on, nor the parents' failure to seek professional care for the children.

According to Mr. Sarubbi, the boys were fed uncooked pancake batter, peanut butter and breakfast cereal. The kitchen was kept locked to keep them out while the Jacksons gave their biological children — Ray Jr., Vernee, LaRae and Jene — a normal diet and care.

Still, though the children were homeschooled, they were not hidden away. The parents drove the 30 miles from their home here to the Come Alive New Testament Church in Medford every Sunday. Two daughters, Jacee and Breanna, liked to sing in services and dance in the youth ministry talent shows there.

Michael, the youngest, who was born a crack baby before being taken in by the Jacksons, was a favorite among the congregation, because of his smile.

The pastor, Harry Thomas, said he could not resist picking up the boy, hardly bigger than a 5-year-old, after service.

"He always liked to lead the prayers," said Bobbi Richardson, a Sunday school teacher for Michael and Tyronne, "He prayed better than I did."

To Pastor Thomas and the congregation, the abuse allegations are impossible to fit with the image of the struggling family that always had a small donation for the collection plate when it came around but needed help from the church to pay for its electricity and rent.

"They were the first kids to come up to me and hug me, say hello to me," the pastor said. "Not Bruce, he was more in the shadows. But Michael, he would sit you down and have a conversation," he said.

The minister said the house seemed well kept, and their landlord, John Andrews, agreed. "The only thing I noticed was they were all unbelievably well-behaved," Mr. Andrews said.

"I have told many people that I have never seen that many kids together be so good. I never saw them fighting, and I never saw them arguing, and I said, 'Wow, every family should be like that.' "

Mr. Andrews said he was told that Bruce, the eldest, stole food from the refrigerator and then threw it up, and that a lock had been put on the refrigerator for that reason. Mr. Andrews said his parents, who came along on visits, had urged the Jacksons to have Bruce put in an institution.

Ed Cotton, the director of the Division of Youth and Family Services, met with Bruce Jackson on Sunday at the hospital where he is being treated and was given a very different picture of his life than the pastor did.

Mr. Cotton said that it did not appear that Bruce Jackson had any friends. "I asked him whether he went to church or not. He said that he was not allowed to go because he was bad — because he liked TV earlier in life, one of his big punishments was that he was made to sit in front of the TV for hours with it off. Stuff that doesn't make sense."

Mr. Cotton said the children may not have understood that they were being mistreated.

"I think these kids were convinced by the foster parents that they had eating disorders," he said.

Mr. Cotton continued, "These are bright kids, they read well, they're smart, they're polite, and I think they're realizing what happened was not anywhere near the norm."

He said Bruce was eating well now. "I watched Bruce eat an entire bag of Doritos," he said. "He asked me if I would go get him another bag of barbecue. The nurse bailed me out on that by saying, 'That's not a good idea right now.' "

Michael Byrd, the neighbor who discovered Bruce in the trash about 2 a.m. on Friday, Oct. 10, said Bruce had managed to escape from the Jacksons' house that night only because their dog had died. Bruce escaped by crawling out a basement window, Mr. Byrd said.

Chief Thomas J. Garrity Jr. of the Collingswood Police Department said Monday that Bruce emptied a box of cereal after he arrived at the station.

He was photographed holding the empty box, and clutching a stuffed tiger that is kept on hand to comfort young abused children.

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## **Uneven Care Not Unusual in Families, Experts Say**

By LYDIA POLGREEN    New York Times    October 28, 2003

When the police went to Vanessa and Raymond Jackson's house in Collingswood, N.J., in the early morning of Oct. 10, they were stunned to find four boys ages 9 to 19 starved to the point that each weighed less than 50 pounds.

Investigators were also shocked to find that three girls, ages 5 to 12, lived in relative comfort in the rambling rented house. While the boys were locked out of the refrigerator and fed a diet of mashed potatoes and pancake batter, the girls ordered Chinese food, took vacations with their parents to a time-share apartment in Virginia and went to medical appointments.

Such disparities in the way abusive parents treat their children are not unusual, child welfare experts said. For a variety of reasons, parents or guardians often provide startlingly different care to different children.

"It is really not uncommon that we see kids that are singled out," said Barbara Wood, vice president of child advocacy and family support programs at Safe Horizon, a victim assistance organization based in Manhattan.

Often there is a cultural dimension. In cultures that prize sons over daughters, girls are more likely to be abused, Dr. Wood said. Or a stepfather might abuse a child who is not biologically his, she said.

But in the Jackson case, none of these factors seemed to be in play. All of the children were adopted or foster children. "It is very unusual for it to be boys who suffer this type of neglect," Dr. Wood said.

Richard J. Gelles, dean of the school of social work at the University of Pennsylvania, said the extreme level of abuse alleged in the Jackson case indicated that the boys were unwanted while the girls enjoyed a better relationship with their parents.

"Where there is extreme neglect or extreme abuse that borders on fatal, those children tend to be unwanted, unrelated or of ambiguous parenting," he said. "Caregivers treat kids more harshly who are not their own biological kids, or who are untimely, unwanted or have fairly significant developmental or physical disabilities."

Such disabilities can lead parents to abuse a child even though the other children in the home are relatively well cared for, Dr. Gelles said.

Sometimes a parent will abuse a child because of a perceived personality flaw — the child is too meek or too willful — or sometimes for no reason at all, said Gail B. Nayowith, executive director of Citizens' Committee for Children of New York.

"It is a very complicated thing," she said. "It is not necessarily a birth order thing, or necessarily a gender thing. It is usually about whether a child's temperament and a caregiver's temperament are in sync."

Other experts said the adopted Jackson boys could be victims of a parent with Munchausen syndrome by proxy, in which the parent, usually the mother, pretends that her children are sick to get attention. In the Jacksons' case, the couple told friends, neighbors and people who went to their church that the four boys had been born addicted to crack cocaine and had an eating disorder. They also told friends that they had adopted the boys because they felt that as born-again Christians, it was their duty to take in sick children. While the Jacksons made elaborate claims about their sons' health, neighbors and friends said, they had not taken the boys to the doctor in at least five years, investigators said.

Law enforcement officials said they suspected a simpler reason for the Jacksons' treatment of their sons: money. A senior law enforcement official said that it was unclear why the Jacksons had fed the boys so little, but that the investigation thus far pointed to financial considerations. The couple received as much as \$28,000 a year to raise the children.

"They looked at the boys as commodities," the law enforcement official said.

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## Child Agency Tries to Grasp How Case Got Away

By LESLIE KAUFMAN and RICHARD LEZIN JONES New York Times October 28, 2003

In the eight months before the police found Bruce Jackson looking for food in his neighbor's garbage, three different state workers had visited his adoptive parents' home a total of 10 times.

Yet none reported that there was a lock on the refrigerator, or that Bruce, 19, and three other adopted boys, ages 9 to 14 and all under 50 pounds, were so malnourished that their bellies bulged and their teeth and gums had turned black.

The discovery, coming after a year of searing criticism, administrative reforms and intense news coverage of the New Jersey Division of Youth and Family Services, left agency and state officials demoralized and baffled as to how this one could have been missed. Nine workers who were responsible for investigating the household, either directly or as supervisors, will be terminated, agency officials said yesterday.

But critics of the system said it was incomprehensible that the state's child welfare system could have failed so completely, so soon. They said the case cast doubt on reform that had already taken place.

"The most shocking thing is that you are not talking about a child revealing abuse, but a child who was evidence of abuse," said Cecilia Zalkind, executive director of the Association for the Children of New Jersey. "How is it that no one commented on the condition? Where were the schools? Where was the health system? Adoptive parents who want to be foster parents have to get medicals on everyone in the family. Why didn't this happen? And the inexcusable part is there was a caseworker involved. Did she just assume they were not her responsibility?"

At a news conference yesterday, defeated and angry family services officials had to admit their staff had missed warning signs almost entirely at the Collingswood, N.J., home of the adoptive parents, Raymond and Vanessa Jackson. With the exception of one allegation that the family was hitting Bruce in 1992 — a claim investigators deemed unfounded — reports on the home from caseworkers over the years were also almost universally glowing.

As of this year, the Jacksons had adopted all four boys as well as two girls, so the state had closed those files and would have had no reason to monitor those children, except for the fact that the Jacksons were attempting to adopt a seventh child, a 10-year-old girl. As recently as last June, as part of a statewide safety assessment of all foster homes, the primary caseworker wrote that "the foster parents show a lot of love and affection to all the children and it is a very supportive environment."

It was only this weekend, when family-services officials were interviewing Bruce in the hospital, that they learned that he had been frequently punished by being told to sit for hours in front of a TV that was not on. He said that he had not been to school or a doctor or even a restaurant since being adopted in 1996.

As a result of the findings in the Jackson case, the agency said it was putting new policies in place for monitoring children who have been adopted, including mandating that they be seen by a doctor once a year. The family services agency will also engage an outside group to review the results of at least half of the statewide safety assessments, which were just completed last week. Out of 14,300 foster children visited, the state only removed 31.

The apparent lapses by the Jackson family's main caseworker, who has not been named by the state agency or the prosecutor, are particularly puzzling to many officials. Charged with following the case of the 10-year-old foster girl that the Jacksons wanted to adopt, she was not directly responsible for the boys. But she was in and out of the house on White Horse Pike eight times since February — more than anyone else.

In a few dispatches, the caseworker did note that the boys were "underweight." For the June report, she also wrote,

Bruce suffers from "depression and never fully developed physically and mentally." But she did not see this as a problem, ascribing it to the parents' explanation that the boys had eating disorders.

To outsiders, the idea that four children all had eating disorders so severe that their growth was stunted at preschool levels seems so unlikely as to be laughable, but apparently the Jacksons convinced numerous state workers.

"From top to bottom, employees at the public agency believed the mother's claim that these children had eating disorders," said Kevin Ryan, the state's independent child advocate, who is currently reviewing a tangled web of multiagency interactions with the family going back more than a decade. "What we are looking at now is why no follow-up was done to verify this claim or get medical attention since these children were obviously starving."

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## **Panel discusses emergency measures to protect DYFS children**

By TOM BELL The Associated Press 10/28/2003, 5:38 p.m. ET

TRENTON, N.J. (AP) — The panel backed by a federal court to oversee reform at the state's child welfare agency met Tuesday to discuss what emergency measures should be taken to protect children in New Jersey due to the discovery that four boys were being starved by their adoptive parents.

The New Jersey Child Welfare Panel was expected to meet with state Division of Youth and Family Services officials this week to order immediate changes at the agency rocked once again by a horrific case of child abuse.

"If they don't take the emergency steps we can go to federal court," said Eric Thompson, senior staff attorney at Children's Rights Inc., the advocacy group that filed the lawsuit against New Jersey that led to the formation of the welfare panel.

The latest crisis at DYFS centers on charges that four adopted Collingswood boys were being starved by their adoptive parents, and that agency caseworkers either did not make required checks on the family or failed to notice the condition of the emaciated children.

State officials fired nine child welfare employees connected to the case, including the caseworker and several of her managers and supervisors.

Officials from the union that represents the workers criticized the firings Tuesday following hearings during which four of the employees were officially notified of the action. They said some of the workers had not had contact with the Collingswood family for as long as three years.

"Some of the workers fired never saw the children at all," said Carla Katz, of Communications Workers of America Local 1034.

The union's lawyer called Tuesday's notifications "a sham" and said that under the law the matter has to be handled in arbitration.

Union officials said a caseworker the state claims visited the family 27 times in two years has retained her own lawyer due to the possibility of criminal charges. The union did not name her, but said she is 25 years old and worked for DYFS for two years in what was her first job.

Experts said the case once again shows that years of problems at DYFS have resulted in an underqualified, poorly trained work force with a high turnover rate.

"It's a systemic disaster area," said Richard Gelles, director of the University of Pennsylvania's Center for Children's Policy, Practice and Research and dean of the School of Social Work. "Their training is woeful. It's little better than the

blind leading the blind."

Under federal regulations set by the Child Welfare League of America, caseworkers are supposed to make monthly visits and spend at least an hour in a home to spot medical, dental, psychological, emotional and educational needs of the children.

State officials said there was no way such evaluations took place in the case of the four boys adopted by Raymond and Vanessa Jackson. The Collingswood couple have been charged with starving the boys ages 19, 14, 10, and 9, who were so malnourished they weighed less than 50 pounds each.

Thompson said investigations by his group found that cursory visits by caseworkers are common in New Jersey if the children are seen at all.

"The concern persists in New Jersey of these sort of drive-by visits," he said. "We know that a lot of these monthly visits do not occur."

Thompson said the average child in New Jersey's foster care system was visited by a DYFS caseworker only four times a year.

He added that depositions taken in the Children's Rights lawsuit also revealed that managers and supervisors at the adoption level of DYFS did not believe that detecting abuse and neglect of children was part of their job.

Gelles, who conducted a study of DYFS' practices as a witness in the lawsuit, said detecting problems of children in the welfare system requires specialized training that the state does not provide.

"New Jersey fails to invest in a competent, qualified work force," he said. "The front lines are workers whose last jobs were at Wal Mart or a cashier at a casino in Atlantic City. They aren't going out and seeking master's degree-level people."

Hetty Rosenstein, president of CWA Local 1037, said DYFS employees want reform to work and they shouldn't be blamed for all its problems.

"This is a system and agency that has been collapsing for two decades," she said. "It has been deliberately underfunded, understaffed and under-resourced."

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**5:68) 28-OCT-2003 19:32 [John Searight \(searighj\)](#)**

### **Prosecutor weighs criminal charges**

BY SUSAN K. LIVIO AND JUDITH LUCAS      Star-Ledger Staff      October 28, 2003

Nine child welfare workers were fired yesterday and criminal charges were being considered as state officials investigated how a social worker could visit a Camden County family's home 27 times in two years without noticing that four of their children were starving.

The discovery came by chance earlier this month, when 19-year-old Bruce Jackson, 4 feet high and weighing 45 pounds, was found scrounging for food in a neighbor's trash can. Police found three undersized, equally ravenous brothers at home, ages 14, 10 and 9, former foster children adopted by Vanessa and Raymond Jackson of Collingswood.

"Again, we have a situation where the New Jersey Division of Youth and Family Services has failed to protect



children," New Jersey Human Services Commissioner Gwendolyn Harris said yesterday, recalling the case of 7-year-old DYFS ward Faheem Williams, found dead in a box earlier this year. His death touched off numerous attempts at reform.

"The situation is deplorable. It's unacceptable. I am faced with the understanding that I have staff that is either incompetent, uncaring or who have falsified records," she said.

Gov. James E. McGreevey said he gave the state's Child Advocate two weeks to deliver a full report on the new case. "How could any human being, from a rational perspective, not see the atrocity that was before them?" he said.

Human Services officials pledged to assemble an outside team of experts to help them re-evaluate the safety of 5,000 children randomly selected from the 14,400 children in foster care.

The caseworker, whom Harris did not identify, is a two-year DYFS employee who had been monitoring the case of another foster child in the home. The caseworker resigned after the boys were removed from the home, but state officials said they did not accept the resignation and fired the worker instead.

Also fired were two additional caseworkers, one foster home evaluator, a licensing inspector, two supervisors and two managers.

No one could remember when the Division of Youth and Family Services had fired so many social workers so fast at one time.

At a news conference in Trenton, Harris expressed bitterness toward the DYFS workers involved for failing to absorb the lessons of the Williams case.

"A year ago, I recognized that I faced a failing operation. But at that time it was not clear to me that staff had been trained on protocol, (or) that they had the tools to do what they needed to do," she said. "Today I am very clear they have been trained. I am very clear the protocol has been made crystal clear. And yet I have members of my department, of this division, who have failed children, almost to the cost of their very lives."

Since 1999, DYFS workers visited the Jacksons 38 times, state officials said. Social workers believed the parents when they said the boys had an "eating disorder," although there were no medical records in the family file supporting that, Special Deputy Human Services Commissioner Colleen Maguire said.

The caseworkers involved focused on the 10-year-old foster daughter and paid little attention to the other children, she said.

The Jacksons have five adult biological children. On Oct. 10, when police found Bruce Jackson rooting in the garbage, the couple was living with two of their biological children; six adoptive children; and the foster child.

Acquaintances have described them as caring people who home-schooled their children and were active in their church. Raymond Jackson, an insurance salesman, ran into financial difficulties this year, according to his minister, the Rev. Harry Thomas, pastor of Come Alive New Testament Church. The church recently gave him \$1,900 to restore electricity, which had been shut off for months, and \$500 toward \$9,500 he owed in back rent, Thomas said.

New Jersey's official Child Advocate, Kevin Ryan, said yesterday that the DYFS case file indicates the Jacksons were the target of at least one allegation of abuse. A school nurse in 1995 reported seeing bruises on Bruce's body and suspected foul play.

DYFS officials yesterday said the claim was determined to be unfounded.

Ryan said the file also makes reference to well-cared-for family pets. "It appears to me the family did a better job feeding its dog and guinea pig than its sons," he said.

The Jacksons have been jailed, and their minor children are in foster homes. Bruce remains in a hospital, where he is being treated for a heart problem related to malnutrition.

State officials were sanguine yesterday in his prognosis. Maguire said the physician who assessed the children "believes, with care and appropriate medical attention, these children will grow and will develop. They will need a lot of hand-holding and a lot of love, and there will be challenges, but there is optimism."

DYFS Director Ed Cotton depicted Bruce Jackson, whom he met in the hospital, as sociable, articulate and much improved from the pitiful state police described when he was found. Police said he could not provide any information other than his first name.

The boys were adopted, one at a time, between December 1995 and July 1997, Camden County Prosecutor Vincent P. Sarubbi said at a news conference in Camden yesterday.

Sarubbi acknowledged that all four had pre-existing conditions, which he termed "fetal alcohol syndrome" or "eating disorders." One boy suffered from "acid reflux," he said.

Yet it was neglect, and not those conditions, that accounted for the boys' emaciated state, Sarubbi said. Authorities made that determination after consulting with medical experts, including geneticists, he said.

"What was determined by this team of physicians was that, yes, they did have some pre-existing eating disorders, but nothing that would have stopped them from developing much more normally than they did," he said. "Children that are well-nourished and go to bed on a full stomach don't crawl out of the basement door in the middle of the night to rummage through a trash can."

Since Oct. 10, all four boys have gained weight, Sarubbi said. The oldest, Bruce, has gained eight pounds and now weighs 53 pounds. The others have gained between five and seven pounds.

Their parents remain at the Camden County Correctional Center in lieu of \$100,000 bail. Each has been charged with four counts of aggravated assault for causing "serious bodily injury" to their children, and 14 counts of child endangerment, the prosecutor said.

Collingswood Police Chief Thomas J. Garrity Jr. provided some poignant details yesterday about the night the boys' plight came to light.

A neighbor called police when he discovered Bruce scrounging for food in his trash cans around 2 a.m. By the time police arrived, the teenager was ravenously eating dry cereal provided by the neighbor, the chief said.

It was "pretty clear" that the boy had a "diminished mental capacity," Garrity said. "He was polite, he tried to help, but he couldn't answer any of their questions."

Police offered the frightened boy food and gave him a stuffed tiger, which he gripped tightly, he said.

The officers took the teenager to Our Lady of Lourdes Medical Center, but were unable to identify him until the next morning. At 8 a.m. that day Raymond Jackson called police to report that his son was missing. Police went to his home and, after looking around, removed Bruce's siblings.

The Rev. Thomas, the Jacksons' pastor, insisted yesterday that the Jacksons could not have harmed their children.

"The things I'm reading, I am aghast. I don't believe it," he said. "The Jacksons we know do not fit this at all. If I thought (the children) were being abused, I would be the first one on the phone."

Collingswood school Superintendent James Bathurst said Vanessa Jackson home-schooled her children, and that the district did not track them.

Staff writers Jonathan Schuppe, Jeff Whelan and Mary Jo Patterson contributed to this story. Copyright 2003 NJ.com.

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**5:69) 29-OCT-2003 05:44 [John Searight \(searighj\)](#)**

## **\$30,000, but four kids went without food**

### **DYFS: Stipend for adoptive parents came with no strings or oversight attached**

BY JOHN P. MARTIN Star-Ledger Staff October 29, 2003

For Raymond and Vanessa Jackson, New Jersey's child welfare system was both an adoption pipeline and a paycheck.

Officials said yesterday that the Collingswood couple collected more than \$30,000 from the state last year to help care for the four adopted boys they have since been accused of starving.

The stipend was the couple's sole source of income. The Jacksons were not required to explain how they spent it.

"There is no audit or review," said Joe Delmar, a spokesman for the Division of Youth and Family Services. "They get a check."

The disclosure came as state officials opened disciplinary hearings yesterday against workers who said they visited the home dozens of times but never noticed the starving boys.

Nine employees have been fired, and a 10th resigned since the agency's latest child-neglect scandal broke last weekend. Several had ties to a Voorhees-based DYFS office that has been cited more than a half-dozen times for violating state adoption regulations in the past two years.

Meanwhile last night, Camden County investigators searched the Jacksons' Victorian-style home in Collingswood, a working class suburb of Philadelphia.

The four Jackson boys, ages 9 to 19, each weighed less than 50 pounds and looked like famine victims when police found them there almost three weeks ago. An officer discovered the oldest, Bruce Jackson, scrounging for food in a neighbor's garbage can at 2 a.m.

The boys told investigators their parents locked the kitchen and limited them to sparse meals of oatmeal or pancake batter. They said they were so hungry sometimes that they ate pieces of the wall, insulation or windowsill.

Vanessa Jackson, 48, and Raymond Jackson, 50, remained in the Camden County jail on assault and endangerment charges yesterday, unable to post their \$100,000 bail.

Friends and supporters, including their pastor, have defended the couple as caring and conscientious parents. They say the boys suffered from eating disorders that left them severely underdeveloped, a claim state officials dispute.

The Jacksons also were parents to two adopted girls and a female foster child, but investigators say the girls showed no signs of neglect. Ana Williams, a family friend, said yesterday that one of the girls told her the siblings were never mistreated.

"You can't believe what they are saying," 12-year-old Keziah Jackson said in a phone conversation on Sunday, according to Williams. "My mom and dad would never hurt us."

The Jackson case is the latest in a recent parade of high-profile abuse and neglect cases under DYFS' watch and comes as the agency has pledged to reform. A day before the Jacksons were arrested, DYFS officials announced they had reviewed the safety of nearly 14,000 children under their care, found just 31 in jeopardy, and rescued them.

But this week, officials said they would re-evaluate as many as 5,000 of those safety assessments.

Unlike some of the other notorious cases, the Jacksons' is the first to call into question DYFS adoption services. The first Jackson boy was adopted in 1995, with others following in 1996, 1997 and 2000. Two adopted girls also lived in the house, and the couple was finalizing its adoption of a third girl who had been their foster child.

Under state adoption law, caseworkers must interview every household member before approving a family for adoption. Each person must also have a medical exam.

DYFS officials acknowledged that neither occurred in the Jacksons' case.

"It raises serious concerns regarding the following of adoption regulations," Delmar said.

Special Deputy Human Services Commissioner Colleen Maguire also said her office is weighing a new policy that would require an annual medical exam of all children placed in adoptive homes.

It's also not clear to what extent the agency considered the Jacksons' financial ability to care for the children.

Raymond Jackson has been described by friends and officials as an insurance salesman and financial adviser who had trouble finding work. In recent months, the family fell behind on its electricity bill and owed more than \$9,000 in back rent.

The Rev. Harry Thomas of Come Alive New Testament Church in Medford said the church gave Jackson \$2,400 to help with costs.

That amount mirrored the amount the Jacksons received each month in state subsidies to cover basic needs such as food, housing and transportation for their children.

For each of their five adopted and foster children, the Jacksons collected an amount ranging from \$374 to \$473, based on the child's age. The family also received a separate clothing allowance that amounted to several thousand dollars, officials said. All told, the Jacksons collected more than \$30,810 in adoption and foster care aid for the fiscal year ending June 30.

But Delmar would not say if investigators believed the Jacksons were abusing the adoption system for financial reasons.

"It's always a major concern to us when their only source of income is for the care of the foster children," he said. "On the surface, it appears that some of these people do it specifically for the money."

His comments came as several of the fired DYFS workers were called to a closed-door hearing in Trenton to answer the negligence charges against them.

Most of the workers were employed by the Southern Adoption Resource Center in Voorhees, one of six similar centers run statewide by DYFS.

The centers place roughly 800 children each year into adoptive families and are required to conduct thorough examinations of the households both before and after the placement. Most of the clients are people who lack the tens of thousands of dollars required for private adoptions. The children they adopt often tend to be of school-age, or with disabilities or other health problems.

Pat Bennett, a DYFS advisory board member and director at Concerned Persons for Adoption, said the DYFS-run centers have earned a mixed reputation among those who follow the field. Some employ dedicated, talented caseworkers, she said.

In others, "the support that is really, really needed to make that work is not always there."

The Voorhees-based center, which supervises placements in six South Jersey counties, was faulted twice in the past two years in internal DYFS reports for improperly supervising children it had placed.

In February 2002, DYFS licensing officials cited six violations against the Voorhees adoption center but let it continue operating under a temporary certificate. The reports said the office failed to document that it had completed interviews with all household members in an adoptive family; failed to conduct mandated visits to an adopting family; and failed to document it had privately interviewed children considered for adoption.

The violations were corrected last fall, but the office was cited again this year for failing to document family interviews.

Delmar, the DYFS spokesman, said none of the infractions appeared to involve the Jackson family but that officials were still examining the records.

Margaret Rovner, who managed the office, was among those workers who were fired in the wake of the case, sources said. Rovner hung up when called by a reporter yesterday.

Staff writers Susan K. Livio and Judith Lucas contributed to this report.

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### **DYFS firings fought. Union defends workers in Jackson case**

By LILO H. STANTON Gannett News Service October 29, 2003

TRENTON. The state's efforts to fire nine DYFS employees for failing to tell anyone about four malnourished Collingswood boys are baseless and violate their constitutional rights, union leaders said Tuesday.

"There was not a single shred of evidence that we've been given . . . that would support a single charge against any worker," Steve Weissman, an attorney for the Communications Workers of America, said after four of the nine employees finished "pre-termination" hearings.

Some of the employees - all of whom have been suspended without pay pending termination - had never met Raymond and Vanessa Jackson or the four adopted sons they are charged of willfully starving, Weissman added.

But the state Department of Human Services and Division of Youth and Family Services defended the disciplinary measures.

"Obviously, we felt the actions were both necessary and appropriate in light of the facts of this case," said state Human Services Commissioner Gwendolyn L. Harris.

A notice served to one of the employees cites "neglect of duty, loafing, idleness or willful failure." The same notice quotes April Aaronson, deputy director of DYFS, as saying there is evidence in the case record to confirm workers did not take sufficient actions.

The state contends the nine DYFS employees - including two managers not represented by the CWA - failed to recognize or report signs of abuse or neglect at the Jackson home.

The boys - Bruce, 19; Keith, 14; Michael, 10; and Tyrone, 9 - weighed a combined 136 pounds when they were removed from their White Horse Pike house on Oct 10.

They had lived on a diet of pancake batter, cereal and peanut butter and jelly, authorities said.

Raymond and Vanessa Jackson, each charged with four counts of aggravated assault and 14 counts of child endangerment, remained Tuesday in the Camden County Jail on \$100,000 bail.

Seven investigators from the Camden County Prosecutor's Office investigators returned to the Jackson home about 7:30

p.m. Tuesday and entered through a side door. They were still inside the home at 11:15 p.m.

They would not say what they were doing or what they were looking for, but at least one detective did carry a bundle of items outside and drive away.

No court hearings have been scheduled, said Prosecutor Vincent P. Sarubbi, adding his office has received no word about who is handling the Jacksons' legal defense.

Bruce Jackson remained in the cardiac unit at Our Lady of Lourdes Medical Center in Camden as of Monday, where he was being treated for an irregular heartbeat stemming from malnutrition. Hospital officials, citing privacy rules, would not confirm his presence or discuss his condition Tuesday.

The other boys, two of whom are biological brothers, all were treated and released from area hospitals. They now are in separate foster homes.

They visited with each other last week, said DYFS spokesman Andy Williams, adding the agency gave them phone cards so they can keep in touch.

A fund established to benefit the boys collected about \$800 on Tuesday, said Gerard Banmiller, president of the 1st Colonial National Bank in Collingswood.

The bank also received about 100 phone calls from people who wanted directions to the bank, Banmiller said.

While the fund raising is beginning, so too could the legal wrangling over the fate of the nine DYFS workers.

The state held pre-termination hearings for all nine on Tuesday, said Laurie Facciarossa, a DYFS spokeswoman. The hearings are part of due process required when firing government employees.

All nine, suspended without pay, have 10 days to appeal before their cases go before an administrative law judge, the final step before termination.

"It runs the gamut, from weeks to months, to resolve these issues," Facciarossa said.

Weissman called the hearings "a sham" because of what the union contends is a lack of evidence.

DYFS workers, who evaluated the Jacksons as they prepared to adopt a 10-year-old girl already in their care, visited the home 38 times in the past four years and did not report any abuse, officials said.

But union officials disputed the picture the state has painted of DYFS.

It is not proven as the state suggests that one caseworker visited the home 27 times, union officials said.

Union representatives did not identify the 25-year-old caseworker, but they said she joined DYFS two years ago in what was her first job. She also retained a lawyer due to the possibility of criminal charges against her, union officials said.

The union also disputes the suggestion that the children's medical condition was obvious to all, noting many neighbors and family friends said the kids appeared small but otherwise healthy.

"We believe this is an incredibly horrible situation, and it deserves a response," said Carla Katz, president of CWA Local 1034, which represents DYFS workers in South Jersey. "We do believe there have been both systemic and individual failures, and there has been a failure of the community at large."

Those systemic issues include staffing, resources, and the lack of foster homes, supervision and training, said Hetty Rosenstein, who heads the CWA local that represents DYFS workers in North Jersey.

"This is a system and an agency that has been collapsing under the weight of its own burden for about two decades,"

Rosenstein said. "If we don't address these systemic problems and instead fire nine workers . . . it will in fact happen again."

DYFS officials say they are doing all they can to prevent that.

The agency on Tuesday announced it will re-examine its policy of allowing children under its supervision to be home-schooled. The four Jackson boys were home-schooled, a circumstance some say could have helped their condition go unnoticed.

"When a child is in public or private school, there are more people seeing the child, which may allow us to see abuse or neglect earlier," said Joe Delmar, a DYFS spokesman.

By law, school districts are required to report signs of child abuse.

New Jersey is one of eight states that does not require parents or guardians to notify school districts of their intention to homeschool their children, said Timothy Haas, co-founder of the Audubon-based New Jersey Homeschool Association.

The districts are not required to keep files on the children. Even if they were, little would have changed for the Jackson boys, Haas said.

"This is a social services issue, not a homeschool issue," Haas said. "If 38 visits from (DYFS) failed to reveal problems, then sending in paperwork would not have done it."

The New Jersey Child Welfare Panel, backed by a federal court to oversee DYFS reform, also plans to meet with DYFS officials this week to order immediate changes at the agency.

"If they don't take the emergency steps we can go to federal court," said Eric Thompson, senior staff attorney at Children's Rights Inc., the advocacy group that filed the lawsuit against New Jersey that led to the formation of the welfare panel.

Under federal regulations set by the Child Welfare League of America, caseworkers are supposed to make monthly visits and spend at least an hour in a home to spot medical, dental, psychological, emotional and educational needs of the children.

There was no way such evaluations took place in the case of the Jackson boys, state officials said.

Thompson said investigations by his group found that cursory visits by caseworkers are common in New Jersey - if the children are seen at all.

"The concern persists in New Jersey of these sort of drive-by visits," he said. "We know that a lot of these monthly visits do not occur."

Staff writers Karen Kennedy-Hall, Jason Laughlin and Eileen Sullivan, and the Associated Press, contributed to this report.

## **9 DYFS workers hear charges at closed sessions in Trenton**

BY SUSAN K. LIVIO      Star-Ledger Staff      October 29, 2003

One by one, the nine child welfare employees removed from their jobs for allegedly mishandling a case that left four boys in Camden County starving appeared at closed-door hearings yesterday to face the disciplinary charges against them.

A lawyer representing some of the staff described the hearings as perfunctory, tense and combative, yet lacking one crucial element: proof of any wrongdoing.

A copy of the disciplinary notice from the Department of Human Services simply said each worker was suspended without pay with intent to fire them for "neglect of duty, loafing, idleness, or willful failure to devote attention to tasks which could result in danger to persons."

In a box reserved for more detail of the charges, the notice reads: "You neglected your responsibilities for clients," followed by the children's initials.

"They presented not a shred of evidence to support the charge, yet these workers are being fired without pay -- workers with families, with children to support," said attorney Steve Weissman, representing seven of the nine employees who are members of the Communication Workers of America.

"Two of the workers were last involved with the case in 2000," Weissman added, predicting the charges against them wouldn't hold up.

Special Deputy Human Services Commissioner Colleen Maguire contends the employees -- from front-line workers, to an inspector, supervisors and managers -- believed Raymond and Vanessa Jackson when they said their four adopted sons suffered from ongoing eating disorders. Yet there are no medical records in the family's file to support that claim, nor did DYFS demand such records.

The adoption caseworkers, in particular, didn't pay much attention to the other children in the family, Maguire said, focusing only on the latest foster child the couple intended to adopt, a healthy and well-fed 10-year-old girl.

Human Services Commissioner Gwendolyn L. Harris issued a brief response to the union's remarks last night: "The department and the Division of Youth and Family Services stand by the disciplinary actions taken against the nine staff involved in the Jackson case. Obviously we felt the actions were both necessary and appropriate in light of facts of this case."

The employees worked in the Southern Adoption Resource Center in Voorhees, the Camden County district office, a regional office in Hammonton, and the department's central office in Trenton.

According to sources familiar with the case who spoke on condition of anonymity, the disciplined workers included the family's last caseworker, Frances Ransome, a two-year employee whom officials say logged 27 visits to the home; veteran managers Margaret Rovner and Bettye Fowler; and supervisor Eladia Gonzalez, a 15-year veteran.

Efforts to obtain comment from the workers by telephone and at their homes were unsuccessful.

The labor leaders, holding a news conference in Trenton in between hearings, walked a delicate line yesterday. They agreed with the department's assertion that people must be held accountable for the state's part in the boys' suffering, yet demanded that DYFS management not trample the rights of their workers in the process.

"Everybody feels very desperate about DYFS," said Hetty Rosenstein, president of Local 1037 Communication Workers of America, which represents one of the employees. "The governor and the commissioner feel really strongly because they have to have the public's confidence that DYFS is going to do its job and protect children. We agree with that. We understand that level of desperation because we share it. We don't think this is quite the way to do it."

Typically civil service employees are entitled to a departmental proceeding at which they can challenge disciplinary



action against them, but in this instance, the workers have opted to skip that process and seek arbitration, Rosenstein said.

CWA official Paul Alexander said in the state's rush to hold the employees accountable, it failed to build a solid case.

"If they can demonstrate they placed kids at risk or put blinders on, yeah, people need to be accountable for that," Alexander said. "Yet they are not putting out any information. They are just saying, trust us."

Staff writers John Martin and Mary Jo Patterson contributed to this report.

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5:70) 29-OCT-2003 05:56 [John Searight \(searighj\)](#)

### **Child-welfare workers under criminal probe**

Posted on Wed, Oct. 29, 2003

By Robert Moran, Edward Colimore, and John Shiffman Inquirer Staff Writers

Law enforcement authorities are scrutinizing the conduct of state child-welfare workers to determine whether they broke criminal laws in the way they handled the case of four starving Collingswood brothers.

Camden County investigators were reviewing hundreds of documents, including medical and adoption records, as they examined both the conduct of the parents and the Division of Youth and Family Services workers involved.

"The investigation is now two-pronged," said a senior official involved in the case. "One is about the parents. The other is a secondary criminal investigation of the DYFS workers."

One possible avenue of inquiry is whether state rules were followed on the gathering of medical records on all children in a home before an adoption is approved. In the Collingswood case, the four malnourished children had not seen a doctor in four years.

Meanwhile, the union representing the workers sharply criticized state officials for attempting to fire them before the matter was fully investigated.

Last night, local police and the Camden County Prosecutor's Office executed a search warrant at the Jackson home on the White Horse Pike in Collingswood.

The parents, Raymond Jackson, 50, and Vanessa Jackson, 48, were arrested Friday and charged with four counts of aggravated assault and 14 counts of endangering the welfare of children.

The four brothers, ages 9 to 19, were found by police Oct. 10. The oldest weighed 45 pounds and was 4 feet tall.

The shocking details of the case, including reports that the brothers ate parts of a wall to stave off hunger, once again have drawn national attention to New Jersey's troubled child-welfare system.

On Monday, officials said they would reassess the safety of nearly half of more than 14,000 foster children in the system who had been visited in recent months as part of an overhaul.

Yesterday, union officials blasted top state officials for saying they would fire nine employees who handled the case.

"We have not been given any evidence whatsoever as to what was allegedly done by these workers," complained Carla Katz, president of Communications Workers of America, Local 1034, as she took a break between disciplinary hearings in Trenton.

The nine hearings were conducted yesterday, and in each case, the suspensions were upheld, with termination proceedings to follow, state officials said.

Steven Weissman, an attorney representing six of the suspended workers, said he was confident that the state's actions would be reversed in arbitration.

"Those workers had their constitutional rights violated," Weissman said. He called the hearings a "sham" because all that was presented was a one-paragraph written statement from an administrator confirming "that there is evidence in the case record that [the employee] did not take necessary, sufficient action to protect the safety, health and well-being of all children residing in the Jackson home."

Katz, who represents about 700 DYFS employees in South Jersey, said there had been "a failure of the community at large. There are many members of the community that surrounded these children that saw them repeatedly. Some of the workers that were fired never saw the children at all."

Two of the workers had no direct contact with the family since 2000, union officials said. Another worker had not seen the family since 2001.

Of the nine employees targeted for termination, two are district office managers and are retaining their own lawyers.

The caseworker who had the most visits in the Jackson home also has hired her own attorney.

The union is representing two caseworkers, one licensing inspector, one foster-care worker, and two front-line supervisors.

"They're either incompetent, uncaring, or they lied," Gwendolyn L. Harris, commissioner of the state Department of Human Services, said on Monday, adding that "any reasonable person" would have recognized something wrong with the brothers.

Paul Alexander, assistant to the president of Local 1034, which represents five of the nine, said the state terminated "anyone whose fingerprints were remotely on the case."

"The administration's position was: Shoot everybody and sort out the bodies later," said Alexander, who accompanied the workers to the termination hearings in Trenton. "You don't tar everyone with the same brush."

Alexander said hundreds of employees and union members who serve DYFS have been "profoundly saddened by the case - and outraged and angered" by the state's reaction.

"Our position is that people should be held accountable for this; anyone who is not doing their job should be held accountable," Alexander said. "But I would like to see people take a deep breath and step back."

"We have to have a reasonable rational discussion based on the facts, and then make the appropriate decision," he said. "We have only anecdotal information. I have no idea who did what to who."

Alexander said he met yesterday with about 100 DYFS workers in Camden and found them "outraged. They feel betrayed."

Nancy Parello, a spokeswoman for the Association for Children of New Jersey, a child-advocacy group, said yesterday that alleged starvation of the Collingswood brothers is "another case where the division [DYFS] failed to dig deep enough to learn whether the children were safe."

"You have to assess the whole family situation, not one child but all the people in the home and check other sources," Parello said. "If the adoptive mother says that the child has an eating disorder, you have to ask for medical records."

Cecilia Zalkind, executive director of the Association for Children of New Jersey, spent much of yesterday trying to fix the system. She is a member of a DYFS working group that is preparing a court-ordered child-welfare-reform plan.

She said the atmosphere created by the Collingswood case had emphasized the importance of the work.

"This case defies description," she said. "It's hard to believe someone could miss what was happening to these kids and not have some questions, some common sense."

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**5:71) 31-OCT-2003 20:30 [John Searight \(searighj\)](#)**

### **Search bolsters theory money motivated adoptions**

BY JUDITH LUCAS AND JOHN P. MARTIN      Star-Ledger Staff    October 30, 2003

Authorities investigating the starvation of four adopted boys at a Collingswood home found bite marks on the bedroom windowsills, bolstering the boys' claims that they were so hungry they chewed on the walls and ledges.

Officers found the marks during a three-hour search of Vanessa and Raymond Jackson's home late Tuesday night, Collingswood police Chief Thomas Garrity Jr. said yesterday. Investigators from the police and Camden County Prosecutor's Office took photos of the scene and removed several bags of evidence, but wouldn't disclose what was in them.

Garrity also said officers did not find any textbooks or educational materials in the cluttered house, casting doubt on the Jacksons' claim that they had been home-schooling the boys, who ranged in age from 9 to 19.

"We are looking at whether these kids were even taught," he said.

The search added new fuel to one prosecution theory that the Jacksons may have adopted the children simply to get state funding, but never really cared for them. The couple, jailed since Friday on assault and endangerment charges, received more than \$30,000 in subsidies for their six adopted and foster children last year.

Vanessa Jackson, 48, did not work, and Raymond Jackson, 50, quit his job as an insurance salesman after his license lapsed in September. The couple also owed thousands of dollars in back rent and unpaid bills.

"The money is a major part of the investigation," Garrity said. "When you look at the details, it seems to jump out at you."

Police say the four boys were severely malnourished, had rotted teeth and head lice, and lived in a filthy house without electricity for months. Each weighed less than 50 pounds.

They were discovered three weeks ago when a police officer found Bruce Jackson, 19, searching for food in a neighbor's

garbage can at 2 a.m. The teen was so slight that the officer thought he was just 10 years old.

In interviews with police, the boys said their parents kept the refrigerator locked and fed them sparse meals, sometimes oatmeal or pancake batter. Two adopted girls and a female foster child awaiting adoption also lived in the house, but none showed similar signs of neglect.

Garrity was one of about eight officers who arrived at the White Horse Pike home around 8:30 p.m. Tuesday and entered wearing latex gloves. Flashbulbs popped from within over the next three hours as the investigators pored over each room, trying to verify the accounts of the children. The outside appeared to have been cared for, but Garrity said the inside of the house was "dirty" and unsanitary. After seeing it, he said he understood why the children had head lice.

Defenders of the Jacksons say the boys were underdeveloped because they had eating disorders or were born to alcoholics or crack addicts. They say the couple locked their refrigerator because the oldest boy would binge on food then vomit.

State officials dispute that, but have acknowledged that their own oversight failed miserably. Under adoption regulations, each household member should have been interviewed and examined by a doctor as part of each of the Jacksons' six adoptions.

Neither occurred.

Garrity said the Jacksons told police as much after their arrest. "They admitted that the boys had not seen a doctor or dentist in five years," he said.

Nine workers from the state's Division of Youth and Family Services, which processed and approved the Jackson family adoptions, have been told they will be fired since the scandal broke last weekend. A tenth employee, the case supervisor, has resigned.

Each could also face charges as part of the criminal probe by Camden County Prosecutor Vincent Sarubbi. A spokesman for Sarubbi, Bill Shralow, said yesterday that the investigation is continuing, but he declined to elaborate.

DYFS has launched its own investigation, as has State Child Advocate Kevin Ryan. Ryan has promised to deliver a report to Gov. James E. McGreevey within two weeks.

The Jacksons remained jailed in Camden County yesterday, unable to post their \$100,000 bail. They face multiple counts of assault and child endangerment. Their children have been placed in foster homes.

The Jackson case is the latest in a stream of child-neglect scandals under DFYS, but the first to focus on the agency's adoption practices.

Children adopted through DYFS are more likely to be older, come from dysfunctional backgrounds, and have suffered medical or emotional problems or abuse. The parents who accept them often do so because they cannot afford the tens of thousands of dollars in fees that some private agencies charge for a healthy newborn.

In recent years, the federal government and its state counterparts have sought new methods to move more children from foster care into permanent homes. One highly touted step was the 1997 Adoption and Safe Families Act, which offers states financial rewards for increasing the number of children it places in adoptions. Last year, New Jersey received \$1.9 million in federal adoption incentives, second only to Florida.

The states in turn pass subsidies along to the adopting families. The Jacksons received \$374 to \$473 per month for housing, food and transportation for each of their five adopted and foster children ages 18 and under. They also received an additional clothing allowance.

The case has generated a wave of soul-searching in Collingswood, the blue-collar Philadelphia suburb where the

Jacksons lived for more than a decade.

Neighbors and fellow church members never challenged the parents' claims that the boys suffered from eating disorders. Town code inspectors visited the house in July, but either didn't notice the boys or question their condition.

The boys also escaped scrutiny from the local school district because Vanessa Jackson claimed to be teaching them at home. New Jersey does not regulate home-school instruction or monitor families that practice it. Some officials have said the case of the Jackson boys may now force the state to become much more vigilant in its monitoring of home-schooled children.

"We want to know: Is there anything we should have been doing? How could this happen?" Collingswood Mayor James Maley said yesterday. "We want to know what else we could have done."

Last night, about 200 residents attended a Collingswood town forum to hear the mayor and borough commissioners discuss the case and how they might be able to prevent such neglect in the future. "I think I speak for all of us in saying that we're just simply distraught," Maley said.

He added that borough officials have received a flurry of calls from people offering to help, including actress Rosie O'Donnell, and members of the New York City Fire Department who wanted to know if the boys would be available to ride on a firetruck in the Thanksgiving parade. "We have simply been inundated with people all over," Maley said.

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## **At a church, collective soul-searching**

### **Pastor wrestles with 'horrifying' details**

BY ANA M. ALAYA AND MARY JO PATTERSON Star-Ledger Staff October 30, 2003

At Sunday worship, the large family of Raymond and Vanessa Jackson always sat in the front two rows.

Raymond, known for his lovely deep bass, swayed when he sang. Vanessa seemed quiet and motherly. Except for wizened Bruce, an unusually solemn boy, the children looked happy, even "joyous." When their minister gazed at them, his heart swelled with love.

"I really appreciated their apparent willingness to adopt children that very few people wanted," Harry L. Thomas Jr., pastor of the Come Alive New Testament Church, wrote in a statement issued yesterday, revealing newfound confusion and doubts about the parents. The couple has been jailed for starving Bruce and three other adopted sons.

Up until yesterday, the pastor, a charismatic figure and an outspoken voice in the shocking family drama, had seemed a fortress of certainty. Earlier this week he told a reporter he "did not believe" reports that the boys were so hungry they had taken to gnawing windowsills.

Now, like some others in the Medford, Burlington County church, he was expressing doubts about his ability to discern the truth, to distinguish between reality and appearances. "Tonight for the first time I have a chance to read the news coverage. What I read was truly horrifying," the shaken pastor wrote.

"If true, how could so many hundreds of people been fooled for so long?" asked Thomas, 60, a guitar-playing former radio and TV preacher who has led the church for 20 years. He is also president of a company that produces Christian rock concerts and festivals.

Last night, Thomas repeated his pastoral commitment to the Jacksons and pledged to visit them in jail. "We believe in prayer, not in gossip or abandoning people," he said at the church complex, a former liquor-and-drug store business renovated in 1997 and capped with a steeple.

Still, he wrote, there were serious questions demanding answers: "It is important that the full truth come out."

In the rambling statement the pastor detailed his first meeting with Bruce, the 19-year-old weighing 45 pounds who was discovered going through a neighbor's garbage at 2 a.m. Oct. 10.

"The first time I saw the oldest boy Bruce I was shocked at his stunted and emaciated appearance. The parents told us that the stunted growth was a result of chronic conditions," he wrote. "Not being a medical doctor, I never had any reason to doubt them."

The state Division of Youth and Family Services, which placed the four boys with the Jacksons, has said the children were healthy when adopted. While some were born with fetal alcohol syndrome, none had a medical condition that would account for their emaciated state. The couple also has daughters, who are well-nourished.

Looking back, the minister wrote, it did seem that Bruce was less energetic than his younger brothers. "(He) seemed to be always in the background, his condition more severe and his expressions more somber," he stated.

Yet Bruce participated in talent shows at the church, dancing to hip-hop music with his brothers, he said.

Music is an important part of worship at Come Alive New Testament Church, an independent evangelical church. Services feature non-traditional hymns, a live band, and audible praying, often with upstretched hands. The church has about 350 families, according to Thomas, and many travel 20 miles or more to attend services. Only four families, including the Jacksons, are African-American, he said. The others are white, Hispanic or Asian.

The church sponsors clinics in Haiti and elsewhere dedicated to child and infant nutrition. Its Web site features photos of some of those children, captioned "Some of the little children we help nourish."

It is also a partner with a group called Come Alive Ministries Inc., an enterprise Thomas founded in 1972 "to spread the word of Christ through the mass media through concerts, artwork, and large Christian festivals." In 2001, it reported revenues of \$3.5 million.

Come Alive New Testament Church encourages its members to tithe, 10 percent if possible. The Jacksons, who were deep in debt and borrowed money from the church to pay rent and utilities earlier this month, tithed only "a token amount," church officials said.

Frank Jacobs, a parishioner involved in the church's missionary work, said that the situation has left him confused and upset. He cannot figure out how he could miss the sort of misery prosecutors have described.

"I have seen starving children. Their hair will turn orange. They have glassy eyes filled with mucus. They are lethargic," he said. "I sat two rows behind the Jacksons (at church) and we would see the kids. They were active, jumping around."

Others were just as perplexed. "I'm so confused," said Mary Ward, a mother of two who has been going to the church for 12 years. "I think all of us are praying the truth will come out."

Thomas' associates said the pastor has received negative feedback for his expressions of support for the parents.

One woman from West Virginia called to berate him, said Tim Landis, a Christian concert producer from Lancaster, Pa., who was at the church yesterday.

"If you didn't know those kids were starving, you are not a child of God," Landis said the caller said. "You are going straight to hell."

Landis, who knows the Jacksons, said he is now "haunted" by the recollection of the first time he saw Bruce.

"I remember thinking, 'Oh, my goodness, what has happened?' He looked severely deformed," he said. "I even asked about it, and I was told 'This family brings in crack babies.'"

But not everyone was soul-searching yesterday. Some people remained certain that the Jacksons had done no wrong.

Wendy Lowry, a former parishioner who knows the family intimately, said it was "impossible" for them to have harmed their kids. About 15 years ago, when she was in a family crisis, the Jacksons took her in.

"It seems to me that the Jacksons are being scapegoated for the problems of the DYFS system," Lowry, who recently moved to Cedar Park, Texas, said by telephone. "I don't think law enforcement is digging deep enough."

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**Corrections**            October 30, 2003

A front-page story Tuesday about the nine workers removed from the state Division of Youth and Family Services described them erroneously as social workers. Those who were notified that they were being fired are three caseworkers, one foster home evaluator, a licensing inspector, two supervisors and two managers. DYFS does not require all its staff to be licensed social workers.

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5:72) 31-OCT-2003 21:54 [John Searight \(searighj\)](#)

**Report: Jackson home `nurturing'**

**DYFS form used in June assessment found to be flawed by panel of experts**

By KAREN KENNEDY-HALL    Courier-Post Staff    October 31, 2003

The Collingswood home of Raymond and Vanessa Jackson where four adopted boys were found starved was considered a nurturing environment, a June 6 safety assessment report said.

The assessment, obtained by the Courier-Post, also said the oldest adopted son suffered from bulimia.

The names of two employees suspended in the case are hand-printed on the report under the heading "present for conference."

Officials with the Department of Youth and Family Services only confirmed that caseworker Frances Ransome and supervisor Jodi Patton were employees and verified their positions.

Patton, when contacted at her Egg Harbor City home, refused comment. Ransome couldn't be reached for comment.

Seven other DYFS employees also are facing termination.

The form used to gather the information on the Jacksons' home was found to be insufficient by a panel of experts. A revised form was introduced Aug. 18.

The 11-page safety assessment contains a series of multiple questions related to the Jackson's sole foster child, 10-year-old Breanna.

The form's answers indicate that all the children were treated fairly and got along.

"Breanna said when she does something wrong she will have a privilege taken away. She said that is how all of them get punished."

The form also included questions on medical information and housekeeping standards. It is unclear if the worker deemed the environment safe, although the writer said adoption was recommended.

The list of people living in the home included the Jacksons' biological children, Larae, 21, Vernee, 19, Jere, 20, and Raymond II, 18.

Adopted children included Bruce, 18, Keith, 12, Keziah, 11, Tyrone, 8, and Jacee, 4.

There was no mention of 10-year-old Michael, who with Bruce, Tyrone and Keith, was found nearly starved.

None had special care needs except Bruce, who has "an eating disorder and depression, he never developed fully physically or mentally from being bulimic (his) whole life," the assessment report noted.

Jere was listed as being mentally handicapped.

The report said the Jacksons, married for 30 years, had a "very loving, nurturing, supportive relationship. They have never had any domestic disputes."

The revised Aug. 18 form is more of a checklist with yes and no boxes, but also has detailed directions for assessment takers.

For example, one question asks if the home is physically safe, "for example: utilities shut off, the home is lit by candles and/or heated by a gas stove or by unsafe space heaters, etc."

The electricity in the Jackson home was cut off in June, but that was after the assessment was taken.

In addition, there are three pages of protocol and instructions for staff members to follow.

Many, including DYFS officials, question how a DYFS staff could miss four near-starved boys, who together only weighed 130 pounds.

A New Jersey social workers association director charges many DYFS employees don't have the skills needed to do the job.

"Most of these people doing these jobs are not social workers," said Walter X. Kalman, director of the New Jersey Chapter of the National Association of Social Workers.

He said social workers are trained to look for things beyond a checklist.

"Being a professional would teach you how to interview, how to observe, how to interpret information, it's part of what we do," Kalman said.

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**5:73) 01-NOV-2003 12:29 [John Searight \(searighj\)](#)**

**Pastor: Parents said boys ate every day**

**Jacksons proclaim innocence in alleged starvation**

November 01, 2003



BY ANA M. ALAYA, JUDITH LUCAS AND JOHN P. MARTIN Star-Ledger Staff

The Collingswood parents accused of starving their adopted sons publicly lashed back yesterday, telling their minister in jailhouse interviews that they can prove their innocence.

"The entire family was fed several times each day, every day," Raymond Jackson said, according to statements released by the minister, Harry Thomas. "Every month a social worker would come and check on the entire family. In fact, they would interview all the children."

Thomas said Vanessa Jackson named doctors and dentists who she said could help explain why the four boys, ages 9 to 19, were so severely underdeveloped, had rotted teeth or needed to be home schooled.

The boys each weighed less than 50 pounds after police found the oldest one, Bruce, searching for food in a neighbor's garbage can three weeks ago. Authorities said the boys were fed a sparse diet that included oatmeal or pancake batter, and sometimes grew so hungry that they chewed on the windowsills or walls.

Prosecutors have disputed suggestions from the Jacksons' supporters that blame the boys' condition on eating disorders or other medical ailments. They said doctors examined each child before authorities charged the Jacksons last week with assault and endangerment. Each boy has also gained weight since being removed from the house, they said.

The comments were the first from the couple since their Oct. 24 arrest, which sparked a new wave of scrutiny on the state's already embattled child-welfare system. The Division of Youth and Family Services, which approved the adoptions and was responsible for monitoring the family, has pledged to fire nine workers and review its policies.

The state's child advocate has launched a probe and yesterday, a congressional panel said it would convene a hearing on the case next Thursday in Washington. Lawmakers said they want to question DYFS caseworkers and supervisors.

"This hearing seeks to expose how the abuse of these children went unnoticed so that we can work to prevent other children from enduring such horrible abuse," said U.S. Rep. Wally Herger, the California Republican who chairs the House Ways and Means Human Resources Subcommittee.

The Jacksons received more than \$30,000 last year in subsidies to help care for their adopted and foster children, but weren't required to account for the money. Two adopted girls and a foster girl also lived in the house, as well as several of the Jacksons' biological children. None showed any signs of neglect.

The subsidies were the family's primary income, but Raymond Jackson bristled yesterday at suggestions that they adopted to get money.

"To have people say that we did this for the money is foolish and dead wrong," Jackson told Thomas.

Thomas, the family's longtime minister at Come Alive New Testament Church in Medford, Burlington County, spent an hour at the Camden County lockup yesterday morning in separate meetings with Vanessa and Raymond Jackson.

In a statement released later, he said witnesses have contacted him or Jackson supporters to refute the starvation claims and speak on behalf of the couple's character. Thomas did not identify the witnesses.

He also lashed out at prosecutors, saying investigators interrogated some of the Jackson children for hours "under very intimidating conditions," and accusing authorities of lying. "What has been done to this family by the leaks from this prosecutor's office has caused a totally innocent and loving family to be torn apart," Thomas said.

Thomas also demanded that the prosecutors return family videos and photos that the Jacksons say prove the allegations are bogus.

Camden County Prosecutor Vincent Sarubbi declined to address the pastor's allegations, but defended his office. "From the outset, this case has been handled in a careful, detailed and painstaking manner," he said in a prepared statement.

"The pending charges were filed only after I was satisfied that they were supported by probable cause."

Both parents told Thomas that Bruce Jackson, whom they adopted in 1995, had a history of medical troubles, eating disorders, sexual abuse and disruptive behavior. They said he once filed a false police report claiming to have been abandoned.

"He was not allowed to stay in school because no one could cope with his behavior," Vanessa Jackson said, according to Thomas. "At Central School he was stealing lunches and eating them and then throwing up in the kid's lunch bag. At the Roosevelt School he was there one day and then asked to leave because the teacher couldn't handle him."

Yesterday, police released transcripts of the 911 emergency phone call that first led them to Bruce three weeks ago. In it, neighbor Mike Byrd tells a dispatcher he first thought there was a dog digging through his trash can but then realized it was a boy.

"He's a little kid and he's saying he is hungry so he is out here at 3 in the morning." Byrd said. "He must be homeless or something."

At another point, the dispatcher asked: "How old does he look."

"He has to be under 10," Byrd replied. "Yeah, he's very little, (a) very young kid."

Byrd agreed to go outside and stay with the child until an officer arrived.

"How old are you?" his wife, Jennifer, asked the boy.

"Nineteen," Bruce said.

"He can't be 19," Byrd said.

"And you are so small," the woman added. "Oh Bruce. I'm about to start crying."

"It's a shame," Bird said.

"I didn't mean to holler at you," he told the boy a bit later. "I just thought it was a dog in the trash can at first."

DYFS director Edward Cotton said yesterday that the agency next month would begin using a Web-based tracking system that requires workers to log every time they visit a family. The division also plans to implement a 24-hour hotline to screen allegations of child abuse.

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## **Starving case stirs inquiry in Congress**

**Local and state officials are expected to testify. The state will create a central hotline for reports of child abuse.**

By Kristen A. Graham and Wendy Ruderman      Posted on Sat, Nov. 01, 2003

Inquirer Staff Writers

Federal lawmakers will investigate the case of four Collingswood boys allegedly starved by their adoptive parents, officials said yesterday.

On Thursday, the House Ways and Means Subcommittee on Human Resources will hold its first hearing on "the intentional neglect and abuse of four adopted children in New Jersey," it announced in a statement.

"It is hard to imagine how adults could intentionally starve children," Rep. Wally Herger (R., Calif.), subcommittee chairman, said in the statement. "It is also hard to accept the grim reality that we, as taxpayers, subsidized their terrible neglect to the tune of tens of thousands of dollars."

Expected to testify at the Washington hearing include local and state officials and outside experts familiar with the case, according to Herger.

The witness list has yet to be compiled, and it is unclear what type of questions will be asked or whether the hearing will prompt changes.

Laurie Facciarossa, spokeswoman for the New Jersey Department of Human Services, said an official from the department would testify at the hearing. It was unclear late yesterday who from the state Division of Youth and Family Services was going to attend.

Edward Cotton, DYFS director, said he welcomed the federal scrutiny, saying he hoped discussion of the Collingswood case would lead to better state oversight of adopted children nationwide.

"Our goal is to keep kids safe," Cotton said. "If there are public policies that come out of this and will help, that would be great."

Cotton yesterday announced the creation of a 24-hour central hotline for the screening of child-abuse allegations. Currently, calls are screened at local DYFS offices scattered statewide. The hotline, aimed at increasing accountability and consistency, will be in place by year's end and run by experienced, well-trained staff, Cotton said.

"You literally have people all over the state deciding what's the appropriate outcome of a call," Cotton said. "With one central location, local field staff will not have the option to say, 'We don't think this is worthy of an investigation.' "

The state is also examining how to keep children safe once they are adopted. Currently in New Jersey, there is no agency contact with an adoptive family or child once the adoption is finalized unless authorities are alerted to a problem.

Raymond and Vanessa Jackson were arrested Oct. 24 on charges of aggravated assault and endangering the welfare of children. Police say the couple starved their four adopted sons - ages 9, 10, 14 and 19. A neighbor first alerted police Oct. 10 when he called 911 to report a small boy rooting through his trash can for food.

The boy, it turned out, was 19-year-old Bruce Jackson, the oldest of the four sons. He weighed only 45 pounds. The sons reportedly survived on uncooked pancake batter and oatmeal. They were so hungry, they gnawed on insulation and windowsills.

After the Jackson children's adoptions were finalized, DYFS had no involvement in their lives. The only reason a caseworker went to the home was that the family was about to adopt another child.

"It is just an incredibly shocking case, to say the least," Herger said yesterday. "We felt that it was very important that we hold hearings on this to make sure that we do everything we can to ensure that this does not happen again, in New Jersey or any other state."

There are no local representatives on the panel. But Herger said he and other members had been following the heavy national coverage of the story and felt moved to act quickly.

The committee has jurisdiction over federal money that helps states pay foster and adoptive parents subsidies for certain children. It also helps fund DYFS's administrative functions.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, a child-advocacy group, called the federal committee investigation unprecedented.

"I can't think of a time in my experience when there has been a federal investigation like this," said Zalkind, who worked for DYFS in the 1970s and has been with the advocacy group since 1984. "I think it speaks to how serious and dysfunctional this system has been."

DYFS is seeking to fire nine workers, all of whom are suspended pending an investigation. The Camden County Prosecutor's Office and the Collingswood Police Department are conducting a criminal investigation to determine whether DYFS employees violated laws.

Union leaders representing six of the suspended workers expressed surprise when told of the new federal review, saying none of their members had been called to testify.

Citing the continuing criminal investigation, DYFS union leader Paul Alexander said: "I would suspect that most people are going to be very reticent about testifying."

Alexander and other union officials criticized Cotton's plan to centralize the screening of abuse allegations.

"We just don't feel that it's a great idea," Alexander said. "It can actually result in worse service, not better service."

Alexander said it would be better to have local screeners who are familiar with the community.

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5:74) 02-NOV-2003 20:28 [John Searight \(searighj\)](#)

## **Amid Images of Love and Starvation, a More Nuanced Picture**

By LESLIE KAUFMAN and RICHARD LEZIN JONES      NY Times      November 2, 2003

Ever since Raymond and Vanessa Jackson were arrested on Oct. 24 on charges that they were starving their four adopted sons, Joyce Brown, a former neighbor, has been racking her brain. "You try to remember things that were said, things you saw. Did I miss something?" she asks.

But try as she might, Ms. Brown cannot come up with any evidence that would reconcile the accusations against the couple in the Camden County, N.J., lockup with the close-knit, religious family she thought she knew. "There seems to be two pictures," she said. "There's the loving one that you see in the family photograph. Then there's this new one. They just don't go together."

In the past week, Ms. Brown has been one of dozens of people searching their consciences, and coming up with an ambiguous picture of parents who so painfully failed their children that 19-year-old Bruce Jackson weighed 45 pounds. According to the authorities, the boys were fed a meager diet that included pancake batter, and they ate wallboard and insulation to try to sate their hunger.

Yet even after days of reflection and ugly allegations from law officials, friends of the Jacksons and members of their church stand behind the parents as caring people doing their best with troubled children. Renee Jackson, 29, the oldest child of Raymond and Vanessa, said the boys had attended schools and were fed an appropriate diet.

And contrary to what the Camden Country prosecutor has led the public to believe, union representatives for the social workers say, at least one child in the house had a compulsive eating disorder, pica, that might have compelled him to eat nonfood items like wallboard. Officials of the State Division of Youth and Family Services, however, strenuously deny this last point.

But the picture that is emerging is more nuanced, eccentric and confusing than the caricature of negligent or uncaring parents leaving terribly abused children in their wake. Narrowly drawn laws and an overweighted bureaucracy allowed the Jacksons, for whatever reason, to raise horribly malnourished children for years with no oversight or outside help.

The family existed in a system in which state adoption law allowed the couple to receive \$30,000 in annual stipends for doing little more than writing a letter certifying that their adopted children were still in their home.

Similarly, although the Jacksons said the children were being schooled at home, New Jersey law demands no proof that home-schooled children are receiving an education — not even annual tests or evidence that they are reading books or doing schoolwork.

And, the tricky task of evaluating the Jacksons, through the tools that were allowable, fell to a 29-year-old woman in her first full year as a social worker. She came from an office that was suspended in 2002 for failing to do adequate adoption investigations, and she herself had nearly triple the number of cases that she should have had. Perhaps as a result, even the most basic questions were not asked.

"I am not making excuses," said Paul Alexander, assistant to the president of the union, Local 1034 of the Communications Workers of America, that is helping to advocate for the nine state child welfare workers terminated for their involvement with the Jackson case, "but this is a woman who was doing double duty. If she had had more time maybe she could have fleshed out these problems."

Much remains unclear about life in the three-story gold-colored house at 318 White Horse Pike that has been the Jacksons' home for seven years. But already it is becoming clear that the house with the perky plastic tulips in the flower bed did not easily give up its secrets to the glancing eye.

Hard against Route 130 on the western edge of Collingswood, the house is part of a small cluster of private homes in a section of this working-class town that is more commercial than residential.

### Hidden Behind the Blinds

Even on the sunniest, warmest days, a neighbor, Peter DiMattia, recalled, the Jacksons always seemed to have the blinds and drapes closed.

Inside, by all accounts, their home was busy and packed, with four bedrooms on the second floor and a boys' dormitory on the third floor. Besides Raymond and Vanessa, two adult biological children lived there, along with six adopted children and a foster child. Among them were Bruce, the eldest of the adopted children, who prompted the police inquiry after neighbors found him rooting through the garbage at 2:30 a.m. on Oct. 10; Keith, 14; his biological brother, Tyrone, 10; and 9-year-old Michael.

The Jacksons also had adopted two girls, Keziah, 12, and Jacee, 5, and had been granted custody of a 10-year-old foster child, Breanna, whom they had sought to adopt. None of the girls were mistreated, according to the Camden prosecutor.

The boys stood out because of their sickly appearance, but friends and fellow churchgoers saw this very weakness as proof that the Jacksons seemed to be living the biblical admonition to care for children no one else wanted. It was a perception the Jacksons boldly nurtured.

"We knew that the family was taking in unwanted children," said Kathy Warfel, who attended Come Alive New Testament Church in Medford, N.J., with the Jacksons. "The little ones, if anyone asked about the little ones, they were told that the children had some fetal alcohol and crack baby syndromes, and that's why they would never grow."

Fellow churchgoers say that the Jacksons also turned to other churchgoers to share their own troubles. Chris Cascarella, 30, says that he has known Mr. Jackson for 10 years and that he remembers Mr. Jackson breaking the silence of a group prayer during an overnight retreat by the church's men's ministry in the past year. "He wept out loud and prayed for the troubled kids he had taken into his home," Mr. Cascarella said.

The family was also in financial distress and was \$9,000 behind in rent, although the Jacksons were responsible for paying only \$261 of the \$1,074 monthly fee, because of federal assistance.

It was, according to most accounts, a constricted existence, but even now church members describe most of the children as vital and joyous and do not see parents who abused their children.

Tim Heim, a church member, remembers sitting with the Jacksons at the church's Christmas buffet last year.

"They sat with me, and every single one of those kids ate," he said. "If I had seen a kid take a plate and not eat, I would have noticed."

He added: "The parents just love those kids."

Lost in the Shuffle

But not all signs of trouble could be easily explained away.

A neighbor, Mr. DiMattia, said that last summer he saw the boys cutting the lawn with a pair of garden shears. He lent them his lawn mower.

"I used to say, 'Is everything all right, guys?' " Mr. DiMattia recalled. "And they would answer, 'Yeah, Mr. Pete.' Everything was fine."

Mr. DiMattia did not act to report the Jacksons, in part, he says because he thought the state was keeping an eye on the family — he had, after all, seen the social worker's car parked in the driveway.

But the social worker, as it turns out, was detailed from the Southern Adoption Resource Center, one of the more troubled of the Division of Youth and Family Services' many troubled offices.

In early 2002, the office failed the agency's own internal licensing procedure. Nevertheless, it was allowed to keep operating temporarily. Among the six violations the office was cited for, according to documents that have been made available to The New York Times by Children's Rights Inc., a nonprofit advocacy group that sued New Jersey over the quality of its foster care system, was failure to "document that all members of the adopted family's household were interviewed" and failure to "conduct monthly home visits during the minimum six-month advisory period."

Not only was the Southern Adoption Resource Center frequently cited by the Bureau of Licensing, but the unit the Jackson family's caseworker was assigned to was operating at a handicap, according to Mr. Alexander of the union. He said that the unit, which was supposed to have five social workers, had recently lost two. Their cases were temporarily divided among the remaining three. "She was supposed to have 15," he said. "She had 38 officially, and probably she really had more than 40."

Of course, even a heavy caseload would not have erased her responsibility to report anything amiss in the Jackson household, but her narrowly defined mandate under New Jersey law makes it unclear that anything she saw crossed this line.

The caseworker's basic task was to oversee Breanna, the foster child the Jacksons were trying to make their seventh adopted child. In this situation, according to Andy Williams, a spokesman for the Division of Youth and Family Services, she would visit the child and all other family members, but she would not have routinely reviewed medical records for any other children in the home. Under New Jersey law, everyone in the family would have received a medical examination when the Jacksons were first approved as a foster family more than a decade ago. But once approved, the family did not have to see doctors again.

The caseworker did note during a June visit that Bruce suffered from "depression and never fully developed physically and mentally." At some point, the caseworker, who has been subpoenaed in connection with the investigation, will have to explain why she did not act further at this point to at least get him treatment or to report the family for suspicion of

abuse. Officials from the division say, however, that she saw no reason to doubt the family's explanation that the child had an eating disorder.

Other caseworkers say that this is entirely believable and point out that she would not have had the boys' files to double-check whether this was true or not. The boys, after all, had been legally adopted and were therefore beyond the scrutiny of child welfare officials, as the couple's biological children were.

Under New Jersey law, the schools were not in a position to help either.

When the Jacksons first took Bruce in, for example, he was enrolled in special education classes. Soon after he was adopted in 1995, and legally theirs free of state supervision, the Jacksons began saying they were home-schooling him, though it remains unclear what kind of education, if any, he received at home. It was a pattern repeated with each boy but not with the girls.

As it turns out, New Jersey is one of 23 states requiring parents who wish to home-school to do no more than send letters of intent to their local school boards or do nothing at all. Beyond this letter, New Jersey does not require parents to file curriculum or to do follow-up testing to make sure their children are keeping pace with their peers as many states, including New York, do.

"If someone wants to home-school a child, they can just home-school them," said Richard Vespucci, a spokesman for the New Jersey Department of Education. "It is a matter between the family and the local school board." The same hands-off policies apply for children with learning disabilities and handicaps, even if parents have no training for dealing with students with special needs.

"In this case it is a shame," said Jess McDonald, co-director of Fostering Results, a nonprofit advocacy group for foster children, and former director of the Illinois Department of Children of Family Services. "Education is the one universal system that could have been a check on these kids."

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## **Newark Star Ledger Editorial Wednesday, October 29, 2003**

### **Why trust DYFS?**

It is a deceptively happy portrait of Raymond and Vanessa Jackson's family. But a close examination reveals something deeply disturbing.

In a photo taken just this month, the boys the couple adopted appear severely stunted. No one would guess their ages, from 9 to 19, or that the little one with the haunted look in the center right could possibly be 19 years old.

The four were suffering from malnutrition, essentially starving in full view of relatives, church members and state caseworkers who visited the Jackson home more than 30 times in the past two years.

Sometimes people fail to see or refuse to respond to a child's tragedy, even one that is happening right before their eyes. Some will not entertain the suspicion that people they think well of might be doing something horribly wrong.

However, whether parents are evil, dangerously ill-informed or merely cheerfully stupid about what children need, and whatever other people may do, caseworkers from the Division of Youth and Family Services must have the wisdom and the will to recognize children in trouble and rescue them. It is their job to see what others ignore or refuse to see, particularly when DYFS is the agency that filled the house with children.

The extent to which DYFS failed the Jackson children is enough to leave you breathless. That it failed in the midst of

the most extensive reform effort ever to hit the agency makes this case all the more frightening.

DYFS has been under a microscope since the death of Faheem Williams, whose corpse was found early this year in a Newark basement near two starving siblings. His was a family DYFS had written off without fully investigating accusations of abuse.

A reform team has been set atop the agency, new caseworkers have been hired and everyone on the job is supposed to have been schooled about a new accountability. And the Jackson case is the result?

This was not the failure of just one person. DYFS sent a parade of caseworkers and supervisors into the Jackson home time and again to check on a girl placed in foster care.

The girls in the family seem fine. The boys were failing to thrive by any definition of the word. They were home-schooled, but neighbors saw that the whole family went to church regularly. Yet it was not until police caught the 19-year-old rummaging in a neighbor's garbage for food -- and mistook him for a 10-year-old -- that anyone stepped in to help the children.

Nine DYFS workers have been fired because of this case. Good. DYFS is an agency staffed with too many people who are either flat-out incompetent, disinterested or too burned out to be effective. The ones who are must go. The ones who remain must wake up.

There was a lock on the Jacksons' refrigerator. Church members say the family's utilities were turned off for weeks. But no one from DYFS seems to have noticed, or cared, when visiting to assess the living conditions of that foster child.

Nor did they notice the boys. Other people might have swallowed the story that the kids had eating disorders. DYFS, which knew the boys started life medically fragile, was sending checks to subsidize all but one of the Jackson adoptions and providing Medicaid health coverage for the boys. It should have demanded to know what kind of treatment they were getting.

DYFS found out nothing, but the Camden County prosecutor did. He had the parents arrested.

Hours before the Jackson case became public, Ed Cotton, the new reform director of DYFS, was bragging about a study the agency had just completed. It was supposed to be an in-depth evaluation of the living conditions and the people caring for every one of more than 14,000 children in foster care and group homes. DYFS was congratulating itself for getting it all done in 120 days.

Those of us familiar with DYFS's sins and omissions wondered how the agency could have done such a thing -- and done it well -- in that time frame.

But Cotton urged the skeptics to have faith. This was the evidence of change, an assessment like nothing any other state had ever done, Cotton said. Sadly, it was an assessment that overlooked locks on the refrigerator door and four starving boys.

Now DYFS is reviewing 1,000 cases handled by the office that was supervising the Jackson family. And the state is bringing in outside experts to take a second look at that study Cotton was bragging about.

If DYFS cannot trust its own work, no one else should.

DYFS must explain why its claims of progress should be taken seriously. Why should anyone believe anything this agency has to say?

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## Conflicting portraits of couple emerge

### Questions remain in Collingswood starvation case

By JASON LAUGHLIN

Courier-Post Staff Sunday

November 2, 2003

#### COLLINGSWOOD

Loving parents overwhelmed by money problems? Or sadists who conned everyone?

The motives of Raymond and Vanessa Jackson remain a mystery even after a week of steady revelations about the life of the four adopted boys they are accused of starving.

The scene described by investigators during an Oct. 25 news conference was a horrific one: An emaciated boy digging through garbage and eating pieces of wall for sustenance. Young people so malnourished their growth was stunted.

Some child advocates called it the worst case of child abuse they'd ever seen.

The four boys, two of them teenagers, had a combined weight of 136 pounds. Bruce, 19, weighed 45 pounds. Keith, 14, weighed 40 pounds. Tyrone, 10, weighed 28 pounds. Michael, 9, weighed 23 pounds. All were diagnosed with severe malnutrition.

They had rotting teeth and lice. They hadn't visited a doctor in five years. They hadn't been fed properly for five years.

Investigators say hunger drove the children to eat pieces of wall and insulation and gnaw on window sills. Even more bizarre, the family's two adopted daughters, one foster daughter and four biological children still living at home seemed healthy and well-fed.

It's a scenario at odds with the one provided by the Jacksons' friends. The Jacksons happily shouldered burdens others shied from by adopting not one but six children, kids no one else wanted, their pastor, Harry Thomas, said. From interviews, official accounts and records of their business dealings, the following portrait of the family has emerged.

Religious devotion was one of the Jacksons' most prominent traits, friends and longtime acquaintances said. Raymond Jackson, 50, sang with a gospel group called Emblem of God, said family friend Josselyne Jackson. He sang in church and at nursing homes, and volunteered to feed the homeless in Philadelphia. Vanessa, 48, was quiet and unassuming.

Every Sunday the family of 14 occupied one of the front rows at Come Alive! New Testament Church in Medford. Their 12 children - five biological, six adopted and one 10-year-old foster daughter - always dressed well for services.

There was little doubt within the church the Jacksons were a happy family.

What impressed church members was how the Jacksons felt compelled to adopt children, even as they struggled to raise a now-adult biological daughter with epilepsy and other health problems.

"They had a real heart for these kids and wanted to bless their little lives," their pastor said.

Church acquaintances said the Jackson children, while unusually small, never looked sickly or underfed, except for the diminutive Bruce. The youth with the dark, hollow eyes never looked well, and the other children told Thomas stories about Bruce eating pieces of the walls and even kitty litter. The Jacksons told the pastor the 4-foot-tall Bruce had an eating disorder, and that they had to lock the kitchen to keep Bruce from gorging himself to the point of vomiting.

Documents from the Department of Youth and Family Services say Bruce had digestive problems, described by

Camden County Prosecutor Vincent P. Sarubbi as acid reflux. The DYFS reports also report that Bruce suffered from depression.

The Jacksons had convinced the four children they had eating disorders, according to Sarubbi. Doctors found no evidence of any eating disorder or disease or genetic defects that could explain the children's small, frail bodies, authorities said.

Neighbors seemed to notice some of the Jackson children looked unhealthy. Next-door neighbor Peter DiMattia even wondered if the children were suffering from AIDS.

They never seemed to have time to play.

According to Thomas, though, quite the opposite was true. He described the children as joyful, and said they were the first to sign up for church talent contests. They usually performed a hip-hop song and danced at these events, he said.

The children were home-schooled, though investigators have said there was no sign of educational books in the home.

The family seemed to constantly be adopting children, and DYFS dealt with the Jacksons for years. The Jacksons took in Bruce in 1991 and adopted him five years later. They steadily increased the size of their family through adoption five more times in subsequent years.

DYFS social workers made 38 visits to the home in four years, authorities said.

During one of those visits, while power was off in the home, a caseworker knelt with the family and prayed for relief, authorities said. But she never reported any sign of abuse and would have soon approved the 10-year-old foster girl for adoption. The caseworker is under investigation by the prosecutor's office and could face charges of official misconduct.

The Jacksons lost electric power this year after not paying bills, but records show the family's financial situation had been deteriorating for years.

Raymond Jackson was a financial planner contracted by Primerica, but business had plummeted. The family defaulted on payments for time shares they owned in Williamsburg, Va., and the Poconos.

In 1998 a debt-collection agency, New Century Financial Services in Cedar Knoll, filed a lawsuit against the family in Camden County Superior Court's small claims court. That case concluded in January of this year when a judge ordered the Jacksons to pay \$4,667.28 to the collection agency. New Century's confidentiality policy prohibited them from disclosing the origin of the debt.

Collingswood charities brought boxes of food to the house during holidays starting five years ago, said Joel Shannon of the Collingswood Inter Church Food Pantry.

This year, things got worse for the family. Raymond Jackson earned almost no income. Vanessa Jackson didn't work at all. They couldn't pay bills and their home in the 300 block of the White Horse Pike lost electricity from June 18 to Oct. 6, and gas service from Sept. 8 to Oct. 6. The family also owed \$9,000 in back rent on their home, where they received government housing subsidies.

"I told them, 'You're behind in your rent. I know you must be getting money for all these kids,' " said landlord John Andrews. "And Vanessa said, 'It's not much money at all.' Shame on me, I believed her."

Andrews called the pastor at Come Alive! about the rent he was owed by the Jacksons. The church paid \$1,900 to PSE&G to get power restored at the Jackson home, and reached an agreement Oct. 6 with Andrews to pay him \$500 a month for the rent, the pastor said.

A few days later, on Oct. 10, Michael Byrd heard Bruce Jackson in the trash behind his home on the White Horse Pike.

At first he thought the clamor was made by an animal. As he made out a human form in the dark, he thought it might have been a homeless man. He was shocked to find what appeared to be a child.

"When he talked, you could see every bone in his face moving," Byrd remembered.

Jackson gave police his name, but couldn't form coherent sentences. He couldn't even tell them where he lived.

When Raymond Jackson reported his son missing later that day, Collingswood police searched the home and found a refrigerator filled with little more than condiments, butter and empty ice trays.

While the Jacksons visited their 19-year-old son at the hospital that day, state authorities removed all the adopted children from the Jackson home.

Raymond Jackson was so burdened with depression at the loss of his family he checked himself into a mental health facility for a day.

On Oct. 24, the Jacksons were arrested as they visited the Collingswood police department looking for a police report and they remain in the Camden County Jail on \$100,000 bail each. They are facing child endangerment charges and four counts of aggravated assault each.

Meanwhile, all the children but Bruce, who is still being treated for heart problems related to malnutrition, have been placed in foster homes. The four boys have all put on weight.

If the Jacksons are guilty, Thomas said, he believes they must have somehow become overwhelmed.

"If they're lost sheep in some way, we're going to find them," he said.

The pastor met with the Jacksons in jail. Through him, they reiterated their claim that they have been wrongly accused and the children suffered from eating disorders.

Others who knew the Jacksons to be loving, generous parents don't know what to think.

"Maybe these people were not the good people we thought they were, but maybe they were," Shannon said. "How could they fool so many people for so long?"

Reach Jason Laughlin at (856) 486-2476 or [jlaughlin@courierpostonline.com](mailto:jlaughlin@courierpostonline.com)

## **Ex-neighbor says he called cops after boy begged food**

### **Recalls hungry Bruce Jackson 8 years ago in Pennsauken**

BY ANA M. ALAYA, JUDITH LUCAS AND JOHN P. MARTIN      Star-Ledger Staff      Nov. 02, 2003

A former neighbor of Vanessa and Raymond Jackson, the Collingswood couple accused of starving their adopted sons, says he called the police eight years ago after one of the boys knocked on his door and begged for food.

The incident, confirmed by the Jacksons' oldest daughter, mirrored the episode that led to the couple's arrest last week and sparked the latest firestorm for New Jersey's child welfare system. The child, now a 19-year-old man, was the same one prosecutors say weighed 45 pounds when he was found last month scrounging for food in a garbage can in the middle of the night.

The neighbor, who asked not to be identified, lives in the Pennsauken neighborhood where the Jacksons lived with their biological and foster children until the mid-1990s. The neighbor said Bruce Jackson was small, thin and looked to be 6 or 7 years old when the boy came to his door one day in 1995, four years after the Jacksons became his foster parents

and a year before they adopted him.

"The boy was hungry, so my wife gave him some sandwiches and a goodie bag," the man said. "He said his parents were on vacation, and I called the police."

The Jacksons each referred to a similar incident in statements made public Friday, but they made no mention of Bruce's claims that he was hungry.

"When we lived in Pennsauken, Bruce ran away from the house," Raymond Jackson said, according to his minister. "When he was found, he told the police that his family had left him and went to Florida. When the police checked the house, our family was there."

Other residents of the neighborhood recalled the episode, as did Renee Jackson, 29, one of the Jacksons' biological children. She said it bolsters the family's claim that Bruce Jackson had a severe eating disorder that left him sickly.

"Bruce was always gorging himself. Some mornings we would come down, and all the food in the refrigerator was gone. Bruce would be in a corner eating," Jackson said from Nashville, Tenn., where she works as a seamstress and aspiring singer. "He would eat anything that was edible. A whole container of peanut butter, a whole loaf of bread. He would gorge himself. I still don't understand it. We think it's all psychological."

Capt. Richard Minardi, a spokesman for Camden County Prosecutor Vincent Sarubbi, said investigators were unaware of the incident when asked about it yesterday. Pennsauken police could not say yesterday if they had any record of the incident.

The disclosure came as the family and supporters stepped up their campaign to defend the Jacksons, who remain jailed on child endangerment and assault charges. Led by their church pastor, a media-savvy Christian music promoter, they have launched a legal defense fund and a "Save the Jacksons" Web site, where yesterday they were selling photos of the children.

The photos show the boys eating with their family at a restaurant and posing playfully. None of the photos is dated.

The couple's pastor, Harry Thomas of the Come Alive New Testament Church in Medford, said he hoped the Web site would counter what he said were unfair and inaccurate statements about the family by prosecutors.

"People haven't seen the kids we know, the pictures we know, the Ray and Vanessa we know," Thomas said.

Minardi said several investigators called the pastor to confirm information on the site.

"There's information that could be helpful to the investigation," Minardi said, but he declined to elaborate.

Authorities say the children, ages 9 to 19, weighed less than 50 pounds and had rotted teeth and head lice when they were removed from the family three weeks ago. They say the children were sometimes hungry enough to chew on the walls and windowsills, and that the parents have admitted the boys have not been to a dentist or doctor in several years.

Investigators last week removed bags of evidence and a window ledge during a search of the family's house.

The couple has claimed the boys were underdeveloped because they suffered from eating disorders and were born to alcoholics and crack addicts.

Three girls, two adopted and one a foster child, also lived in the house. None showed any signs of neglect. The Jacksons received more than \$30,000 in state and federal subsidies to care for their adopted and foster children last year, but they were not required to account for the money.

Nine workers from the state's Division of Youth and Family Services, the agency that approved the adoptions, have been told they will be fired for their roles in the case. The state's child advocate is also investigating, and a

congressional subcommittee will hold a hearing on the case this week.

Renee Jackson said she lived with her parents at their three-story Collingswood home until 2001. She said her parents "did nothing wrong," and she said all the children ate regularly and were treated equally. She said the family loved to watch the Food Network, and to munch popcorn while watching movies with Raymond Jackson.

"Sometimes we would have a sundae party, and we would sit around and eat ice cream," Renee Jackson said.

She also said the children had regular medical checkups, and that Bruce was taken to a specialist for gastrointestinal problems. She could not recall the names of the doctors who treated the children.

Thomas, the pastor, said he hopes to raise enough money for the couple to get private attorneys and bail next week. He said one donor has given \$3,000 to the defense fund. He said he gave \$100 himself but plans to contribute more. Thomas was paid \$200,000 two years ago as president of his concert production company, Come Alive Ministries Inc.

In recent days, the pastor has emerged as the key spokesman and defender of the Jacksons. He visited the couple for an hour in jail Friday morning and later said that witnesses had come forward who could vindicate the couple, but he did not identify them.

He continued his defense of the family yesterday, calling Bruce a liar.

"When you examine several incidents that concerned him you realize he's a liar," Thomas said. "And the kids always talked about Bruce lying."

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5:75) 03-NOV-2003 08:11 [John Searight \(searighj\)](#)

### **Church delivers accused couple from jail**

BY JUDITH LUCAS AND MARY JO PATTERSON

Star-Ledger Staff                      November 03, 2003

Hours after their pastor bailed them out of jail, Vanessa and Raymond Jackson returned to their church yesterday and were greeted with a roaring ovation.

"The truth will be revealed because God is for me," Raymond Jackson told the congregation after the cheers died down. Then, looking toward the ceiling, his arms outstretched, he began to sing.

"Jesus you are the center of my contentment. Jesus you are the center of my joy," he sang in a rich baritone, balling his hand into a fist and squeezing his eyes shut. The sanctuary of the Come Alive New Testament Church in Medford resounded with claps and whistles from the nearly 300 people in attendance.

Yesterday's homecoming was the latest chapter in a swiftly moving drama that has riveted public attention for the past week. The warm reception the Jacksons received came approximately nine hours after authorities released the couple from the Camden County Jail, where they had spent eight days for allegedly starving their four adopted sons.

The Jacksons are charged with withholding food from the boys, whom they had adopted as foster children under the supervision of the state Division of Youth and Family Services. The eldest, Bruce, 19, was 4 feet tall and weighed 45 pounds when police found him. Authorities said Bruce was driven to eat wallboard to satisfy his hunger.

Investigators also said the family had neglected to take the boys to doctors or dentists, or send them to school, for five years. The Jacksons told authorities that they were home-schooling the children.

After the criminal charges were filed, a swift counterattack came from the couple's supporters, led by Pastor Harry

Thomas. They have established a Web site, [savethejacksons.org](http://savethejacksons.org), in which the minister says the real abuse is being perpetrated by police, prosecutors and DYFS. Thomas also has said that Bruce is lying.

The Jacksons arrived at the church parking lot around 10 a.m. yesterday in a gray Land Rover, with Thomas behind the wheel. Four of the couple's five adult biological children burst through the church's double doors and ran outside, shrieking and wrapping their arms around their parents.

Later, Thomas vowed to fight for the return of the four boys and three other children who lived with the Jacksons.

"There are seven kids that need to be reunited with their family, and we got to bring them home. Bring them home," he told the congregation. "We believe that is going to happen. I feel like they have been kidnapped."

Thomas put up \$5,000 cash and his house in Medford to secure the couple's release. An unidentified friend of the family also put up \$5,000, and Thomas agreed to pay an additional \$10,000 over the next six months.

Reporters and photographers were permitted inside the church yesterday, but the Jacksons did not speak to the media.

Tim Landis, a business associate of the pastor, said he had "cut a special, exclusive with Dan Rather and '60 Minutes II'" on the Jacksons' behalf. The couple will tell their story on the Nov. 12 broadcast, he said.

"They're hoping the program will show (their) side of the story," Landis said. "I feel that a guilty person would not want Dan Rather to interview him. They will expose this as the worst case of prosecutorial injustice ever."

Landis said the couple, unemployed and in debt, is not being paid to appear.

During yesterday's church service, both Vanessa and Raymond Jackson addressed members of the congregation, turning to face them from their customary seats in the front row.

"I would just like to thank everybody for their prayers," Vanessa Jackson said.

Then her husband, teary-eyed, thanked the congregation. Thoughts of them kept his spirits up while he was in jail, he said.

"I would see your faces when I prayed, and it would encourage me to keep holding on," he said. "People did not want to like us. There was a lot of hatred out there. The Lord spoke to us. He said to forgive, and I forgive from my heart."

Thomas also toned down his criticism of authorities.

"We are not bitter against the prosecutor, against DYFS, against anyone," he said as the 90-minute service drew to a close. "We just want the truth to shine through, and we are going to fight hard for the truth."

Later, Thomas clarified his thoughts.

"Bruce has eaten wallboard. There is no doubt about that," he said. "He did that before they adopted him. They thought they could make a difference. I believe in them. I believe they are innocent."

Thomas said his church is providing the Jackson family with food, money and shelter. They are not returning to their rented home in Collingswood because they do not believe it is safe there.

DYFS removed the four boys from the Jacksons' home on Oct. 10 after a neighbor found Bruce going through a neighbor's trash can in search of food.

Two weeks later, Vanessa and Raymond Jackson were arrested on charges of child abuse. Camden County Prosecutor Vincent P. Sarubbi called the boys' treatment "the most horrible case we have ever encountered in our child abuse unit."

"The children were extremely emaciated," he said. "You could see their ribs. They had distended bellies. Their shoulder blades were sticking out from their bodies. They actually looked like children you'd see from third-world countries on television commercials. What happened was an absolute disgrace."

At first, Thomas called the charges incredible, but wavered a few days later after learning that the boys were gaining weight while in the care of others.

Then, after speaking to the Jacksons in jail, Thomas leaped to their defense and denounced the prosecutor and child-welfare officials.

The Web site the church has established was set up to collect funds for the family. As of last night, though, the chatroom had attracted opponents as well as supporters.

"I have to say these people ought to be hung out to dry," one person wrote. "I hope they rot in hell along with the pastor that is defending criminals and abusive parents."

But, another wrote, "I suspect that the Jacksons, if they are guilty of anything, it is of opening their home to more than they could handle. I feel terribly sorry for the entire family. I am sure the Jackson family unit was the only truly unconditional love many of these children have ever known."

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## **Couple in starvation case freed, embraced**

### **The S. Jersey parents, out on bail, reunited with four adult children and church friends. A TV deal was announced.**

By Kristen A. Graham

Inquirer Staff Writer

Nov. 03, 2003

MEDFORD - The Collingswood couple accused of starving their four adopted sons were released from jail early yesterday when friends came up with \$10,000 and their pastor offered his house to help make their bail.

Even as Raymond and Vanessa Jackson were reunited with four of their biological adult children at church while congregants clapped and wept, a spokesman for Come Alive! New Testament Church in Medford said the family had agreed to an exclusive deal with CBS News to try to convince the country of the family's innocence.

Before their 1 a.m. release from the Camden County Correctional Facility, Raymond and Vanessa Jackson had been in custody for nine days. Authorities have said the Jacksons starved their four sons, who range in age from 9 to 19 and weighed 136 pounds together, to the point that they ate insulation and gnawed on furniture.

But family members have strongly denied any wrongdoing. They and friends at the church, where the Jacksons have worshiped for 15 years, said that before their placement with the family, the brothers had serious medical conditions that kept them small and sickly.

Just before 10:30 yesterday morning, the church's glass doors swung open, and the four adult children bolted toward parents they had not seen since Oct. 24.

"Praise God!" someone called from the sobbing, keening crush of Jacksons being watched by dozens of church members.

Raymond, 19, Vernee, 20, Jere, 21, and LaRae, 22, knew their parents were out of jail, but because of the hour of their release, the four had not seen them until church.

The Jacksons' two adopted girls and three of the adopted boys remain in foster homes; Bruce, the oldest adopted son, is

still in Our Lady of Lourdes Medical Center in Camden. A female foster child in the Jackson household is in another foster home..

Come Alive's 10:30 a.m. service began late because of the reunion, and the mood inside the modern sanctuary, on Old Marlton Road, was joyous. After Communion, the Rev. Harry Thomas invited the couple forward to speak.

"I would just like to thank everyone for their prayers," Vanessa Jackson said quietly, Jere clinging to her arm.

Raymond Jackson was next, speaking in a calm, low voice.

"I want you to know your love and your prayers definitely kept us when we were in the jail," he said. "I saw your faces when I'd pray. It would keep me. I'd keep holding on."

Alluding to conditions in jail, he said that "there were people that didn't really want to like us. There was a lot of hatred there."

And while Tim Landis, a spokesman for the church and the family, had only harsh words and derision for authorities, particularly the Camden County Prosecutor's Office, Raymond Jackson was calm.

"The Lord told me to forgive. I forgive from my heart. As Jesus said from the cross: 'Father, forgive them, for they know not what they do,' " he said.

Thomas approached him then, urging him to do what he had done on so many Sundays - sing a solo. Raymond Jackson did so, in a rich, lovely voice.

"Jesus, you're the center... ," he sang. "You're the heart of my contentment and hope for all I do."

After the Jacksons spoke, Thomas took the microphone.

"There are seven kids that need to be reunited with their family, and you've got to keep praying," he said. "We believe they're going to come home. I feel like they've been kidnapped."

Standing outside the sanctuary, directing CBS cameras and producers, Landis said the couple did not yet have an attorney.

"I'd like to raise a couple hundred thousand if I could to raise a proper defense fund," said Landis, who confirmed that the Jacksons would stay with church friends but declined to give more details.

Thomas put a lien on his house to make the Jacksons' bail. He also contributed \$5,000 from his personal funds, as did an anonymous friend.

The Jacksons' bail had been \$100,000 each, but they needed only \$10,000 each to be released. Landis said the church had six months to pay the additional \$10,000 it owed to a bail bondsman.

Until an hourlong special on their case is aired Nov. 12, the couple and their adult children will give full access to 60 Minutes and no other media, Landis said. Neither the family nor the church will be paid, he said.

Landis said he had decided Friday night to deal exclusively with CBS, whose local affiliate is KYW-TV (Channel 3), because it was a major network.

"They promised us they are going to put the time and effort into it that it deserves," he said of 60 Minutes producers, who could not be reached for comment last night. "This is our trial. Forget the trial in the courts."

Raymond and Vanessa Jackson are in their current straits because of the behavior of 19-year-old Bruce, Landis said.

The young man, who appears about 10 and weighed 45 pounds when found rooting through a neighbor's trash can in the



middle of the night, is troubled, he said.

"Bruce says he was not allowed to go to church. We have records that say he was here. We know that he doesn't always tell the truth, and that there are some severe problems there," Landis said, adding that he did not know specifically what disorders or conditions Bruce Jackson had.

After the service, friends streamed over to the Jacksons' spot in the corner.

Fresh from a warm embrace with Vanessa, a beaming Harriet Ricchini watched the scene. She has known the family for 15 years, she said; Raymond sang at her daughter's wedding, and she considers him a friend.

She does not believe the couple starved their sons, she said.

"My grandchildren interact with their children," she said. "How could I be deceived for so long? I don't believe that."

Thomas agreed, saying he knew the church had to take up the Jacksons' cause the moment he first visited them in jail.

Defending the Jacksons is Come Alive's best chance yet to do God's work, he said, recalling a moment in the service when a congregant approached him to say just that.

"He said: 'This is our highest point in our 20 years of existence,' " Thomas said. "I broke down. I felt the very same thing, but I didn't know how to say it."

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**5:76) 04-NOV-2003 23:17 [John Searight \(searighj\)](#)**

## **MDs doubt Jacksons' explanation on kids**

### **Say disorders not sole cause in starvation**

BY CAROL ANN CAMPBELL    Star-Ledger Staff    November 04, 2003

Just three weeks ago, authorities found 19-year-old Bruce Jackson rifling through a garbage can in an apparent search for food. He weighed 45 pounds.

Today, according to the state's child advocate, the teen weighs 59 pounds and has gained nearly one-third of his body weight in less than a month.

Just why Bruce Jackson and his three brothers, all adopted by a Collingswood couple, were so malnourished is at the heart of a growing controversy that pits the family and its church against prosecutors and state officials.

Prosecutors said the children's bellies were distended and their ribs appeared as if they would poke through their skin. The parents, Raymond and Vanessa Jackson, have been charged with abuse and neglect.

Supporters of the couple say the children were not abused or neglected but were suffering from pre-existing health problems: fetal alcohol syndrome, gastric reflux and anorexia. They say fetal alcohol syndrome can devastate a child's growth and they cite a New Jersey addiction specialist to support their claims.

But several pediatricians and specialists in childhood intestinal disorders yesterday expressed skepticism that these conditions could have caused the children to become so emaciated. Each of the four boys, between the ages of 9 and 19, weighed less than 50 pounds. They were taken from their home Oct. 10.

The boys may indeed have had underlying medical conditions that affect weight and growth, several doctors said, but those conditions would not fully explain their severe malnourishment.

"We have children with fetal alcohol syndrome and they do grow," said Indra Taneja, an assistant professor of pediatrics at the UMDNJ -- New Jersey Medical School. "We don't have 19-year-olds who weigh 45 pounds." She said gastric reflux, which causes the contents of the stomach to return to the esophagus, could affect growth, especially in very young infants. "But we see many kids with reflux, and again, they grow quite well," she said.

At the couple's church, Come Alive New Testament Church in Medford, the view was different. The couple were cheered at a gathering Sunday.

Pastor Harry Thomas said yesterday that Bruce Jackson has physical and psychological problems. Thomas said the family has video of the teenager vomiting. A Web site created by the church accused Bruce Jackson of lying about never going to restaurants or not being allowed to watch TV. Church members said Bruce vomits because of psychological problems complicated by reflux.

"He eats and throws up. He's done these things ever since he was little," Thomas said. The Web site claims that acid reflux was rotting Bruce's teeth.

Pediatricians who have seen abused children as well as those affected by their mother's drinking and drug use said such cases can be complex, and added that commenting without examining the children can be risky.

Fetal alcohol syndrome, they said, can affect growth and cause mental retardation. Nonetheless, they said the claims of the family -- that gastric reflux, fetal alcohol syndrome and anorexia caused their extreme malnourishment -- were difficult to believe. Severe reflux can cause inflammation and scarring of the esophagus, and children may choose not to eat, causing anorexia.

"But then they would not go out in a trash can looking for food. If you have a problem eating food in the house, why go outside?" asked Soroush Azam, a pediatric gastroenterologist at Jersey Shore University Medical Center in Neptune. She said the fact that the children gained weight in a new environment is significant.

State Child Advocate Kevin Ryan, who is investigating the case, said Bruce Jackson has gained 14 pounds since Oct. 10. The exact weights of the three other children were not available yesterday, although they too have gained weight.

Could bulimia or anorexia cause such low weights in children?

"Even children with anorexia and bulimia don't get down that low. That child (Bruce) was the weight of a 5-year-old," said Paul Sirna, a pediatrician in Verona.

Doctors said some rare metabolic disorders, tumors or malabsorption problems could cause a child to lose weight, but it unlikely that such rare disorders would afflict all four children. Just two were biologically related.

"If they had any of these medical disorders, they should have been in treatment," Sirna said.

One addiction specialist who is supporting the family is Lucy Mayers, a perinatal addiction specialist and nurse. She worked as a perinatal risk reduction specialist for the Central New Jersey Maternal Child Health Consortia, a program that received state funds to educate doctors about fetal alcohol syndrome.

"If a child is severely affected, their brains are small and they can definitely have all the problems these children are manifesting," she said. "I have seen a 3-year-old who is the size of a 2-week-old."

She has not met the Jackson children, but said the photographs of them published in newspapers show they have the facial characteristics of the syndrome. She said her husband is the pastor of the Elizabeth Community Church and that "I just don't think things are so cut and dried."

She said the Division of Youth and Family Services should have arranged for the children to get speech, physical and nutritional therapy. If that was not done, it's not the parents' fault, she said.

"Why wasn't all that set up? Ordinary parents do not generally know these things," she said.

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**5:77) 05-NOV-2003 07:50 [John Searight \(searighj\)](#)**

## **Dentist denies treating Jackson son**

### **Family cited medical professionals who saw malnourished kids**

BY JUDITH LUCAS AND MARY JO PATTERSON November 05, 2003 Star-Ledger Staff

A Pennsauken dentist who allegedly treated Bruce Jackson, the emaciated 19-year-old at the center of New Jersey's latest child abuse scandal, yesterday denied ever caring for the youth.

"I never saw him. Definitely not. I don't know why they are naming me," Anthony Ermocida said after examining office records going back to 1994. "Something like that I would have remembered."

However, Ermocida said his office did treat Bruce's mother, Vanessa Jackson, on May 2, 1995. "They probably remember the name and just mentioned me," the dentist said.

The Camden County Prosecutor's Office has accused Vanessa Jackson and her husband, Raymond, of starving and neglecting Bruce and three other adopted sons, as well as withholding medical care.

When police removed them from their Collingswood home Oct. 10 the youngest boy, age 9, weighed 23 pounds; Bruce weighed 45 pounds. Their parents, foster parents for the New Jersey Division of Youth and Family Services, were jailed two weeks later.

Bruce Jackson, hospitalized since police found him scavenging for food in a neighbor's garbage can, is gaining weight rapidly. As of yesterday, he weighed 63 pounds, according to Kevin Ryan, the state child advocate.

Doctors consulting on his case have told state child welfare officials that with proper nutrition and constant monitoring, the 19-year-old -- only 4 feet tall -- could put on a fair amount of height. Because of his emaciation, he has the appearance of a child half his age.

Three weeks after he and his brothers were taken from their parents, state officials are still combing through records to construct a picture of their day-to-day lives.

One official familiar with the case said the inquiry shows that although the family had access to health care through the Medicaid program, Medicaid paid for only one routine medical visit -- for one of the boys -- about four years ago.

Yet multiple medical visits were logged for a 10-year-old foster daughter whom the Jacksons were planning to adopt, the source said, adding mystery to one of the most puzzling aspects of the case. That girl and two other adopted daughters were found to be well-nourished.

Last Friday the Jacksons and their minister, the Rev. Harry Thomas of Medford, vigorously rebutted the allegations against the couple on a Web site set up by their church, Come Alive New Testament Church, saying Bruce had a chronic eating disorder and psychological problems. Soon thereafter, Thomas bailed the couple out of jail.

In "direct quotes" gathered by the pastor and posted on the Web site, Mrs. Jackson ticked off the names of various medical specialists who treated her sons, including a "dentist named Dr. Amocida at the Browning Road Medical." Her husband also said "numerous doctors" treated the boys.

As of yesterday, however, the Jacksons' church said it was pulling back on its public relations campaign.

The Web site, savethejacksons-.org, had been partially dismantled. Thomas declared he would no longer grant media

interviews. And the church, through a spokesman, announced that it had retained the services of a lawyer who will represent the Jacksons free of charge.

"From now on, the church position is, we're going to be in the background. People hate us enough," said the spokesman, Tim Landis, a business partner of the minister and president of a Lancaster, Pa., Christian radio station. "It's in the hands of the attorneys now."

Earlier this week, Landis negotiated a deal between the Jacksons and CBS for them to tell their story on a news show Nov. 14.

One of the elements deleted from the church's Web site was a chatroom. Set up to register words of encouragement for the Jacksons, it also had become a lightning rod for hate, Landis said. People had posted ugly messages about "Pastor Harry," he said.

Also missing were the "direct quotes" Thomas collected from Vanessa and Ray Jackson during a visit to the Camden County Jail last Friday.

Family photos remain on the site, including one of Bruce seated at a restaurant table. So does a fund-raising page. "100% of the funds will go directly towards meeting the legal, medical and living expenses of this wonderful family," it states.

In the deleted portion in which Vanessa Jackson mentioned the dentist in Pennsauken, she also said a "neuro-specialist" in Burlington named "Dr. Vance" treated her sons.

No physician by that name could be located.

Mrs. Jackson also said her sons were treated by "Dr. Doria," a psychologist in Westmont.

The Star-Ledger located a psychiatrist named Marie Eleanora Doria who formerly worked in Westmont, a section of Haddon Township. She said did not remember the family.

"I just read it in the newspaper," Doria said. "I don't have any other familiarity with it but that. I used to be in Westmont. It's not me."

Doria said it is possible that she could have evaluated the children years ago. "But frankly, right off the top, I haven't been doing DYFS work in a number of years. It's possible I evaluated the family eight years ago, but I don't know, certainly nothing that would be recent."

Bruce Jackson and his brothers are undergoing educational testing this week. The Jacksons said they home-schooled their oldest sons after schools in Pennsauken "kicked them out because of their problems."

"At Central School he was stealing lunches and eating them and then throwing up in the kid's lunch bag," Vanessa Jackson said, according to the statements originally posted on the Save the Jacksons Web site. "At the Roosevelt School he was there one day -- and then asked to leave."

Calls yesterday to Walter Quint, the Pennsauken superintendent, were not returned.

Staff writers Susan K. Livio and Russell Ben-Ali contributed to this report.

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5:78) 06-NOV-2003 13:26 [John Searight \(searighj\)](#)

**Hearing on Starved Children Draws Advocates' Concern**

By RICHARD LEZIN JONES

NY Times

November 6, 2003

WASHINGTON, Nov. 5 — New Jersey's embattled child welfare agency will face a new level of scrutiny on Thursday as federal lawmakers hold a Congressional hearing on the case of four boys who the authorities said were starved by their adoptive parents.

But even as they welcomed federal attention to children's issues, some child welfare advocacy groups wondered what the hearing might mean for the future of federal programs, like the adoption subsidies that the parents accused in the starvation case were receiving.

The hearing, to be held by the Human Resources Subcommittee of the House Ways and Means Committee, was called by Representative Wally Herger, a Republican from California. The subcommittee, led by Mr. Herger, plays a large role in overseeing the roughly \$7 billion in federal money given to child welfare agencies across the country. For the 2002 fiscal year, New Jersey received about \$100 million from one such federal program, known by its place in the Social Security Act as Title IV-E. About a quarter of that money was meant solely for adoption assistance costs.

The state twice failed federal audits that it was required to pass to receive the funds, and New Jersey was penalized \$6.2 million for lapses like failing to adequately document attempts to move children out of foster care and allowing children to remain in foster care longer than six months without receiving required approvals from state judges.

Raymond and Vanessa Jackson, the parents of the four adopted children who the Camden County authorities said were starved, received about \$28,000 annually from the state to help care for the children.

When he announced that he was convening the hearing, Mr. Herger said: "It is hard to imagine how adults could intentionally starve children. It is also hard to accept the grim reality that we as taxpayers subsidized their terrible neglect to the tune of tens of thousands of dollars."

Such sentiments have dismayed some advocates who question whether lawmakers may consider ending programs like adoption subsidies.

"My concern is what this may mean for the adoption subsidy program," said Cecilia Zalkind, executive director of the Association for Children of New Jersey. "While the case in Camden is a horrific situation, we can't lose sight of how successful this program has been."

Mr. Herger said that he was mindful of some of the positive benefits of such programs, and that the lawmakers should learn as much as they could about the starvation case. The congressman said it was important to determine whether it was caused by any systemic flaws that can be found — not just in New Jersey, but also elsewhere around the nation — before even beginning a discussion about possible legislation.

"We don't want to throw the baby out with the bath water, so we're going to take a good look at this," he said.

Among those witnesses expected to appear before the subcommittee are Colleen Maguire, the deputy human services commissioner who has been charged with overhauling the New Jersey Division of Youth and Family Services; Kevin Ryan, the recently appointed state child advocate, whose office is still investigating the agency's role in the Jackson case; and the Camden County prosecutor, Vincent P. Sarubbi.

Representative Bill Pascrell Jr., a New Jersey Democrat, said that he would attend the hearing on Thursday. In an interview, he recalled how as a state assemblyman he unsuccessfully sought to introduce measures that would lead to changes at the agency in the mid-1990's.

"We talk a good game about protecting children," Mr. Pascrell said, "and then we don't do it."

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Star-Ledger

November 06, 2003

## **All eyes missed the glaring clues in Jackson case**

### **Starving boys spur questions from the state and Congress**

BY SUSAN K. LIVIO, JUDITH LUCAS AND JOHN P. MARTIN

Health inspectors discovered earlier this year there was no electricity in the house that Vanessa and Raymond Jackson shared with their adopted children, but failed to alert any agencies or inquire about the children's conditions.

The Collingswood inspectors visited the family's house three times between July and September, weeks before the Jacksons were accused of starving their four adopted sons. They cited the Jacksons for peeling paint and high grass, but only scrawled a note about the lack of electricity on the back of one report.

The lack of power wasn't a housing violation -- "wasn't part of their duties," Mayor James Maley said yesterday.

Maley, acknowledging that such an excuse rings hollow, pledged yesterday to train all municipal workers who visit homes to recognize signs of neglect or abuse among children.

"We are dealing with issues much larger than the family," he said.

The revelation comes as lawmakers in Washington open a hearing this morning into the Jackson case. The human resources subcommittee of the House Ways and Means Committee is expected to question a half-dozen people who might help them answer lingering questions: What were the signs, who missed them and why?

"The members want to know what is going on, why the system broke down and what lessons it teaches us," said a committee aide.

The roster of witnesses reflects key figures in a case that has further shaken the state's troubled child welfare system and drawn national attention for almost three weeks .

State and local officials have been investigating the Jackson family since last month when Bruce, the 19-year-old adopted boy, was found rummaging for food in a neighbor's garbage. He weighed 45 pounds. He and his younger brothers told police that they sometimes were so hungry that they gnawed on windowsills and wallboard.

Testifying will be Human Services Commissioner Colleen Maguire, who has openly admitted failures by her department; state Child Advocate Kevin Ryan, the governor's hand-picked watchdog, and Camden County Prosecutor Vincent Sarubbi, who decided to charge the Jacksons with endangerment and assault.

A local union president will speak on behalf of the nine state child welfare workers who were suspended over the case, while the Rev. Harry Thomas is expected to continue his defense of the Jacksons and his vocal criticism of those who charged them.

From its first foster child to its last adoption, the Collingswood family was part of a system that brought it into regular contact with government agencies, schools, caseworkers, attorneys and even neighbors and town workers. A Star-Ledger review identified at least 13 levels of official or agency oversight; more may emerge.

The easiest target for critics has been the Division of Youth and Family Services, the state agency responsible for monitoring foster children such as the Jacksons' adopted children, including the four boys who each weighed less than 50 pounds when they were found three weeks ago.

Each had a caseworker and each caseworker a supervisor. Dozens of visits were logged over the past two years, but the reports showed no problems. The agency also dispatched a foster home evaluator and a licensing official to examine the home and family before placing children there. The same house was scrutinized during a separate court-ordered safety assessment this summer.

There were other safety nets beyond DYFS. A family court judge had to approve each child's placement in state custody and eventually into the Jacksons' home. Private attorneys, either hired or appointed, represented the parents and children at hearings and had contact with them.

Each of the foster children's cases was reviewed by the Camden County Child Placement Review Board, and one was assigned a caseworker from the county's Court Appointed Special Advocates. Court officials declined to identify the caseworkers or discuss their findings.

Several of the Jackson children were enrolled in public schools through the last eight years. But when Vanessa Jackson removed her boys, the school districts had no reason or authority to monitor the home. State regulations don't require parents to prove their children are being home-schooled.

"If a kid is not in the district, we don't track them." said Collingswood Superintendent James Bathurst.

Still, the family had incidental contact with many people. The Jacksons received seasonal food baskets from a local pantry and attended services weekly at the Come Alive New Testament Church in Medford.

The members there accepted what the Jacksons told them: that the boys were drastically undersized because they had eating disorders and had been born to crack addicts and alcoholics.

"I'm so confused." said one, Mary Ward. "I think all of us are praying the truth will come out."

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**5:79) 06-NOV-2003 14:17 [John Searight \(searighj\)](#)**

### **Experts have trouble linking starvation, disorders**

By Marie McCullough

Inquirer Staff Writer      Posted on Thu, Nov. 06, 2003

The idea of parents systematically starving four sons stands in monstrous contrast to the idea of parents selflessly caring for medically frail children with behavior problems.

Raymond and Vanessa Jackson have been portrayed both ways.

Where is the truth?

The Inquirer asked medical experts about the disorders described by the Camden County couple, who have been charged with aggravated assault and child endangerment on allegations they starved their four adopted sons, ages 9 to 19. None of the four weighed more than 50 pounds when removed last month from their Collingswood home.

Longtime friends support the couple's contention that the brothers, from abusive backgrounds, had medical conditions that kept them small and sickly.

Although the experts could not offer conclusive judgments because they had not examined the brothers, they agreed that the disorders did not fit with the brothers' gross underdevelopment - or their recent weight gains.

The shocking story sounded familiar to Jean Mercer, a developmental psychologist at Richard Stockton College of New Jersey in Pomona. She has studied cases in which parents used unorthodox therapies, including near-starvation diets, in

the hope of fixing their adopted children's emotional and behavioral problems. Often, other children in the home are healthy - as were two adopted daughters and a foster girl in the Jackson home.

"Sometimes it's hard to tell whether you have garden-variety cruelty or something systematic," Mercer said. "But I think there are several things here" that sound like parenting methods gone awry.

Under medical supervision since Oct. 10, the Jackson brothers have rapidly put on weight.

Based on their heights, weights, and wrist "bone-age" measurements taken in the hospital, they are extremely underdeveloped for their ages.

Vanessa Jackson told hospital staff that she had not taken the four to a doctor for four or five years. She and her husband have blamed their sons' small sizes on disorders including bulimia, acid reflux disease, and fetal alcohol syndrome.

They said they had locked their kitchen to stop 19-year-old Bruce's bulimic behavior of bingeing and vomiting.

On a Web site ([savethejacksons.org](http://savethejacksons.org)) set up by their church to defend the Jacksons, Vanessa Jackson is quoted as saying Bruce's behavior got so bad at school that he "was stealing lunches and eating them and then throwing up." That was one reason the couple decided to home-school him.

Bulimia, experts say, is a psychological illness aimed at weight control. Most bulimics are of normal weight.

"They say, 'I ate so much and I'm so fat, I have to vomit,'" said William Davis of the Renfrew Center in Philadelphia, which treats eating disorders. "It's clear they [the brothers] don't have anorexia or bulimia."

Joseph Levy, an expert in pediatric intestinal disorders, offered another reason for Bruce's vomiting.

"If a child is starved and suddenly gets to eat a lot of food, the first thing he's probably going to do is vomit," said Levy, of Children's Hospital of New York-Presbyterian. "The stomach protests. It's the body's defense mechanism."

That is why doctors carefully reintroduced the brothers to food. Otherwise, mineral imbalances could have triggered ill effects, including muscle cramps and seizures.

Levy also doubted that Bruce's vomiting could be linked to acid reflux disease, which is relatively easy to diagnose and to treat with acid-suppressing drugs.

On the Jackson family Web site, Vanessa Jackson is quoted saying Bruce was diagnosed with acid reflux disease by Pennsauken dentist Anthony Ermocida.

Ermocida said this week that he had never seen Bruce. Ermocida said his records showed that Vanessa Jackson had been to his office once - for teeth cleaning in 1995.

Vanessa Jackson has said her other three adopted sons suffered from fetal alcohol syndrome, caused by their mothers' abuse of alcohol while pregnant.

This syndrome is known to have many effects, including facial abnormalities, mental retardation, behavioral and developmental problems - and height and weight deficiencies.

"Small size and weight is certainly something we see with fetal alcohol syndrome, but it would probably not be as severe as what has been mentioned" in the Jackson case, said Janet Ober, a Temple University genetic counselor. "We certainly don't see gorging or eating disorders."

Children who were abused or neglected before adoption can be difficult to handle and bond with.

Some have reactive attachment disorder, an illness listed in the diagnostic manual of psychiatrists. By definition, they are unable to form healthy emotional bonds, and either become withdrawn and distrustful, or form bonds too easily and



inappropriately.

Therapists disagree sharply about when to diagnose and how to treat the disorder.

Mercer, the Stockton psychologist, has become an ardent critic of a controversial treatment called attachment therapy.

Hard to define even for practitioners, attachment therapy tries to build emotional bonds between parent and child through unconventional methods, including physical restraint, forms of biofeedback, touch therapy, even food restriction.

Withholding food has figured prominently in several cases in which parents were charged with abusing their adopted children. The parents said food control had been part of therapy.

In Texas in 2000, a couple were found guilty of negligence - but not of intentionally starving - their 7-year-old adopted daughter, who weighed 38 pounds. The mother said she had rationed peanut butter sandwiches and oatmeal - foods the Jackson brothers reportedly subsisted on - to treat her daughter's attention deficit disorder.

In Utah, a couple are awaiting trial on charges they starved their two adopted Russian children. The parents said they had been treating them for reactive attachment disorder.

According to Mercer, attachment therapists believe that bonds form "when the child acknowledges parental authority and becomes completely submissive, asking for food, for a drink, even to use the bathroom."

Lark Eshleman, a West Chester psychotherapist and a registered attachment therapist, said the treatment was more complex.

"Attachment therapy focuses on developing healthy bonds," Eshleman said. "We take each child and bring to that child the therapies that work best for that child... We get slammed in this field. But... we're doing so much to help kids get better."

It could not be determined if the Jacksons knew about attachment therapy, because the family is no longer talking publicly.

But information is readily available on the Internet. In fact, the New Jersey Division of Youth and Family Services, which oversaw the Jackson adoptions, provided links from its Web site to the sites of two attachment-therapy centers. One, in Utah, earned headlines - unfairly, it says - after two of its clients were charged with criminal child-abuse homicide after using the therapy.

The DYFS links were removed yesterday after The Inquirer raised questions.

The links were "not an implicit endorsement of those centers or their therapies. It was for information," DYFS spokesman Ralph Siegel said. "However, we don't know who reviewed or approved the links, so they've been taken down."

He added, "We're not ready to distance ourselves from attachment therapy because the term gets abused. The moniker of attachment therapy goes with some very legitimate outfits, but it is also associated with people who take shortcuts."

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## **Adopted S. Jersey brothers gaining half a pound a day**

John Shiffman and Kristen A. Graham Inquirer Staff Writers Posted on Nov. 06, 2003

Four emaciated Collingswood brothers have gained about half a pound a day since police removed them from their parents' home on Oct. 10, a senior state official said yesterday.

The eldest, Bruce Jackson, 19, weighed 45 pounds when he entered the hospital. He now weighs at least 63 pounds.

His three adopted brothers - ages 9, 10 and 14 - each weighed less than 50 pounds. They have since gained about 10 pounds each, officials said.

New Jersey's child advocate, Kevin Ryan, said he did not know the cause of the brothers' malnourishment, which prosecutors have labeled a crime by parents Raymond and Vanessa Jackson. But "the doctors tell me the only reason they are now growing is because they are simply being fed."

In an interview, Ryan criticized suggestions from the family and its pastor that Bruce Jackson or others had fabricated stories that the brothers ate pieces of wall and insulation to survive.

"I think you can discount that this was all some lie that the kids told," said Ryan, one of several New Jersey officials scheduled to testify on the matter before a congressional committee today.

"I don't begrudge the advocates' commitment to their friends in a dark time, but when the advocacy leads to vilification of children on a national stage, I think that's reprehensible," Ryan said. He noted that the brothers' two adopted sisters were healthy.

"I don't think any of us can know what was in Mr. or Mrs. Jackson's heart," he said. "It's hard to reconcile the boys' condition as the girls flourished."

The couple have been charged with starving their four adopted sons. Released Sunday after posting bail, they have denied any wrongdoing, saying through their pastor that the sons suffered from previously existing medical conditions, including fetal alcohol syndrome.

On her family Web site, Vanessa Jackson also has challenged assertions by authorities that the sons had not seen a doctor in four years. Doctors she cited on the Web site could not be located yesterday, and a dentist she cited said the mother had been treated, but not the children.

Ryan, who is reviewing the state's handling of the case, said he "has seen no evidence" that the brothers had been to a doctor in four years.

He added, "I don't believe there is any doctor in the state of New Jersey who would have seen those boys and would have allowed their condition to go untreated."

At a news conference Oct. 11, Camden County Prosecutor Vincent P. Sarubbi said that the brothers had lice in their hair, and that one had a nonfood object in his stomach.

Three of the brothers were released from a hospital to foster families Oct. 24, the day their parents were arrested. During the brothers' stay, doctors slowly increased their caloric intake, beginning with a liquid diet. By the time they left, they had been treated to regular food, including during a trip to the mall.

Bruce Jackson remains hospitalized. He, too, is eating solid food, including potato chips and tuna, officials have said.

Prosecutors are investigating whether criminal charges are warranted against state Division of Youth and Family Services workers involved in the Jackson case.

Nine DYFS workers have been suspended in the case. A caseworker who officials said had visited the Jacksons' home at least two dozens times in two years to see their foster daughter has submitted her resignation.

Ryan said he was coordinating interviews with 17 DYFS employees with Sarubbi's office, so as not to compromise the

criminal investigation. Records in the case are voluminous, he said. Bruce Jackson's adoption file contains thousands of pages, Ryan said.

The focus of the case is expected to shift to Capitol Hill this morning as a subcommittee of the House Ways and Means Committee convenes a hearing.

Scheduled witnesses include Ryan; Sarubbi; Colleen Maguire, deputy commissioner of the state Department of Human Services; Carla Katz, president of the union that represents the suspended caseworkers; Marcia Robinson Lowry, executive director of Children's Rights, an advocacy group that has sued DYFS; and the Rev. Harry Thomas, the Jacksons' pastor at Come Alive! New Testament Church in Medford.

Thomas will speak on behalf of Raymond and Vanessa Jackson, who were not asked to testify. They did not request a chance to be heard, either, congressional aides said yesterday. Thomas declined to comment yesterday.

Also expected to speak is U.S. Rep. Rob Andrews (D., N.J.), who is not on the subcommittee. "I'm doing it because of the fact that four little children were worse than most household pets are, evidently," he said. "That's pretty compelling."

Let the prosecutor do his job, Andrews said. But his colleagues are honor-bound to play a part, too.

"Congress is writing a lot of the checks for these agencies, and it's our responsibility to make sure this doesn't happen again," he said.

In 2002, DYFS received \$24.7 million in federal funding for adoption assistance and receives \$77.1 million annually in foster-care funding, officials said.

The Jacksons received about \$30,000 annually to aid the children and were automatically eligible for Medicaid under federal law. The parents used this aid to take their adopted daughters to the doctor, but not their sons, according to authorities.

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## **Monica Yant Kinney | Family portraits at a price too dear**

By Monica Yant Kinney

Inquirer Columnist

Posted on Thu, Nov. 06, 2003

I did some Internet shopping this week on [www.savethejacksons.org](http://www.savethejacksons.org), but just couldn't decide what to buy.

One photo, titled "Bruce Jackson at School - Date Uncertain," shows an emaciated child with a weak smile.

It's hardly an image worth framing.

So I surfed the site some more.

What about the two photos of family members in unnamed restaurants?

Sure, they're dressed in their Sunday best in one photo, at any rate. But if the point is to prove that the Collingswood couple actually fed their kids on a regular basis, how come there's no food on either table?

Part of me wanted to snatch up the snapshot of the Jackson kids goofing and grinning in firefighters' helmets.

But after calling Polaris Images, the New York company peddling the family photos, I had a change of heart.

Each picture costs \$150.

And after saying Polaris would split the fees with the Jacksons, the nice company rep called back to say he couldn't say where the money would go.

No matter. The Web site implores visitors to donate \$25 to \$250 to pay for the "legal, medical and living expenses of this wonderful family."

Selling family photos at inflated rates is one part of the Jackson plan.

So, apparently, is villifying their sick, sticklike son and implying that his imagination is at fault in the starvation case that has nauseated a nation.

When in doubt...

I'm not a lawyer, but I'm guessing the two who stepped forward to represent Ray and Vanessa Jackson are cringing at the couple's public relations strategy so far.

Generally speaking, if you've been arrested after cops found your severely malnourished and underdeveloped adult son rooting through a neighbor's trash for food, it's probably not the best idea to tell the world he has caused his own horrific problems.

But that's exactly what Ray and Vanessa Jackson, assisted by family members and their spiritual adviser, the Rev. Harry Thomas of the Come Alive! New Testament Church in Medford, have done.

Their message?

That 19 year-old Bruce Jackson - who weighed just 45 pounds and stood less than 4 feet when police found him - is really a big fat liar.

That's the theme of the seven-page statement Thomas released under the headline, "The Worst Case of Abuse This Area Has Ever Seen!"

He meant the abuse against Mr. and Mrs. Jackson's reputations. Not the alleged mistreatment of their four adopted sons who, collectively, weighed just 136 pounds when police whisked them to a hospital.

The brothers allegedly survived on dry pancake batter and peanut butter while their parents and other siblings ate heartily.

Sometimes, the brothers were so hungry they supposedly chewed on the walls for nourishment.

... villify the victim

Thomas, he of faith, doesn't buy it.

Instead, the pastor who claims devotion to the family offers up a host of unnamed supporters to discredit Bruce and his younger brothers.

My favorite? The Holocaust survivor who Thomas says is "willing to testify that the family has eaten numerous times in her home."

Even worse than the pastor's criticism of the young, gravely ill member of his flock is the Jacksons' decision to throw their sickly son to the lions.

In jailhouse interviews with their pastor, the couple blamed their troubles on Bruce's lies and his eating disorders and medical problems, such as bulimia and acid reflux.

Despite prosecutors' insistence that the boys hadn't seen a doctor in years, the couple swear they have medical records to prove otherwise.

But, so far, efforts to find the doctors they named have proved futile.

And that dentist who Vanessa Jackson says can prove acid reflux caused Bruce's teeth to rot?

He said he had never treated the boy.

Thankfully, the attorneys put an end to the loving couple's smear campaign.

But the lawyers couldn't stop the man of God from continuing his crusade on behalf of the Jacksons.

Make sure to catch him on 60 Minutes II next week, trying to convince the country there's any good reason a 19-year-old young man would ever weigh less than a 20-inch TV set.

Monica Yant Kinney writes Sunday, Tuesday and Thursday. Contact her at 856-779-3914 or myant@phillynews.com.

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**5:80) 06-NOV-2003 16:23 [John Searight \(searighj\)](#)**

Here is the first news report on the congressional hearing today on the Jackson case and New Jersey's child welfare crisis. I'm sure there will be more in the days to come. It is possible to read the testimony of Maguire, Ryan, Lowry, et al if you go to the following site and click on the names:

<http://waysandmeans.house.gov/hearings.asp?formmode=detail&hearing=113>

Eventually there will be a transcript of the hearing available.

### **Lawmakers: Case of starving kids may demand new federal standards**

By LAURENCE ARNOLD The Associated Press 11/6/2003, 3:08 p.m. ET

WASHINGTON (AP) — The plight of four severely malnourished boys prompted members of Congress Thursday to question the effectiveness of New Jersey's child protection agency and consider new national standards for care of adopted and foster children.

Members of the House Ways and Means Committee said they were shocked and infuriated by the case of Raymond and Vanessa Jackson, a Collingswood, N.J., couple charged with starving four adopted sons.

"I'm astonished," said Rep. Mark Foley, R-Fla. "People treat their pets better than New Jersey is treating kids in this instance."

The family's pastor warned that an innocent couple are being presumed guilty. "Believe me folks, these are not monsters," he said, holding up a picture of the Jacksons.

Representatives of Gov. James E. McGreevey's administration emphasized reforms already implemented this year to New Jersey's perennially troubled child welfare system, including creation of a state child advocate.

But lawmakers said Congress may need to consider placing new requirements on states in exchange for the billions in federal aid distributed each year for child welfare services and foster care and adoption subsidy programs.

Acting swiftly, the Ways and Means subcommittee on human resources held the hearing just two weeks after police arrested the Jacksons and charged them with endangering their four adopted sons.

The boys, ages 9 to 19, each stood no more than 4 feet tall and weighed no more than 45 pounds when they were found Oct. 10 after the oldest was found foraging through a neighbor's trash for food.

Also in the Jackson household was a foster child who was visited numerous times by the state child protection agency, the Division of Youth and Family Services. State officials say those visits produced no reports of problems in the house.

Since Oct. 24, the child protection agency fired nine workers involved in the oversight of the household, and Camden County prosecutors have said charges could be brought against the workers. Carla Katz, president of the union that represents the workers, told the subcommittee that her members need better training and smaller caseloads to do their work effectively.

Camden County Prosecutor Vincent Sarubbi said the four boys have gained a total of 55 pounds since being taken under state supervision on Oct. 10.

The Rev. Harry L. Thomas Jr., senior pastor at Come Alive! New Testament Church in Medford, N.J., was the only witness who spoke in defense of the Jacksons.

"I'm telling you these people are innocent," he said. "They had three meals a day like everybody else, and there were serious difficulties with these children they had to deal with."

He said he believes the oldest boy, 19-year-old Bruce, who was discovered foraging, has an eating disorder known as rumination, characterized by the regurgitation and rechewing of partially digested food.

He said Bruce has made "numerous false accusations" about the family, and he asked, "How many of us in this room would have taken on a project like Bruce?"

Thomas' impassioned defense prompted angry exchanges with lawmakers and with another witness, Kevin Ryan, New Jersey's newly appointed child advocate.

"The public vilification of these boys, characterizing any one of them as a liar, and referring to them as a 'project,' is despicable, and I think it needs to stop," Ryan said.

Rep. Rob Andrews, D-Haddon Heights, whose district includes Collingswood, said Congress should evaluate whether the federal government can better oversee state programs for child welfare.

"I'm not in favor of federalizing all these situations, but it strikes me that someone may have to watch the watchers," Andrews said.

Chairman Wally Herger, R-Calif., said the subcommittee will hold additional hearings on policy implications of the case. "Nearly every one of our states has witnessed high-profile tragedies in which vulnerable children have been horrifically abused, neglected and even killed," Herger said.

New Jersey's child protection agency has drawn ample criticism through the years. Children's Rights, a nonprofit advocacy group, filed a class-action lawsuit against the state in 1999 to force reforms.

The state settled that lawsuit earlier this year. As part of the agreement, the state reviewed all child welfare cases, hired 366 more employees for the family services division, and gave it \$30 million in emergency aid.

Colleen Maguire, deputy commissioner for child services in the New Jersey Department of Human Services, said New Jersey still has a lot of reforming to do, including setting standards for care, dealing with excessive caseloads of social workers and improving training, supervision and accountability.

She urged Congress to commit additional money to help states deal with child abuse and neglect.

On the Net:

House Ways and Means Committee: <http://waysandmeans.house.gov/>

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**5:81) 07-NOV-2003 07:03 [John Searight \(searighj\)](#)**

## **Prosecutor Says Medical Data Points to 4 Boys' Starvation**

By RICHARD LEZIN JONES      NY Times      November 7, 2003

WASHINGTON, Nov. 6 — A New Jersey prosecutor said at a Congressional hearing on Thursday that four boys who were found severely malnourished in October had rapidly gained several pounds after their discovery. He said this development bolstered his charge that they had been intentionally malnourished.

The oldest boy, Bruce Jackson, 19, who weighed 45 pounds when he was discovered rooting through a garbage can on Oct. 10, has gained 18 pounds since being removed from the home, said the Camden County prosecutor, Vincent P. Sarubbi.

Mr. Jackson's three adoptive siblings, ranging in age from 9 to 14, have all gained at least eight pounds since their removal, Mr. Sarubbi said. After prosecutors had medical experts conduct a series of tests, including an examination of the boys' genetic makeup, he said, the cause of their condition was traced to intentional starvation.

Supporters of the boys' parents reiterated their argument that the children suffered from eating disorders or a history of abuse before their adoption, not from abusive or neglectful parents.

Mr. Sarubbi said his accusations were backed by medical evidence. "We enlisted medical experts to evaluate the boys' condition," he told the Human Resources Subcommittee of the House Ways and Means Committee. "These medical experts determined that the boys had been deprived of adequate nutrition and medical care. Based upon these medical assessments and other investigative information developed, I was satisfied that probable cause existed to support criminal charges."

Mr. Sarubbi has charged the boys' adoptive parents, Raymond and Vanessa Jackson, with aggravated assault and child endangerment in the case, the subject of Thursday's hearing. The subcommittee helps to oversee the way federal officials distribute more than \$7 billion to states to help cover foster care and adoption costs.

Subcommittee members said they took the unusual step of calling witnesses to Washington on a local child abuse matter because of the boys' extreme condition and because the case was the latest in a series of high-profile abuse and neglect cases involving New Jersey's Division of Youth and Family Services.

The charges against the Jacksons were announced the same week the state, which has promised to overhaul the agency, announced that it had conducted safety reviews of all 14,000 children in the child welfare system and found that only 31 were living in conditions so unsafe that they had to be removed.

A caseworker visited the Jackson home in Collingswood, N.J., in June during one such review, but the boys were not among the 31. They weighed a combined 145 pounds when they were found four months after that visit.

The hearing was ostensibly a way for subcommittee members to examine whether there are enough checks to ensure the safety of children who receive federal money while in the care of child welfare agencies. The Jacksons received about \$28,000 a year from the state to help cover the costs of raising their adopted children. For the 2002 fiscal year, New Jersey received about \$100 million in one type of federal aid for child welfare, about a quarter of it earmarked for adoption.

The half dozen witnesses who appeared before the subcommittee offered some of the most detailed public accounts so far of the progress of the Jackson children and the status of the investigation into their adoptive parents. Mr. Sarubbi said the investigation would take about three months to complete.

He said investigators had the boys tested for genetic defects, thyroid problems and other medical conditions that could have kept them from gaining weight. All tests were negative.

He said Bruce Jackson required two blood transfusions after he was found because of serious iron deficiencies. Mr. Sarubbi said the boys gained weight without the use of growth hormones or other means. "It should be noted that this progress was achieved simply through proper diet and vitamins," he said. Bruce Jackson is still hospitalized. The other three boys are now in foster care.

Another witness, the Rev. Harry L. Thomas Jr., the pastor for the church the Jacksons attended, testified on their behalf, challenging the validity of the weight gains. Mr. Thomas, who has led a vigorous campaign in defense of the Jacksons and has accused Bruce Jackson of lying, said that anyone who was placed in a hospital, with 24-hour care and a goal of gaining weight, could do so.

"I seriously question it," Mr. Thomas said of the weight gains, adding that he would like to know more about the way the children were fed and the answers to queries like, "Did they have shoes on when they were weighed?"

The pastor described Bruce Jackson as a severely troubled child who had urinated on the floor of the Jackson home on the day he arrived in 1991; stolen schoolmates' lunch bags, eaten the food and vomited it into the bags; tried to eat dog food, drywall and cat feces; and once vomited on a teacher. "How many of us in this room would have taken a project like Bruce?" Mr. Thomas asked the subcommittee.

Mr. Thomas was scolded for his comments by Representatives Mark Foley, a Florida Republican, and Donald Payne, a New Jersey Democrat, and Kevin Ryan, who was recently named state child advocate, a new position. "The public vilification of these boys," Mr. Ryan said, "particularly characterizing any of them as being liars, is despicable, and I think it needs to stop."

Another witness at the hearing, Marcia Robinson Lowry, the executive director of Children's Rights Inc., an advocacy group based in Manhattan, called on Congress to enact federal minimum standards for child welfare agencies in areas like accountability and training. Children's Rights sued New Jersey over its foster care system and won wide concessions in a settlement deal.

Carla Katz, president of Local 1034 of the Communications Workers of America, which represents nine workers who have been dismissed for their roles in the Jackson case, also called for more training for adoption workers.

Representative Mike Ferguson, a New Jersey Republican, questioned the reliability of information submitted to federal regulators about the state's child welfare agency and said he would demand a federal investigation of the agency if its overhaul fails.

Colleen Maguire, special deputy human services commissioner, said such talk was premature and vowed to fix the state's child welfare system.

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## **Starvation case shakes House panel**

**A hearing focused on four adopted N.J. brothers. "It should shock all of us," one lawmaker said.**



By Kristen A. Graham

Inquirer Staff Writer

Nov. 07, 2003

WASHINGTON - In what some members of Congress called the most disturbing hearing they have ever witnessed, the federal government yesterday began its investigation into the case of the Collingswood couple accused of starving their adopted sons.

"My staff has shown me a picture of the family, and the sight of Bruce will haunt me for a long time," said Rep. Wally Herger (R., Calif.), chairman of the House Ways and Means Committee's subcommittee on human resources. "It should shock all of us."

"People treat their pets better than New Jersey is treating kids in this instance," added Rep. Mark Foley (R., Fla.)

On Oct. 10, the four adopted sons, ages 9 to 19, were removed from Raymond and Vanessa Jackson's home. Together they weighed 136 pounds. Bruce, the eldest, weighed 45.

Yesterday's hearing was characterized by strong emotion, new details on the brothers' conditions, and spirited back-and-forth between House members and the Rev. Harry Thomas, pastor of the Jacksons' church and the family's staunch defender.

Camden County Prosecutor Vincent P. Sarubbi testified that his office's investigation is focused on whether the conduct of workers from the state Division of Youth and Family Services was criminal.

Sarubbi brushed aside the notion that his office's investigation has been rushed and biased, as Jackson family defenders have contended.

"The boys had been deprived of adequate nutrition and medical care," he said.

The brothers are gaining weight rapidly, Sarubbi said. Together, they have gained 55 pounds - more than Bruce weighed when a neighbor found him picking through a trash can for food last month.

"The progress was achieved simply through a proper diet, with vitamins. There were no growth drugs or steroids," Sarubbi said.

Later, Thomas, pastor of Come Alive! New Testament Church in Medford, said he doubted that the weight gain was accurate, and wondered if the brothers were being weighed with their shoes on. Sarubbi said they were not.

Along with a lock on each entrance to the kitchen and an alarm, Sarubbi said, tacked up in the Jacksons' kitchen was a sign: "Stop and think and pray before eating."

Bruce remains in a hospital, having undergone two blood transfusions for an iron deficiency.

In other testimony, Colleen Maguire, deputy commissioner of the state Department of Human Services, acknowledged massive flaws in DYFS, an arm of her department.

There are "poor and uneven case practice methods, inadequate supervision of caseworkers, flawed decision making, lack of training for foster and adoptive parents, and a systemwide lack of accountability," she said.

An inexperienced caseworker who had visited the Jackson home 38 times since 1999 had interviewed the brothers and found nothing wrong, Maguire said.

Carla Katz, a union leader whose local represents six of the nine DYFS workers who have been fired, said the conditions in New Jersey for caseworkers were deplorable: Stone Age computers, a lack of proper safety tools and training, a too-small pool of foster parents, and no cap on caseloads.

While changes have been announced in pieces, an overarching plan to fix DYFS is due in January, Maguire said.

Marcia Robinson Lowry, executive director of a children's advocacy group that recently settled a lawsuit against New Jersey, implored the House to create minimum standards for child welfare.

"We've given states the chance to protect families. They're not," said Lowry, who directs Children's Rights. "It's time for you to step in."

Possible solutions mentioned include requiring annual medical examinations for children whose foster or adoptive parents receive subsidies for their care. The Jacksons received \$30,000 a year for caring for their foster and adopted children.

Testifying in a calm voice, Thomas suggested that the Jacksons had done nothing wrong and that DYFS had dumped needy children on the Jacksons without giving the couple proper education or support.

The pastor also said teachers and doctors who knew the boys had not been abused probably would never step forward because they were afraid of the media and prosecutorial scrutiny.

"The family had plenty of food," Thomas said. "They ate three meals a day. They didn't need assistance."

But it was clear that the family had fallen on hard times and relied primarily on the \$30,000. Just before the brothers were removed from their home, Come Alive stepped in to have the family's electricity reestablished after three months of no power. The family also owed \$9,000 in rent.

"Believe me, folks, these people are not monsters," Thomas said.

"All that's missing are the four loaves and seven fishes," shot back Rep. Pete Stark (D., Calif.).

Said Rep. Donald Payne (D., N.J.): "It incenses me that a person of the cloth would sit there and defend people that are wrong. There's no question - they're wrong. These children are victims."

After the hearing, Herger said the subcommittee would hold more hearings on the case, specifically examining what impact it might have on child-welfare policy around the country.

Wading through a sea of cameras and reporters, Thomas and Tim Landis, who has been serving as the media spokesman for Come Alive and the family, led some reporters to a television to view a video of the family dancing at a church banquet.

In the video, Raymond Jackson introduces his children, including "Bustin' Bad Bruce," and speaks briefly to the congregation.

"My mother brought me up in the right way," he says on the tape. "The straight and narrow way."

Then upbeat Christian hip-hop begins, and the family begins dancing. In the middle, on the right, is a startling sight: "M.J.," age 9. In stature, he could easily pass for a toddler.

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## **S.J. starvation case outrages lawmakers**

### **House panel promises increased oversight of child welfare system**

By KAREN KENNEDY-HALL and LEDYARD KING Courier-Post Staff

WASHINGTON Friday, November 7, 2003

Lawmakers shocked and disgusted by the discovery of four starving adopted boys in South Jersey vowed Thursday to boost federal oversight of the nation's child welfare system.

While acknowledging that other states have similar problems, legislators said they were so repulsed by the Collingswood case - four boys ages 9 to 19 who collectively weighed 136 pounds - that action is necessary.

"People treat their pets better than New Jersey has treated their children," Rep. Mark Foley, R-Fla., said at the House Ways and Means subcommittee hearing. "If they treated a dog like this, people would be in jail already."

Raymond and Vanessa Jackson were charged with aggravated assault and child endangerment when Collingswood police officers found their four adopted sons severely malnourished. They were freed on bail.

Social workers from the state Division of Youth and Family Services visited the Jacksons' home 38 times over the past four years, but never expressed any concerns. Authorities were alerted to the boys when a neighbor saw the eldest boy, Bruce, foraging in his trash for food.

The case has drawn national attention in part because a federal court earlier this year ordered reform of the state's child protective services program after a 7-year-old boy was found dead in a box in the basement of his Newark foster home.

Thursday's hearing was full of finger pointing: Child advocates blaming the state; the state blaming the caseworkers; and almost everyone blaming the parents.

However, what really angered lawmakers was the Rev. Harry B. Thomas' defense of the parents, who belong to his Medford church. Thomas asserted the children suffered from medical conditions beyond their parents' control.

"Believe me folks, these people are not monsters," Thomas said.

Foley and other lawmakers at the hearing said the case should prompt a national examination of how states place foster and adopted children and how well they monitor those homes. A follow-up hearing is tentatively scheduled for next week.

Advocates called for more home visits, better training of caseworkers and greater federal review of services largely left to states to regulate.

"The question we need to focus on is who's watching the watchers," said Rep. Rob Andrews, D-Haddon Heights, who testified at the hearing. "It is our job to (ensure) that state child welfare agencies that received the \$5.8 billion (in federal aid for child welfare programs) are doing the job we entrusted them to do."

Rep. Michael Ferguson, R-Warren Township, Somerset County, who also spoke before the panel, vowed to call for an investigation of DYFS if state regulators do not fully cooperate with an ongoing federal review.

Colleen Maguire, New Jersey's deputy Human Services commissioner, called such a probe premature. She said it would be difficult to lighten caseloads without more money from Washington.

Maguire said the Jacksons' case has prompted the state to fire nine caseworkers and supervisors and to recheck 6,000 safety assessments of foster care homes.

Federal and state laws do not require monitoring of children once they are adopted. The Jackson home was assessed for safety June 6 because the couple was adopting a girl. The home was assessed as safe and the adoption was recommended by the caseworker.

Despite calls for a major overhaul, few at the hearing expect a quick fix for a state system whose front-line workers receive relatively low pay, shoulder twice the caseload they should, get minimal training and work with outdated

technology.

The state's move to dismiss social workers in the wake of the Jackson case will hurt recruitment in a field already considered unattractive to many, said Carla Katz, president of the union group that opposes the workers' dismissals.

"Reacting to a crisis by firing people indiscriminately encourages the work force to believe there is no real accountability - there is merely retribution," Katz said.

Camden County Prosecutor Vincent P. Sarubbi said his office is looking into whether to charge the DYFS workers.

"We have tens of thousands of documents to look at," he said. "It's impossible to say how long it will take before we have some answers."

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**5:83) 08-NOV-2003 14:41 [John Searight \(searighj\)](#)**

### **Warnings of Trouble at New Jersey Adoption Unit**

By RICHARD LEZIN JONES and LESLIE KAUFMAN NY Times November 8, 2003

In Sept. 14, 2000, nine New Jersey child welfare workers based in offices in the southern part of the state met to discuss adoption and foster care. The resulting critique, meant to be confidential, painted a disturbing picture of a staff that did not have enough homes in which to place foster children awaiting adoption. Nor did that staff have the tools to meaningfully evaluate the homes that were available.

"No one knows the foster parents," was one of the stark assessments of the workers, according to state records that were made public as a result of a court order.

The group's discussion that day was far from academic. The results of an overwhelmed staff and unsafe placements could be dangerous. The year before, for instance, workers had failed to immediately remove an adopted child from the care of a woman whose son was suspected of sexually abusing other children in her home.

"I have serious concerns about it," a supervisor wrote of the danger to the child. "If I am reading it correctly, there are still kids in the home — why?"

In another case, a few months later, the state found that a boy awaiting adoption was living in a group home where other children had been sexually molested. The worker at the home charged with overseeing the children and conducting bed checks had been found asleep while on duty.

In both instances, the children who were in jeopardy were being handled by workers in the Southern Adoption Resource Center, one of the half-dozen state-run offices from which workers oversee foster families and complete adoptions for about 1,000 children each year. It was that center that approved the adoption of four boys by the Jacksons of Collingswood, N.J., the couple who have been charged with systematically starving the boys over many years.

Although the investigation of Raymond and Vanessa Jackson by prosecutors is continuing, interviews with front-line child welfare workers and state officials, as well as a review of the state's own files, make clear that the Southern Adoption Resource Center, then and now, had significant troubles.

Some workers at the center were found last year to have violated state policies by not documenting interviews with adoptive families and prospective adoptive children and for not making required home visits. The center corrected the problems, but state evaluators cited more violations regarding family interviews again this year.

And according to an audit of the office's caseload by an outside expert earlier this year, the southern office has the worst ratio of caseloads to workers of any center in the state.

After the discovery of the Jackson children, the state said it would redo safety assessments on the homes of each of the 1,200 children whose cases are supervised by the southern office.

Officials with the union for caseworkers said that a manager at the office who was dismissed for her role in the Jackson case was supervising two units totaling 20 workers — about twice the usual workload — because another manager in the office had been promoted but never replaced.

The primary caseworker for the Jacksons was responsible for 33 children, although the recommended national standard for workers handling adoptions is less than half that.

To those familiar with the southern office, the findings are strikingly similar to the conclusions reached by that secretly polled nine-member group three years ago.

"It's the kind of complaints that we've been hearing for years and years and years," said Carla Katz, president of Local 1034 of the Communications Workers of America, which represents workers in the office. "Being understaffed has been chronic. The caseloads — it's been a long-term problem."

The adoption centers were created in the 1970's to speed up the adoption of children whose parents had lost custodial rights in court. Previously, adoptions had been handled by local district offices, which were often overwhelmed with other child protection duties.

"It's very hard for a worker to be putting out fires with active child abuse and neglect allegations and doing a specialty, proactive practice in adoption," said Cecilia Zalkind, executive director of the Association for Children of New Jersey, who once worked in an adoption center in Essex County.

The centers were set up on a regional basis, so each child would have a larger pool of potential adoptive parents. The centers, also known as A.R.C.'s, were also supposed to have limited caseloads so they could research the best possible match.

To many in the field, the reforms worked out well. "In our community, the A.R.C.'s are really seen as the part of the system that works," said Mary Jane Awrachow, executive director of the Foster and Adoptive Family Services, a nonprofit parent advocacy group.

But the perspective from inside the agency has always been different. The centers, in some social workers' estimations, poorly coordinated the efforts of the workers involved with foster parents and those supervising adopted children.

"There is a major disconnect between systems," said Colleen Maguire, deputy commissioner of the state's Department of Human Services. "And we are looking at that now."

The burdens were further compounded after 1999, when the state enacted its version of a federal reform pushing more children toward adoption. The share of the state's total child welfare caseload handled by the adoption centers rose sharply, but there was no corresponding increase in financing.

In an internal memo dated Feb. 25, 2003, Eileen Crummy, an assistant director in the adoption arm of the agency, wrote to the state Division of Youth and Family Services headquarters to complain that offices must care for 4,243 children but had only 230 caseworker positions, which averages to slightly more than 18 children per worker. If the agency were to meet the standard of 12 children per worker recommended by the Child Welfare League of America, it would need to hire another 123 people.

Of course, responsibility for evaluating potential homes for adopted children extends beyond state workers. Family court judges, for instance, have to approve any final adoptions.

But several child welfare experts said the judges, armed with only the evaluations provided by the state, were poorly equipped to ensure that mistakes were not made.

And mistakes were made at the southern adoption center.

In March 1999, child welfare workers learned that a 6-year-old girl was living in a home with three other children and her foster mother's adult son, who had once been charged with sex offenses by the authorities in Gloucester County.

The foster mother's son had also been suspected of sexual contact with other foster children a few years earlier, records show. Although the foster mother denied that her son lived in her house with the children, interviews with the 6-year-old and other children indicated that the son was indeed a resident of the home, records show.

The supervisor of the adoption center decided to remove the children from the home and documents show that a manager requested that no other children from the office be placed there.

But almost three weeks later, according to agency files, officials realized that although the 6-year-old girl and another child were removed from the home, two others remained.

There is no indication in the records as to whether the children were eventually removed.

Although child welfare officials have said that they will re-examine the A.R.C. system as part of an overall review related to the Jackson case, Ms. Zalkind said she hopes that the incident does not mean an end to the centers.

"I would hope there is not a knee-jerk reaction simply dismantle the A.R.C.'s," she said.

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**5:84) 09-NOV-2003 14:55 [John Searight \(searighj\)](#)**

### **In blame game, N.J. caseworkers bear brunt**

**In the Jackson case, those suspended are called the "Camden Nine." Experts and state officials agree that the overall system is at fault.**

By Troy Graham                      Inquirer Staff Writer                      Nov. 09, 2003

They've been called unqualified, untrained, incompetent.

Yet, they are on call 24 hours a day, working grueling jobs that expose them to horrors that one retired employee likens to "spending time in Vietnam."

And New Jersey's child-welfare caseworkers - a safety net for the most vulnerable children - are the first to be blamed when they miss a falling child.

After Bruce Jackson, a malnourished 19-year-old weighing just 45 pounds, was found in Collingswood, nine state Division of Youth and Family Services employees were suspended for failing to protect him and his three adopted brothers, who also were severely malnourished.

They are now the "Camden Nine" and scapegoats, their union says. State officials say they are simply holding the workers accountable for a glaring failure. And Camden County prosecutors are mulling criminal charges against them.

But nearly everyone - the union, the state and outside experts - agrees that the 1,958 DYFS caseworkers are laboring in a badly broken system.

Time, or the lack of it, is a caseworker's greatest enemy, explained Michael Hender, who retired two years ago as a supervisor after 27 years with DYFS.

"It's constant catching up. I don't think anyone is ever ahead," he said. "We'd come into the office, and our day would happen by default."

Disaster often is the outcome when time constraints combine with poorly trained caseworkers, massive turnover, and a system that hides incompetence.

Personnel problems were clearly outlined in a lawsuit filed by the advocacy group Children's Rights Inc. in 1999, as well as in internal DYFS audits.

DYFS "suffers from insufficient and inadequately trained and supervised staff" and most new workers are "unqualified," said the lawsuit, which was settled this year with the state committing to sweeping changes.

Because caseworkers face heavy workloads, they are pressured to close cases, the suit said. And, "chronic shortfalls" lead to "inappropriate or incompetent staff [being] retained because otherwise additional positions would be left unfilled."

A typical DYFS caseworker today has 41 children - a heavy load and even higher than the 33 children per caseworker earlier this year, according to DYFS.

The agency has promised to fill the dozens of vacancies by Dec. 1, but full plans will not be announced for about two months.

For now, there is little doubt that most of the workforce is inexperienced. Eighty percent of caseworkers have less than five years' experience and 25 percent of the casework staff are trainees with less than one year of experience.

In New Jersey, the workforce is dominated by women, particularly minority women, said Carla Katz, president of the Communications Workers of America Local 1034, representing the workers in South Jersey. Caseworkers also tend to be young. DYFS could not provide demographic details.

But Katz said caseworkers broke into two camps: the young who stay for a few years and the older, experienced workers who stay until retirement.

"They come straight out of college with the social-worker mentality where they want to do this their whole lives, then they start to work and they say: 'Oh, my God, I can't do this,' " Katz said. "They're shocked by the lack of support they get."

She said "no one does this for the money."

A DYFS trainee is paid at the rate of \$37,648 a year. After six months, the pay is raised to \$39,380. After one year, when trainees have graduated from training, the salary is \$41,200.

And the turnover rate of DYFS caseworkers is daunting.

Katz cited a 9 percent annual turnover rate, but DYFS said 13 percent of the workforce had left in the last year.

In a status report last month required in the lawsuit settlement, DYFS acknowledged that "in order to provide for the... well-being of children, full staffing levels in DYFS must be maintained."

But the division said that the pace of caseworkers leaving continued to be a problem and that hiring could be "burdensome and rigid."

Turnover at the agency in recent months is striking.

From June to October, the division hired 167 caseworker trainees. But, after 90 trainees left their jobs in the same period, the net gain was only 77.

It was worse for experienced caseworkers. DYFS hired 90 in the same period, but because of departures, promotions or transfers, the agency still had a net loss of 11 workers.

Those difficulties filling positions also extend to supervisory jobs, according to DYFS.

"On the front lines, I think it's still a dire situation," said Children's Rights lawyer Eric Thompson.

Finding suitable candidates is not easy - even though New Jersey has relatively lax standards compared with some states.

While 35 states require caseworkers to have a bachelor's degree in social work or a related human-services field, New Jersey requires only a bachelor's degree in any field of study. But DYFS said 70 percent of its caseworker trainees had degrees in social work or related fields.

Even a bachelor's degree in social work falls short of what is needed to weigh often life-or-death decisions, said Richard Gelles, dean of the School of Social Work at the University of Pennsylvania.

"This is a very difficult job. Anyone who thinks there are obvious signs of abuse... are mistaken," he said. "We ask these caseworkers to make hard decisions on soft data."

Because the Jacksons had been approved several times as a foster and adoptive home, a caseworker probably was not "going in with your radar turned on," Gelles said.

"I can understand how you can miss four starving boys," he said. "The kids who have hand marks on their face are easy, but they're so rare."

New DYFS hires get 21 days of training, which both Katz and Gelles said did not arm them with tools to evaluate cases.

"A lot of the curriculum is: 'These are our policies, these are our forms, this is how you fill them out,' " Gelles said.

New employees are considered trainees for a year and most of the learning comes on the job, union leader Katz said. There are no mandatory training requirements for regular caseworkers, and there is little incentive for them to seek higher education on their own, she said.

"You don't get more money, a promotion. Nothing," Katz said.

Caseworkers are broken down into different units that handle licensing, foster homes and adoptions. But the majority of the caseworkers are in the intake unit, which investigates reports of abuse.

The caseworker who visited the Jackson home as parents Raymond and Vanessa Jackson prepared to adopt another child had spent two years in the adoption unit and had not worked in a unit specializing in abuse investigations, Katz said.

Aside from an emergency, there are dozens of scenarios that could distract a caseworker, said Hender, the retired DYFS worker.

If a child under the caseworker's watch is arrested, the caseworker can be called into court to wait hours for a hearing. Judges sometimes release the juveniles to the caseworker, who must then find foster care for them.

Parents and police have been known to show up at DYFS offices and just leave a child. Caseworkers spend hours on the road, driving children to foster homes and visits with biological parents. Caseworkers have even spent nights in the office with the children when they cannot find a home, Hender said.

Caseworkers often work unpaid overtime and buy supplies from their own money, he said.

Because caseloads are so high, many workers are pressured to close as many cases as possible, said Katz and Thompson, the Children's Rights lawyer. The case of 7-year-old Faheem Williams, a boy whose mummified remains



were found this year in Newark, had been closed even though the caseworker never saw Faheem.

"It was closed to close it, not because it had been investigated and resolved," Thompson said.

The crushing caseload has led to a "deprofessionalization" of social work, as agencies dumb down the requirements for the job, according to the Child Welfare League of America, a nonprofit agency.

Years of change and the passage of a proposed federal law to forgive student loans for social workers would be needed to upgrade the DYFS workforce, educator Gelles said. In the meantime, students are not "breaking down the door, saying we want to go work for DYFS."

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**Newark Star-Ledger Editorial**      Tuesday, November 04, 2003

### **DYFS must be responsible**

The Camden County couple charged in the case of their four severely malnourished adopted sons say they were teaching their children at home. Police found no textbooks or evidence of a learning program.

That has some people saying the state Division of Youth and Family Services should not allow its families to home-school because the practice makes it easier to hide signs of abuse and neglect. But DYFS kids already have caseworkers to make certain they are safe at home, whether they are in home school, in private school or are too young to be in school.

Yes, teachers sometimes see problems others miss.

However, the scandal of the Jackson case is that the children already had people specifically assigned to watch over them: the DYFS workers who brought one child after another into the Jackson home for adoption and foster care.

Doctors say the Jackson boys had rotten teeth and classic signs of malnutrition. We hope a teacher would notice such things but do not understand how caseworkers who went into that home did not notice or why, when the family said the boys had eating disorders, DYFS did not make certain they were getting medical help.

Officials say that utilities in the Jackson home had been turned off for weeks, that there were bite marks on the woodwork and that food was often locked up. A classroom teacher might never learn about such things. A caseworker sent to the home to clear it for adoption or check on a foster child should.

We do have concerns about home schooling, for any child, because New Jersey has no significant regulations on the practice. Parents do not have to tell the state they are teaching their children at home, much less disclose the curriculum or the subjects being covered. Requiring parents to provide the names and ages of home-schooled children, year by year, is the very least the state should do -- for all kids, not just the ones in DYFS's care.

Home schooling can be successful. A loving, capable parent-teacher and the comfort and flexibility of learning at home might be exactly what some DYFS kids need. And DYFS cases are concentrated in some of the school districts that do not always do the best job of teaching kids.

However, when DYFS gets involved, it has authority to stick its nose in all aspects of family business, and that should include educational matters. If a DYFS family claims to be home-schooling, the agency has an obligation to find out if that choice is working. The agency should at least ask to see the textbooks.

Rather than make blanket rules, DYFS workers must learn to open their eyes and make reasoned judgments about what

is best for the development and safety of each of their charges.

Teachers, neighbors and relatives all have important roles to play. But when DYFS takes on a case, it takes on a responsibility it cannot pass on to the schools or anyone else.

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#### **4 Starved Boys Growing, but Harm May Be Lasting**

By IAN URBINA NY Times November 9, 2003

Weeks after Bruce Jackson was found rummaging for food in a neighbor's garbage in Collingswood, N.J., the facts about his health and medical history remain elusive.

At 19, he weighed 45 pounds and was the oldest of four boys found malnourished at their adoptive parents' house in October. Prosecutors, calling the case a shocking instance of child abuse, said the boys were denied food by their parents. The family and its supporters said that the boys had, among other things, a history of eating disorders and that Bruce Jackson in particular often gorged on food and threw it up.

Regardless of the cause of the boys' food deprivation, the repercussions are likely to be complicated and long-lived, medical experts say.

"There is documented evidence to support the notion that those who suffer from starvation don't just have biological repercussions down the road but also psychological and specific eating problems to deal with," said Dr. B. Timothy Walsh, a professor of psychiatry at Columbia University. "If he was starved, binge eating, like the parents describe of the boy, seems entirely possible."

At a Congressional hearing last week, a New Jersey prosecutor said that the four boys had rapidly gained weight since their discovery and that an examination of their genetic makeup traced their condition to intentional starvation.

But Dr. Walsh said he was skeptical of such claims.

"You can forget about genetic testing ruling out a psychiatric issue like eating disorders; the technology just isn't there," he said.

It is also not certain that the boys' weight gain while under hospital supervision rules out the possibility of prior eating problems, he said.

An authoritative study on the consequences of starvation is the Minnesota experiment, published in 1950, in which 36 men were deprived of half their caloric intake for six months. The men, all volunteers, were later rehabilitated.

After the starvation period ended, experts observed major changes in the men. Some engaged in self-flagellation. One depressed man cut off three fingers. Many of the men struggled with binge eating. Meals that would have sated them previously now left them extremely hungry. One subject, for example, was said to "eat and eat until he could hardly swallow any more and then he felt like eating half an hour later."

Dr. Ancel Keys, who conducted the Minnesota experiment, said that although he believed his research certainly had some relevance to the Jackson case, there were limitations to its applicability.

"The only problem is that we didn't track these people very long after the experiment ended, so there is no way to say how long their irregular eating habits lasted," Dr. Keys said.

Still, some medical scholars maintain that the experiment has some pertinence.

"Actually, the symptoms shown in that study would be even more profound with boys like these who are young and come with prior medical issues," said Dr. Susan M. Ice, medical director of Renfrew Center in Philadelphia, which treats severe anorexics and bulimics.

An early experience of starvation may not be the only explanation for the parents' claims that Bruce Jackson had strange eating habits. Dr. Walsh pointed to the possibility of an eating disorder called pica. Those with pica compulsively consume nonnutritive substances like sand and dirt, and even animal droppings and insects.

"Kids with iron deficiencies and mental retardation have a far higher chance of this disorder," he said. "Considering the general depletion cited in this boy's history, pica seems like a real contender."

Though experts can only speculate about the psychological causes of Bruce Jackson's condition, most agree that his physical recuperation will be difficult and uncertain.

In cases of such severe starvation, the digestive tract is slow to restore its ability to move and break down food properly, experts say, and vital organs also suffer significantly.

"When firewood in the log cabin runs out, you burn the log cabin," Dr. Ice said, explaining that the body begins to eat away at the tissue of the heart and liver.

For adolescents, long-term bone and brain development are the primary concerns, according to Dr. Joel Jahraus, who has dealt with cases of acute starvation and is the director of primary care medicine at the Remuda Ranch, a treatment center for anorexia and bulimia in Wickenburg, Ariz. Osteoporosis, or low bone density, is a big risk with young starvation victims and can be irreversible. As for brain development, "the jury is still out," Dr. Jahraus said.

"The bottom line here is that whatever the causes, this boy is certainly going to have an uphill battle physically and psychologically," he said.

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## Youth Had Signs of Malnutrition Before Getting Foster Care

By DAVID KOCIENIEWSKI NY Times November 12, 2003

CAMDEN, N.J., Nov. 11 — The 19-year-old who was found severely malnourished last month at a home where he was raised by adoptive parents had been hospitalized at age 7, before he was placed in foster care, for signs of malnutrition and for consuming large amounts of alcohol and prescription medication, according to his state child-welfare case file.

The teenager, Bruce Jackson, and three adopted brothers were removed from the home in nearby Collingswood when child welfare workers discovered they were on the verge of starvation. The shocking condition of the children — Bruce weighed just 45 pounds — has drawn national attention to New Jersey's troubled child welfare system through intensive news media coverage. It has also led to criminal child-abuse charges against the adoptive parents.

Now, however, as medical officials try to nurse Bruce and his brothers back to health, his biological mother has stepped forward to ask that he be returned to her custody. Joanne Principal, 40, said that she was watching a television newscast last week when she saw a photo of Bruce and recognized him as her son, whom she had not seen since he was put into foster care at age 7 in 1991.

Ms. Principal said that she has become a religious person in the years since she and her son were separated, and is now capable of giving him the care he needs.

"When I saw him looking like that on TV, I was angry and upset and confused," she said on Tuesday in the living room of her home in Camden, where she lives with her three daughters and her boyfriend. "Why would they treat him like

that? I know what he needs. And this is like a second chance for us to be together."

Child welfare experts say such a reunion is highly unlikely. For one thing, at age 19, Bruce is legally emancipated and free to live where he wants. The thick file on the case, compiled by the state's Division of Youth and Family Services, also indicates that his mistreatment began long before he ended up in the Collingswood foster home of Vanessa and Raymond Jackson.

Ms. Principal said on Tuesday that she had lost custody of the boy because her husband, who she said had been abusive, "made me look neglectful." She insisted that she never relinquished her parental rights.

But state records show that as early as age 7 the boy exhibited signs of malnutrition. When Bruce was hospitalized at that age, his father also told child welfare workers that the boy had taken prescription medication from his mother's home and had somehow gotten hold of a bottle of Scotch and drank much of it.

State records also indicate that Ms. Principal gave up custody of Bruce before his 12th birthday, a move that allowed the Jacksons to legally adopt him in 1996. The Jacksons have mounted an aggressive campaign to regain custody of the four children, encouraging relatives, friends and the pastor of their church to vouch for them and insisting that the children's gaunt appearance was caused by fetal alcohol syndrome and other medical problems.

Mr. and Mrs. Jackson taped a brief interview last week with Dan Rather that is scheduled to be seen tonight on "60 Minutes II." The segment contains clips from Jackson family home movies, one of which shows Bruce puffing out his cheeks and swallowing, which the Jacksons say is a sign of his regurgitating his food. But Ms. Principal said that the boy did not have fetal alcohol syndrome and that she had not abused drugs or alcohol during her pregnancy. She also said that there was no indication that Bruce had ever suffered from an eating disorder.

"He was just a happy, healthy kid," she said, pushing away a tear.

Ms. Principal, her daughters and her boyfriend, Joseph Lewis Jr., live in a dilapidated two-bedroom home in a rundown neighborhood with a dog and eight puppies. Family members insisted they could provide a safe, happy home for Bruce.

"We'll make it so he never wants to leave," said Ms. Principal's daughter Tina, 14, as she chased a puppy over a mound of trash in the living room, around two piles of dog droppings and into a three-foot heap of laundry on the kitchen floor.

Mr. Lewis said that even though he and Ms. Principal were both unemployed, they were not worried about the financial burden of caring for Bruce because his case has already brought an outpouring of donations.

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### **Birth mom wants to see DYFS teen**

### **Says 'chubby and healthy' boy taken away from her never had fetal alcohol syndrome**

BY SUSAN K. LIVIO

Star-Ledger Staff

November 11, 2003

Most people looked at the chilling photo of Bruce Jackson that appeared in newspapers and on television and said they couldn't believe the youth who weighed less than 50 pounds was 19 years old.

Joanne Principal could.

It had been 11 years since her son was taken away from her by the state's child welfare system, but there was no doubt about the emaciated child in the photo, she said. If anything, he looked as though he had hardly gained a pound since he was 8.

"I knew it was him," Principal said.

But she wishes it weren't.

The photo of Bruce with his adoptive family, widely published after the boy was hospitalized suffering from apparent malnutrition, shattered her hopes that her son had grown up better off without her.

Now that she knows where he is and how he has suffered, she wants back into his life. She tried to see him in the hospital yesterday but was rebuffed.

"I know I can't make up years lost," she said, bowing her head and trying to catch her breath between tears. "I don't know what I would say, where I would begin."

But she wants to try, if he'll have her. "I'm 40 and I am a different person now."

Principal was located this weekend by a Star-Ledger reporter who dropped in unannounced. She has a new family: five children, including three girls, ages 7 through 14, and a boyfriend, Joseph. They share a dim, sparsely furnished apartment in a decaying Camden neighborhood. They live less than five miles from the suburban Collingswood house where Bruce and his adoptive family have lived for years.

"I'm angry, upset, confused. I'm wondering why this had to happen," Principal said of what has happened to her first son.

She's most baffled by what she's read about the Jackson parents, Raymond and Vanessa, arrested for allegedly starving Bruce and three other adopted boys.

"They look like such a happy family," she said, staring at the photo as if it were a puzzle she did not quite understand. There's no mistaking Bruce's gaunt and bony face, which appears, if anything, smaller than the last time she saw him.

"How could they have missed it?" she asked.

Child welfare authorities took the baby she remembers as "chubby and healthy" when he was less than a year old and turned him over to his father and namesake, Bruce Roy, and his mother.

She denied that Bruce was born with fetal alcohol syndrome, an allegation made by the Jacksons' relatives to explain the boy's tiny frame.

According to investigators close to the case, Joanne Principal lacked the parenting skills to raise him. The file indicates Roy underfed and physically abused the child, the sources say. There is no mention of fetal alcohol syndrome.

Principal said she fled what had become an abusive relationship with Bruce's father, and in doing so, left Bruce as well. "I didn't give him up," Principal insisted. "But I know I should have tried harder. I should have asked for help, but at the time didn't know how to."

She says she was never aware that Bruce might have had an eating disorder, but she does remember that the last time she saw him, he was about 8 and looked skinny for his age. The boy's father dropped by unexpectedly, and when they came inside, Bruce asked for something to eat. She remembers the boy's father shooting her son a nasty look. "He looked scared to talk to me."

The state Division of Youth and Family Services placed the boy with the Jacksons in 1991 as a foster child, and five years later severed both parents' rights. That opened the door for his foster parents to adopt Bruce, which they did in 1996.

Principal met another man with whom she would share 14 years, having five more children, including two who live with their father. "I started going to church. I got my life back in order."

"But there was not a time I didn't pray for Bruce," she said.

Principal says she doesn't understand all that's happened to Bruce since she last saw him.

Camden County Prosecutor Vincent Sarubbi described Bruce's case as the worst example of child abuse and neglect he has ever seen. Bruce has become the latest symbol for what ails New Jersey's dysfunctional child welfare system.

Bruce has even been called a liar by his adoptive parents. Speaking on the Jacksons' behalf, the family's pastor told a congressional committee investigating the case last week that the boy's eating disorders and behavior problems made him "a project" to raise.

Principal and her companion, Joseph, who declined to give his full name, say they do not want to be overly judgmental. They are impressed, for instance, that the Jacksons' pastor "would put himself out" by defending them in public, even offering up his home to make the couple's bail, Joseph said.

"The (DYFS) workers must feel bad, too. They're guilty until proven innocent, aren't they?" he said.

Principal hasn't seen Bruce's father in years and doesn't know where he's living. Several attempts to find Bruce Roy for this story were unsuccessful.

Joseph and Principal are raising three of her five children from a previous relationship -- Tina Brown, 14, Amanda Brown, 13, and Tameka Brown, 7 -- in a four-bedroom apartment they share with two dogs and their litter of eight 5-week-old puppies. Her two sons are living with their father and visit often. Principal does not work and relies on public assistance. Joseph also is unemployed.

It was clear that the children who live with her already knew about Bruce, but they were eager for the latest on his condition and peppered a reporter with questions. "I've told them about how their brother was having a hard time," Principal said.

DYFS workers do not supervise Principal's current family, she said, although they have been called to the home over the years on allegations made by "people who don't like me."

"Every time they've come out, they found my kids healthy," she said.

Joseph said the last visit was perhaps a year ago, when he and Joanne's relationship began after they met through friends at church. "They were making sure everything was okay, especially with a new person in her life," he said.

DYFS workers have not been back since, he said. Agency officials will not discuss cases because of strict confidentiality laws.

Principal would like to see Bruce again. Yesterday, she made the trip that she said she has been pondering since she first recognized Bruce weeks ago: She visited the DYFS district office in downtown Camden to ask permission to visit her son in his room at Our Lady of Lourdes Medical Center. She and Joseph also made the same request at the hospital, but they were not allowed to see Bruce.

"I would like to start visiting him," Principal said. And if DYFS officials tell her no -- that she missed her chance a long time ago to be Bruce's mother -- she won't walk away so easily this time.

"I would go higher."

Principal walked to a dusty shelf against an empty wall to fetch school pictures of her children, including her 15-year-old son, who bears a strong resemblance to Bruce.

"I raised them. They're beautiful," Principal said, a hint of defensiveness in her voice.

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## **Jacksons' televised plea: `We want our children back'**

By JASON NARK      Courier-Post Staff      November 12, 2003

The Collingswood couple accused of starving their four adopted sons plead for the return of their children during an interview tonight on the CBS program 60 Minutes II.

Raymond and Vanessa Jackson make their first public comments since being arrested last month during a brief interview with Dan Rather.

"I miss my kids a lot," Vanessa Jackson, 48, said in a transcript released by CBS.

"We want our children back," added Raymond Jackson, 50.

The couple's four adult biological children and Raymond Jackson's brother also spoke with Rather, saying the boys were fed regularly but had severe disorders.

However, a New Jersey official appearing on the show said the boys, ages 9 to 19, were the victims of abuse.

"I think it's very likely that some of these children would have perished" if officials had not removed them from the Jackson home last month, said state Childhood Advocate Kevin Ryan.

Raymond and Vanessa Jackson are each charged with aggravated assault and endangering. Authorities also have moved to fire nine employees of the state Division of Youth and Family Services, contending they failed to protect the Jackson children despite repeated visits to the family's home.

Raymond and Vanessa Jackson declined to discuss the charges against them during the interview. But family members contended the four boys were well-treated.

"We would eat together," said Raymond Jackson Jr., the couple's adult son. "I mean we would have like the same meals. We'd eat breakfast, lunch and dinner and stuff together."

Among comments released in the transcript, daughter Le Rae Jackson said one of the adopted boys, 19-year-old Bruce, would gorge on food after traumatic events.

Bruce Jackson, who is four feet tall, weighed 45 pounds when a neighbor found him foraging for food in a trash can on Oct. 10.

"Usually, when something extreme happens, he'll probably go and do it," Le Rae said of Bruce. "Like recently our dog died and it probably upset him, so it's probably something from his past. Like every time he would (gorge on food), probably something bad happened . . . 'cause I know he used to go through the trash before he even came with us."

She also said her parents had an alarm, not a lock, on the kitchen door to stop Bruce from sneaking into the kitchen.

Another daughter, Renee, described cooking for the family.

"I would make huge pots of, like, beans and rice with, like, meat and casseroles," said Renee, who now lives in Tennessee. "I love Italian food, so we would always have Italian dishes and Asian-influenced dishes and I even remember, like, Bruce would be the one sitting next to me eating that, and he told me how much he even loved my casseroles, my tuna casseroles."

All seven of the Jacksons' adopted and foster children were removed from the home on Oct. 10. The parents were

charged Oct. 24.

In his interview, Child Advocate Ryan said the boys had distended bellies when they were removed from the home.

"You could see their ribs," he said. "These were boys, really, on the verge of very serious medical problems."

Bruce Jackson remains hospitalized, but the three other boys are in foster care.

While Le Rae Jackson said the boys' physical condition could be blamed on health problems, Ryan noted that the boys have made "dramatic" weight gains since being removed from the home.

Bruce now weighs almost 65 pounds, Ryan told Rather, while the other boys have gained 16, 14 and 9 pounds, respectively.

Camden County Prosecutor Vincent P. Sarubbui declined to be interviewed for the show but issued a statement Tuesday.

He said three medical experts, including a geneticist, evaluated the Jackson boys and determined their dramatic underdevelopment stemmed from severe malnourishment and inadequate medical care.

"In accordance with attorney ethics, I cannot engage in further discussion, review or analysis, nor can I respond to criticism of the ongoing investigation, no matter how misguided those criticisms may be," Sarubbi said.

Raymond and Vanessa Jackson had originally agreed to be interviewed for 60 Minutes II, then changed their minds on the advice of unnamed, newly acquired attorneys, a family spokesman has said.

CBS spokeswoman Kelli Andrews said the Jacksons changed their minds again and met with Rather in New Jersey.

Family members on the show, including daughter Vernee and Raymond Jackson's brother, William, also were advised by attorneys not to appear.

"We're doing this interview so we can say stuff that they can't say," said Raymond Jr.

Also today, another TV program is taking up the Jackson case.

The John Walsh Show (shown at 1 p.m. on WGTW, Channel 48) will air interviews with experts and neighbors of the Jacksons, including 37-year-old Michael Byrd, who called police after discovering Bruce rummaging through his trash can.

## **Birth parents ache for starved son**

### **Bruce Jackson, later adopted, is part of the N.J. starvation case.**

By Kristen A. Graham and Frank Kummer   Inquirer Staff Writers   Nov. 12, 2003

His father wants to know why his 19-year-old son was only 4 feet tall, why he was found rooting for food in a trash can, weighing only 45 pounds.

His mother wants to tell him she loves him and never stopped thinking about him.

Reached separately in Camden and Chester yesterday, Bruce Jackson's biological parents say they are sick with the news of what has happened in his life since they lost him more than a decade ago.



The two painted a picture of a young life that was never easy - fractured from infancy by abuse allegations, movement from relative to relative, and medical problems.

Jackson's latest woes are well-publicized. He was found rummaging through a Collingswood neighbor's trash Oct. 10, touching off an international furor and allegations that Raymond and Vanessa Jackson, his adoptive parents, starved him and three adopted brothers.

Speaking from his Chester apartment, an emotional Bruce Roy said he remembered taking his boy, who was always small but never dangerously so, to doctors, to restaurants, to Sesame Place.

Roy acknowledged that he'd had problems that meant he could not be his son's primary caretaker, but said he had gotten his life together for the child and never harmed him.

Since picking up a newspaper with a photo of the smallest 19-year-old he has ever seen, Roy has been tormented.

"I see it in my sleep," he said, his voice loud and ragged. "I see it when I'm awake. I see it all the time. How come he was digging through a damn garbage can?"

Joanne Principal, Bruce Jackson's biological mother, said she wanted desperately to tell her son that his current medical straits worry and anger her. That she wants to visit him, take care of him.

"I want him home to hug him," Principal said, her voice trailing off.

Principal said her oldest child was not - as some Jackson family supporters have suggested - a victim of fetal-alcohol syndrome. He weighed about seven pounds at birth, she said.

"His birth was good. There were no complications. He was a healthy, happy baby," said Principal, who bears a strong resemblance to her son and spoke from her four-bedroom tan stucco rowhouse in South Camden.

Principal, who lives with her fiancé, three daughters, and a litter of puppies, said she had not been doing drugs or drinking before or at the time of Jackson's birth.

She met Roy through her sister, who also had a child by him. Principal moved from Lacey Township in Ocean County to North Camden with Roy around 1983, and Jackson was born Sept. 29, 1984.

Within five months, she said, Roy contacted the state Division of Youth and Family Services and contended she had neglected the baby, an allegation she denies.

Roy said that Principal had frequently left home, and that he had often taken the baby in search of her.

"My son had no diapers," he said. "I turned the oven on to keep him warm."

DYFS eventually gave custody to Roy's mother. Roy said that his mother, who also lived in Camden, had given Principal the opportunity to visit the child, but that Principal had said she did not want to be a part of his life.

Meanwhile, Roy said, the child developed medical issues.

"All of a sudden, my son started regurgitating his food," Roy said. "He wouldn't do it when other kids were around, but he'd do it around me."

Roy started therapy to address his own problems, began working steadily, and made frequent visits to his namesake, he said.

"I got him his shots. I took him to school. I love my son, and I always did my best for him. We got him as much help as we could," Roy said.

He said he and his mother, now dead, had taken Jackson to doctors and hospitals for his problems. The child was small, but so was his father when young, said Roy, who is 5-foot-6.

"Bruce ate like a horse," Roy said. "He had a good appetite."

But problems kept surfacing. DYFS accused Roy of abusing the boy, an allegation he denies.

Principal said that on her last visit with her son, when he was 8, he had asked her for food. He was in bad shape, "but not as bad as now," she said.

Eventually, Roy moved to Fayetteville, N.C., taking his son with him. DYFS officials tracked them there and took the child from him.

Roy moved to Philadelphia and took a parenting class in the hope that his son would be returned to him. It never happened.

His last contact with him was a visit in 1994.

Bruce came to the Jacksons as a foster child in 1991. The Collingswood family adopted him in 1996.

Losing contact with her son was devastating, Principal said, but she felt she had no recourse.

"I missed him," she said. "It tore me apart. I didn't care about anything for a while - what I did or where I went."

Principal, who does not work and receives public assistance, said she had learned of the case only last week after watching TV news.

Looking at her television, Principal was shaken, she said. One of the boys looked like her Bruce.

She and her fiance began poring over recent newspapers. She knew the Bruce Jackson in the dozens of articles was her son.

"I was upset and angered," she said.

Without the facts, she won't condemn the Jacksons. But she does have questions.

"I'd ask them, 'How'd it happen? Why didn't you get him medical help?' " Principal said.

After making the connection, Principal and her fiance traveled to Our Lady of Lourdes Medical Center in Camden, where Jackson is hospitalized. A chaplain sat with them, but they were not allowed to see Jackson.

Principal said she believed she might be allowed to visit this week, possibly today. She wants Jackson to live with her.

"I want to give him the love that he missed out on all those years," she said, her voice choked with emotion.

Roy said he, too, wanted to reenter his son's life, but was unsure how to go about it.

Unlike Principal, Roy, who lives with his fiancée and works in a warehouse for Suburban Electric, is furious with the family he was promised would take good care of his son.

Kevin Ryan, the New Jersey child advocate, said yesterday that it was unlikely that Jackson's biological parents would be allowed to visit with him.

The focus of the closely watched case is expected to shift to Jackson's adoptive parents today, as family members share their story on national television.

In a news release, CBS News said the Jacksons would insist vigorously on 60 Minutes II, scheduled to air at 8 tonight, that Bruce and his three adopted brothers were not starved.

But Roy looks at the newspaper clipping that first told him of his son's life since he left him, and he finds that hard to believe.

"He's 19," his father said incredulously, angrily. "He should be out on his own, not in a hospital."

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## Child welfare at a crossroads

By Mitch Lipka      Inquirer Trenton Bureau      Nov. 16, 2003

TRENTON - State child welfare officials have a lot to overcome in the two months before they are required to produce a plan to radically overhaul their agency.

Their already-daunting task now is even more difficult at the Division of Youth and Family Services, where officials are struggling to move from the shadow cast by the case of four severely malnourished brothers found in Collingswood last month.

"It's a huge distraction," said Edward Cotton, DYFS director.

As DYFS deals with damage control and examines yet another high-profile failure, it faces a series of both self-imposed and court-mandated deadlines for change.

Simultaneously dealing with a crisis and an overhaul may be more than the beleaguered agency can handle, said Eric Thompson, senior staff attorney with Children's Rights Inc. His organization's settlement in June of a four-year lawsuit accusing the state of neglecting foster children established the framework for the state to alter DYFS.

Failure to develop and execute a meaningful plan leaves the state, if it fails, at risk of having the changes imposed by a federal judge.

"Clearly, the Collingswood case has diverted substantial attention at the top levels of the agency," Thompson said. "It's highlighted how far we have yet to go in New Jersey before we can say children are safe in DYFS custody and how important the current reform process under the settlement is."

DYFS does not have enough top managers in place to deal with two things at once, he said.

The agency also is struggling to meet a self-imposed Dec. 1 deadline to fill the remainder of 331 new positions authorized under the settlement.

DYFS has been recruiting and hiring since July. That task has been made more difficult by a steady flood of resignations and retirements.

But the agency is still swollen with new workers, many of whom are inexperienced - a chronic agency problem.

Still, Cotton is optimistic that a burst of hiring will let the agency finally reach full staffing within two weeks and that hires will include seasoned pros.

But Kevin M. Ryan, the state's child advocate, said those jobs are a fraction of what is needed and merely represent a "down payment" of the hundreds of more workers required to reduce caseloads to a manageable level.

Caseworkers now average more than 40 cases each - about double the standard set by the Child Welfare League of America.

"Until the state can do better with hiring and retraining qualified staff, there's going to be very little change on the frontlines," said Thompson of Children's Rights. "That's going to jeopardize any major system reforms, if the agency continues to have insufficient staffing."

Since the discovery of Faheem Williams' dead body in Newark in January - his abuse case was closed without his ever having been seen by a caseworker - calls to the agency have swelled and so have caseloads. Policy changes instituted after his death made it more difficult to close cases, leaving workers to keep their eyes on about 60,000 children.

Those watching DYFS expect the agency to complete a preview of its blueprint for changes by next week - in time to fine-tune it before official submission in January.

But there is more at stake. Without public support for change and the perception that DYFS is on the right path, plans for change could be in jeopardy.

"There are big questions here about public confidence," Ryan said. "One of the things that is essential in a reform process is that steps are taken to ensure children are safe and the public ratifies that and believes in that."

Although DYFS has undergone one failed effort to change after another over the years, the current process has been held out as the real deal because it is under the watch of a federal judge.

The case of the four malnourished Jackson brothers of Collingswood has had an impact. One foster child, a girl, was in the Jackson home under DYFS supervision.

Because the Jackson family not only had been seen by caseworkers but had been given a thumbs-up in an emergency safety assessment of all foster homes, questions were raised about the quality of those assessments - forcing thousands to be redone.

"That did not result in public confidence," Ryan said.

The four brothers were removed from their home after the eldest, Bruce, 19, was found rifling in his neighbor's garbage can on Oct. 10. He was 4 feet tall and weighed 45 pounds, but has since gained some weight. He and two of his brothers, ages 14 and 10, are under 24-hour medical care. The 9-year-old already lives with a foster family.

A member of the panel of national child welfare experts overseeing the state's efforts said the Collingswood case might be a temporary setback for agency changes, but it also has added urgency to the cause.

"It helps people understand how it's [DYFS] so broken," said Kathleen Feely of the Annie E. Casey Foundation.

Cotton, like Feely, said the state could benefit from the problems exposed by the Jackson case.

Still, Cotton said, it has thrown off the momentum that was building in the lull in controversies.

"I consider it a slap in the face to social workers, a slap in the face to foster families, and a slap in the face to adoptive parents," Cotton said of the Jackson case, noting that he has been all of those.

One of the inevitable consequences of bad publicity, Ryan said, is the loss of foster families and damage to recruitment efforts for new ones. With the state already suffering from a shortage of foster families and planning to reduce the maximum number of children per home, thousands more homes are needed, Ryan said.

Despite the fallout over the Collingswood case, Feely urged patience and a continued commitment to fixing a deeply flawed agency.

"When you have breakdowns like we've seen in New Jersey in the past year, it's a sign that things are very broken," she said. "New Jersey is trying to do a lot in a very short amount of time. This is a very hard thing to do and they're doing a good job. I feel very hopeful."

Realistically, Ryan said, people will need to be both deeply committed and very patient. The changes could take seven to 10 years to become institutionalized. "It will take a very long time to make this system better," he said.

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## **Rare disorder can lead to 'garbage-can' eating**

**Its symptoms, including stunted growth, can mirror those in the Jackson case. One official said, "I'm not ruling it out."**

By Marie McCullough      Inquirer Staff Writer      Nov. 16, 2003

A rare medical disorder sometimes called "garbage-can syndrome" can afflict children in ways that seem to mirror the symptoms seen in the Collingswood starvation cases.

Children and adolescents who develop this disorder, also known as "psychosocial dwarfism," are profoundly emotionally deprived for so long that their growth hormones shut down - stunting their height, preventing puberty, even retarding their intelligence. Often, they exhibit bizarre feeding behaviors such as eating from garbage cans, drinking from toilets, gorging and vomiting, stealing and hoarding food, and regurgitating and reswallowing food.

When they are moved to a nurturing environment, they grow rapidly and their abnormal behavior improves.

Psychosocial dwarfism has been well-documented since the 1960s, but it is so uncommon that even leading child-abuse experts rarely see a case.

"I've seen only a handful of cases in over 15 years," said Cindy Christian, a pediatrician who directs the Center for Child Protection and Health at Children's Hospital of Philadelphia.

Now, as experts read media reports about the Jackson family, they cannot help wondering whether this obscure disorder could be a piece of the puzzle.

The four Jackson boys, ages 9 to 19, all extremely undersized for their ages, were removed Oct. 10 from the Collingswood home of their adoptive parents, Raymond and Vanessa Jackson. The Camden County couple, accused of starving the boys, have been charged with child endangerment. But friends, a pastor and relatives - including the couple's four biological children - insist that the Camden County couple are loving, devoted parents who took in the boys despite their histories of abuse, neglect and behavioral problems.

The couple have said that Bruce, 19, who came to them as a sexually abused 7-year-old foster child, gorged and vomited, stole and hoarded food, regurgitated and reswallowed food, and ate out of garbage bins. He was eating out of a garbage can when a neighbor called police last month. The neighbor guessed that the high-voiced teenager, 4 feet tall and 45 pounds, was 9 years old.

Now under medical supervision, all four boys have gained significant amounts of weight, but Bruce's progress has been the most dramatic. His weight has jumped to 66 pounds, and he has grown at least an inch in height, state officials say.

Kevin Ryan, New Jersey's independent child advocate, said Friday that the evidence pointed to starvation as the reason

the boys' growth was stunted. However, he said, he would not dismiss other possibilities, including psychosocial dwarfism.

"I'm not ruling it out," Ryan said.

Ryan said that in an effort to understand better what has happened, his office has subpoenaed the boys' medical records and is continuing discussions with clinicians treating them.

Many chronic diseases and congenital abnormalities can inhibit growth and cause short stature, including dwarfism, hypothyroidism, pituitary tumors, anorexia, cystic fibrosis, diabetes and Turner's syndrome.

But if diagnostic tests and examinations rule out these causes, a doctor has to consider social and psychological stresses, said Angelo Giardino, a St. Christopher's Hospital pediatrician who, like other doctors interviewed, has no direct knowledge of the Jackson case.

Giardino drew an analogy between the chronic mental and emotional stresses that can lead to a heart attack, and the chronic emotional deprivation that can suppress growth hormones.

"Psychological stress can have physiological effects," he said.

New Jersey officials have said they plan to gather full psychological profiles on all four brothers in the coming weeks.

Robert Blizzard, an emeritus professor of pediatrics at the University of Virginia, was among the first to document psychosocial dwarfism, in the 1960s and 1970s. Unfortunately, he said, "social workers and judges may not understand this disorder."

At the core of this complex illness is a disturbed relationship between a child and the parent or caretaker. There may be outright abuse, rejection or abandonment of the child. Or, a caring parent may be unable to bond adequately with the child because of substance abuse, depression, or his or her own emotional problems.

In the 1960s, new technology enabled researchers to prove, by measuring hormone levels in the blood, that the mind could influence growth through hormone imbalances. They found that severe, sustained emotional deprivation could suppress the primary growth hormone, disrupt thyroid function, and make target cells less sensitive to growth hormones.

Still, diagnosis of psychosocial dwarfism is tricky, because some of these children also are malnourished, a condition that by itself inhibits growth.

How can observers tell what's really going on?

Diagnosis is confirmed by moving the child to a safe, nurturing environment and watching for sudden "catch-up" growth, said Andrew P. Sirotiak, a pediatrician and child-abuse expert at the University of Colorado Health Sciences Center in Denver.

In a medical textbook, Blizzard cites numerous cases, including these:

A girl, age 15, was referred to psychiatrists because she had not begun puberty, was the size of a 10-year-old, habitually drank from a toilet bowl, ate dog food, and was academically delayed. Her home was "emotionally unstable," and she hated her father so much that she would not talk to male doctors. One month after being hospitalized, she grew an inch and began sexual maturation.

A malnourished 9-year-old boy - born of the sexual liaison between a mildly retarded teenager and her brother - was taken to doctors after three difficult years with foster parents whom authorities considered to be religious, conscientious, caring people. The boy was the size of a 5-year-old. The foster parents said he ate dog food, garbage and feces, had violent tantrums, and banged his head against walls. During a month of hospitalization, he became more

outgoing, ate ravenously, and gained 18 pounds. He said his foster parents had punished his behavior by withholding food and drink and locking him in his bedroom at night to keep him from eating.

In the Jacksons' case, the parents said they had put an alarm on the kitchen door to prevent Bruce from sneaking in, then gorging and vomiting. Vanessa Jackson told authorities she had not taken the boys to a doctor for four or five years.

Experts say that children who suffer from psychosocial dwarfism tend to be emotionally and psychologically unstable when they grow up, particularly if the disorder is diagnosed late in childhood.

That, experts agree, is why parents should seek help - and why they cannot understand how the Jacksons got into such a deep crisis.

"Functional families ask for help," said Giardino of St. Christopher's Hospital. "When did the pattern not make sense in terms of the boys' growth?... When was someone going to pull the rip cord on the parachute?"

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**5:87) 21-NOV-2003 08:43 [John Searight \(searighj\)](#)**

### **Emaciated teen continues physical emergence**

### **Happy Bruce Jackson has tacked on 23 pounds and inch in height**

BY MARY JO PATTERSON      Star-Ledger Staff      November 21, 2003

Bruce Jackson, the 45-pound 19-year-old found foraging for food in a neighbor's trash can last month, still looks like a child as he flits about on his hospital floor in PJs, street clothes, or the Spiderman costume he got for Halloween.

Because of his arrested development, which authorities attribute to years of starvation, the N.J. Department of Human Services has applied to be his legal guardian.

But the teen is growing at an amazing rate -- adding 23 pounds and over an inch in height in the last five weeks -- and no longer resembles the fading wisp of a boy Collingswood police removed from his adoptive parents last month. Doctors are cautiously optimistic that he will reach manhood.

For now he enjoys circling his food choices on the hospital menu, according to people who have seen him. He loves to hang out at the nurses' station, and has said he wants to become a nurse himself. His few visitors -- the hospital enforces a "No Visitors" rule and protects his privacy through a pseudonym -- report that, like a typical pre-adolescent, he has begun challenging adults. He likes where he is and enjoys attention, but understands that his future will involve another move.

Altogether, Bruce Jackson is leading a life that is radically different from the one interrupted Oct. 10, when police removed him and three younger brothers from their adoptive parents, Vanessa and Raymond Jackson. All four boys were former foster children of the N.J. Division of Youth and Family Services.

The three other boys were also on the edge of starvation, Camden County authorities said. The parents have been charged with causing bodily injury to their sons by failing to provide food and medical care.

Bruce and his brothers, ages 9, 10, and 14, have since told investigators of living a spartan existence in a household with different rules for boys and girls. In addition to Bruce and his brothers, the Jacksons cared for two girls, an adoptive daughter and a foster child. Both were found to be well-nourished, but were also removed from the home.

The boys said they were awakened daily between 5 and 6 a.m. for an hour of Bible study and prayer, and then sent back to bed. The girls also had a prayer hour, but it was later.

When the boys got up again, one of the Jacksons' grown biological daughters would home-school them for two or three hours. After that, the boys told investigators, they did chores or played. The boys reported eating only twice a day, typically uncooked pancake batter and oatmeal, and said they were not allowed to join the rest of the family at the table during mealtimes.

Bruce has also alleged that he and his brothers were occasionally disciplined with a belt, although investigators have no evidence suggesting they were injured as a result.

The girls told investigators that their mother informed them that Bruce would be "leaving" in December to get his own apartment and job.

After the Jacksons were arrested, some of their relatives and friends mounted a spirited defense on their behalf.

Their pastor, Harry Thomas of Come Alive New Testament Church in Medford, called the Jacksons loving parents and blamed the boys for their conditions.

All of them suffered from "eating disorders" or fetal alcohol syndrome, Thomas said, and Bruce constantly gorged on food and vomited.

Confidential DYFS records document that Bruce weighed 49 pounds at age 11, around the time he was adopted.

Last month, sunken-faced and only 4-feet tall, the 19-year-old was found to weigh only 45 pounds.

Since being hospitalized, he has not vomited once, according to sources monitoring his case.

Bruce's brothers were also found to be seriously underweight on Oct. 10; the youngest, age 9, weighed only 23 pounds, according to Camden County authorities.

Now, living in foster homes, they have also gained weight.

After the Jacksons adopted their sons, DYFS closed their cases. Last summer, however, caseworkers were in their home many times in order to arrange the adoption of their newest foster child.

Somehow, they failed to take in the boys' shocking conditions.

Once police stepped in, DYFS went to court to gain custody of all six Jackson kids. A judge granted DYFS custody of five but ruled that Bruce, at 19, was legally an adult.

DYFS' parent agency, the state Department of Human Services, has since petitioned the court to appoint its Division of Developmental Disabilities guardian for Bruce. DDD provides services to young adults with disabilities.

Child welfare authorities say that while the teenager may prove to be capable of living on his own -- he has demonstrated that he can read and do multiplication tables -- he needs protection.

Until now the hospital in Camden has been acting as his unofficial guardian, shooing away television reporters and others who have sought to interview him.

"We believe he needs us to be his guardian and to provide services," said Ralph Siegel, a spokesman for Human Services.

Sources said that Human Services plans to place Bruce in a therapeutic foster home, possibly next month.

Kevin Ryan, New Jersey's Child Advocate, said his office planned to review any guardian arrangement.

"An entity beyond government needs also to be protecting Bruce's interests," he said.



Tom Blatner, a child welfare consultant and former head of DYFS, said the state owes the 19-year-old every chance for "the best possible life."

"He obviously needs someone to connect to, services, and some benefits, until he's 21, at least," he said. "Any way you cut it, the system failed this family."

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**5:88) 01-DEC-2003 07:49 [John Searight \(searighj\)](#)**

## **Child Advocate has uncommon power**

### **Kevin Ryan's job is to push for fixes to N.J.'s broken system**

By JASON NARK      Courier-Post Staff      November 30, 2003

The stacks of paperwork sitting in Kevin Ryan's office would have you believe he has been New Jersey's Child Advocate for years.

Ryan has held the position since its creation two months ago, yet he already has launched investigations into several state offices and is at the forefront of a child-abuse case making headlines worldwide.

The former deputy chief of management and operations for Gov. James E. McGreevey, Ryan was appointed to the \$126,000 per-year position Sept. 26.

"The extent of the problems in the child welfare system here are stunning," Ryan said during an interview in his office.

Currently, there are 21 child advocates across the country, but the power given to him in New Jersey is rare, said Ryan, who has a staff of 11.

"We have the power to make a public demand for corrective action," said Ryan, an attorney who previously had worked for Covenant House, the largest privately funded childcare agency in the United States.

He can, for example, sue state agencies and review sensitive files.

McGreevey created the position following the discovery in January of the mummified body of a 7-year-old child in Newark. The child had been abused and starved while under the supervision of the Division of Youth and Family Services.

A 1999 lawsuit brought against the state by Manhattan-based child advocacy group Children's Rights International also prompted Ryan's appointment. A settlement calling for broad reforms and immediate additional funding was reached in June and approved by a judge Sept. 2.

In a statement, McGreevey called the Office of Child Advocate a "strong independent watchdog."

"There is no more fundamental obligation of government than to protect our children," McGreevey said. "And the Office of Child Advocate . . . will ensure that we are meeting that obligation. As a lifelong tireless advocate, Kevin Ryan will answer purely to the children he serves."

On his first day on the job, Ryan launched a probe into Monmouth County's Arthur Brisbane Child Center, where staff at the psychiatric facility face accusations of sexual misconduct and other patient abuse. On his second day, Ryan launched investigations into overcrowded juvenile detention centers in Camden, Atlantic, Essex and Union counties.

When a Collingswood couple was arrested Oct. 24 on assault and neglect charges, Ryan, and rest of the nation, learned of the horrific accusations against Raymond and Vanessa Jackson - the systematic starvation of four adopted sons. The boys, authorities say, suffered from significant growth retardation, profoundly delayed bone maturation and

malnutrition.

Ryan is helping the Camden County Prosecutor's Office investigate the case and has since testified before a congressional committee and appeared on 60 Minutes II to call for change.

Ryan has reviewed documents from every government agency involved with the Jacksons, including files on all six of their adopted children and their one foster child. Two of the five files on the foster child, Breanna, run to about 400 pages. The Jacksons were days away from adopting her when authorities removed the boys from the home Oct. 10. They intervened after a neighbor found the oldest boy, Bruce, rummaging through a trash can.

While friends and family have said the Jacksons were overwhelmed with the boys' medical problems, Ryan said the blame lies with Raymond and Vanessa.

"The government is never going to love a child; the Jacksons had to do that," he said. Ryan said the Jacksons' adopted sons are aware of what has happened to them and of their parents' arrests.

"They are all very sensitive to this, but they all continue to grow," Ryan said.

Ryan said he is preparing a timeline of the Jacksons' involvement with the foster care system to find out how the situation was permitted to deteriorate.

"Bruce Jackson weighed 49 pounds when they adopted him (in 1996) and he was 45 when a neighbor found him years later," Ryan said.

On a larger scale, Ryan is preparing a report on DYFS that he hopes to hand in to a congressional subcommittee by January. The committee will, in turn, issue a report of recommended actions to overhaul DYFS.

Some immediate changes must be made, Ryan said, before the system can flourish. Among them are lowering caseworkers' workload, increasing funding and better training for employees, he said.

"Keeping children safe is not cheap, but you pay for it in your graveyards," he said.

## **Scrutiny escalates at DYFS**

### **Successes keep workers going despite difficulties**

By KAREN KENNEDY-HALL    Courier-Post Staff    November 30, 2003

Delores McFadden has 130 children.

She calls them "my kids" and worries as a parent would.

"I pray every day, 'Please God, don't let anything happen to any of my kids,' " she said.

McFadden is a shop steward with the local union that represents state Division of Youth and Family Services workers. She is also a 6 1/2-year Camden caseworker.

It's a job she believes in despite being asked to do the impossible.

"I cannot possibly service 130 children," said the 35-year-old McFadden. "Now, all I do is put a Band-Aid on it and clients stay in the system."

Since the discovery in January of the mummified body of a 7-year-old boy in Newark and last month's discovery of four starving boys in Collingswood, the state's 1,958 DYFS workers have come under intense public scrutiny.

The caseworker in the Newark case resigned; nine workers are facing termination in the Collingswood case. DYFS

officials have said they stand behind the firings - they say workers must be held accountable.

McFadden and three other workers with the Camden office, who are unconnected with the Collingswood case, told the Courier-Post they are horrified when something bad happens to a child. However, many more are saved because of DYFS involvement, they said.

"I know I make a difference, and that's what gets me out of bed every day," said David Colo Franson, union steward and a six-year caseworker.

He recalls removing two young boys who were being abused and neglected.

While the boys were at the hospital for a required physical, he bought them sandwiches.

"One of the boys said, `David, I love you.' "

The four workers say the job is stressful with too many children to supervise and not enough counseling resources, foster homes or emotional support.

Many DYFS children have serious mental health or emotional problems. Some have been neglected or physically and sexually abused. Others are just angry.

McFadden said she has been through some difficult situations.

She has been held hostage, verbally abused and threatened.

She spends hours at hospitals with children, talking with teachers and driving to visitations.

The stress of dealing with those problems, coupled with the long hours - sometimes 60 or more a week - have taken their toll.

McFadden moves slowly, like the weight of the world is on her shoulders, and there's a sadness in her eyes.

"I have seen things," she said softly, tears welling up.

One child, then a 4-year-old, was kicked by the mother's boyfriend across a room and hit a wall, breaking a hip.

The child is thriving now, living with a relative but will always have one leg one-half inch shorter than the other, McFadden said.

As an intake unit worker, McFadden is the first person to go into a home to investigate allegations of child abuse or neglect.

She goes into some of the worst neighborhoods, sometimes at night, armed only with a cell phone.

In January, she and a co-worker entered a home to investigate a call unaware that it was known for its drug and gang activity.

Once inside, they were forced to stand against a wall.

Men came from different parts of the house, getting in their faces and preventing them from leaving for two hours.

Police were called and ended the standoff, and the children were placed in a safe environment.

McFadden also has had a parent murdered, a child charged with murder and another charged with attempted murder.

At home, her phone rings all hours of the night, including weekends.

"There's no downtime," said McFadden, who is married with one child and two stepchildren.

She has thought about quitting, but the success stories keep her going.

One boy in particular has made her proud. Her first contact with him was when he was a teenager. Now, he's gone to college and has landed a job as a counselor, she said. She gave him a reference.

Another of McFadden's kids, a girl, didn't go to college but has a good job and is now engaged.

"Those are the kinds of things that make me do it," McFadden said.

The DYFS workers say when they knock on a door, they have no idea what they're going to find on the other side.

Jerome Jackson, a 2 1/2-year caseworker, remembers removing four children, ages 10-17, from a home in deplorable condition.

"There were roaches everywhere, climbing on the cats and dogs. They were climbing all over the ceiling."

One dropped on his head, he said.

The 27-year-old said he toughed it out and said to himself, "I have a job to do here."

The children are now fine in foster care.

Jackson, who is single, said he stays on the job because he loves kids.

And with the shortage of workers, he said if he leaves, his co-workers would have to take over his cases.

The night before the interview, Jackson spent hours at a local hospital and then drove a child to a foster home.

He arrived home at 1 a.m. and was back in the office by 9 a.m.

Jackson said he views such hours as being part of the job.

Union steward Denise Greene describes herself as a "bleeding-heart social worker."

For six years, she worked in the adoption resource center unit, which oversees the adoption of DYFS children, and recently moved into ongoing casework.

After just two days in an adoptive home, one of her children died from cancer. She had visited the child many times over a two-year period.

To her, it was like losing her own child. Counseling helped, but she said the child's death changed her life.

McFadden said one DYFS reform she'd like to see is for workers to have access to counseling for everyday stresses.

Currently, counseling is provided only after traumatic events, she said.

"They forget you're a person," McFadden said of DYFS officials. "Our cases are very complex."

Paul Alexander, assistant president of Communications Workers of America, agreed.

"A social worker who is having problems winds up being treated like a leper," he said.

## **DYFS scrambles to hire workers, fix shortcomings**

By KAREN KENNEDY-HALL

Courier-Post Staff

November 30, 2003

A federal judge in September ruled that New Jersey's child welfare system is in serious trouble and mandated that a plan for reform be submitted to a panel of experts by January.

He was ruling on a lawsuit, filed in 1999 by Manhattan-based Children's Rights International, which cited numerous problems with the agency. Among its findings, based on a review of 500 cases:

One in five children with a documented medical need did not receive any service to meet that need.

50 percent of children under the age of 6 who had been in foster care all their lives had not received any of their immunizations.

Foster children spend more than three years in temporary foster care before they are placed permanently.

Children who had been in DYFS care for 36 to 41 months were seen by a caseworker, on average, less frequently than every 90 days.

The suit also cited "prohibitively" high caseloads, lack of accountability, insufficient training and an obsolete computer system as problems with the DYFS system.

As part of the settlement, the state agreed to immediately infuse almost \$24 million into the \$445.3 million DYFS budget to hire workers, fund space and equipment needs and recruit foster parents.

In response, DYFS officials have committed to filling all vacant caseworker positions by Monday. There were 79 positions open as of Oct. 31, but officials could not say how many have since been filled.

"This is an agency in the middle of structurally reinventing itself," said spokesman Ralph Siegel. "We're taking several steps, working from group reports, that will be the first step in looking to a January deadline of having a specific plan in place."

Communications Workers of America Local 1037 Assistant President Paul Alexander said DYFS has hired 160 caseworkers since Nov. 5.

But with a turnover rate of 9 to 13 percent, many more may have to be hired.

Lawmakers held a hearing last month in Washington on the Collingswood case where four boys were found starving to investigate how child welfare money is being spent.

Rep. Rob Andrews, D-Haddon Heights, testified at those hearings of a House Ways and Means subcommittee that oversees financial aid to the states' child welfare systems.

Andrews said the federal government spends \$15 billion a year on child welfare across the country.

"We need to insist that money is being spent to actually protect children and cut off the money to states not doing it," he said.

Steven D. Cohen, chairman of the panel responsible for approving and monitoring DYFS' reform plan, said worker accountability alone isn't going to prevent bad things from happening to children. More funding, more resources and better training are needed.

"For every case in which something bad happens to a kid because a worker does a bad job, there are many more bad things happening to a kid because the system doesn't work," he said.

5:89) 06-DEC-2003 08:04 [John Searight \(searighj\)](#)

## Agency chief is expected to resign today after term marked by tumult and progress

BY SUSAN K. LIVIO AND MARY JO PATTERSON    Star-Ledger Staff    Dec 05, 2003

Gwendolyn L. Harris, who presided over New Jersey's Department of Human Services during a brief but extraordinarily turbulent period and a string of horrific child abuse cases, is expected to announce her resignation, perhaps as soon as today.

Harris, 53, could not be reached yesterday, and her spokeswoman, Laurie Facciarossa, declined to comment. But she has told friends and colleagues that she will leave by February to assume a research post at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University in New Brunswick, where she is a doctoral student.

There was no reaction to her impending departure from Gov. James E. McGreevey, who appointed the career social worker commissioner in February 2002. Spokesman Micah Rasmussen did not return repeated phone calls for comment.

In recent weeks, Harris has told confidants that representatives of the governor informed her that the department needed new leadership.

As chief caretaker for 1 million of New Jersey's most vulnerable people, including abused and neglected children and the mentally retarded, the Human Services commissioner has always been seen as having one of the toughest jobs in the state. Harris' tenure proved particularly bruising.

She spent much of the past year in the spotlight, investigating blunders committed by child welfare workers in the department's Division of Youth and Family Services and trying to pick up the pieces.

The first child-abuse scandal on her watch broke on Jan. 5, when Newark police discovered the mummified remains of Faheem Williams, 7, in a plastic bin hidden in a filthy Newark basement. Two surviving brothers played a few yards away.

A review of caseworker files found that, although DYFS had received a report that the boys were being beaten and burned, it closed their case without investigating.

McGreevey termed initial news reports of the case "revolting" and "disgusting," and angrily promised review and reform. Harris accepted responsibility for the case with a combination of grace and steely resolve.

"We will take whatever measures required to correct or improve our system," she said at a news conference. She declared a "state of crisis" at DYFS and, the following month, submitted a plan to overhaul the agency.

The Williams case added fuel to a long-simmering controversy over the quality of foster care in New Jersey. It also created intense media interest in a long-standing lawsuit brought against the state by a private group, Children's Rights Inc., which alleged that DYFS children were not safe.

The lawsuit was settled in June, with New Jersey agreeing to oversight of its child welfare division by a citizen panel with broad powers to ensure reform.

But more than one botched DYFS case occurred on Harris' watch. In June, and again in August, two more children under state supervision were beaten to death. Then, last month, came the case of Bruce Jackson, a 45-pound Camden County teenager found foraging for food in a neighbor's trash can. He and three brothers, all starving and terribly undersized, had been adopted by DYFS foster parents.

Called upon for an explanation in each case, Harris never flinched.

"The situation is deplorable. It's unacceptable," she said in the Jackson case. "I am faced with the understanding that I have staff that is either incompetent, uncaring, or who have falsified records."

Then she fired nine child welfare workers.

The publicity attending the DYFS cases obscured much of Harris' earlier agenda and accomplishments. Three months before the Faheem Williams scandal, for example, Harris had appeared before state legislators to warn of looming DYFS problems.

She also made progress on vexing issues facing people in poverty and citizens with disabilities. As the state struggled with an enormous budget deficit, she successfully lobbied McGreevey and the state Legislature to dedicate tens of millions of dollars for seven developmental centers facing a loss of federal funding.

In addition, Harris helped break a bureaucratic logjam at the Division of Developmental Disabilities that allowed several hundred people to move into group homes after waiting for as long as three years for openings.

She leaves a job that paid \$137,165. With 19,000 employees and an \$8.3 million budget, it is New Jersey's largest state agency. At Rutgers, Harris is expected to direct a project that will study urban redevelopment; her salary will be paid by the university's central administration.

There were mixed reactions yesterday that she will soon be gone.

The Rev. Deforest "Buster" Soaries, pastor of First Baptist Church of Lincoln Gardens in Franklin Township and a personal friend, said he thought her departure proved that the job was too big for anyone.

"It's too large," said Soaries, the secretary of state under former Gov. Christie Whitman. "It's too large, the scope is too broad, it's virtually unmanageable. If a person like Gwen Harris can't handle the responsibility, I don't know who can."

Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents some DYFS workers, said it was time for fresh leadership. Harris angered the union by her actions in the Jackson case.

"The governor needs to appoint someone with a great track record of both skill and advocacy on behalf of children, families and social services to this sensitive post," she said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said Harris set an important precedent by seeking to involve a broad segment of the community in DYFS reform.

"To have this turmoil, and operate under such a public spotlight, would be difficult for anyone," she said.

## **State Human Services commissioner resigns**

### **Child welfare crises marked Gwendolyn L. Harris' tenure. She will stay on through the deadline for a court-ordered overhaul.**

By Mitch Lipka      Inquirer Trenton Bureau      Dec. 06, 2003

New Jersey Human Services Commissioner Gwendolyn L. Harris, who has moved from crisis to crisis as leader of the state's chaotic child welfare system, resigned yesterday.

Harris, 53, was best known for presiding over the state Division of Youth and Family Services in one of its most tumultuous times, although her department has several divisions and is among the state's largest, with 19,000 workers and an \$8.3 billion budget.

She said she would stay until February, shortly after a critical court-ordered deadline to produce a plan to overhaul child

welfare in New Jersey. The plan is a result of the settlement in June of a lawsuit filed by Children's Rights Inc. over the state's failure to protect children in foster care.

"Commissioner Harris performed admirably in what is arguably the toughest job in state government," Gov. McGreevey said in a statement. "She took over a massive agency with many problems, particularly the failure of its Division of Youth and Family Services to fulfill its basic mission of protecting our most vulnerable children."

Neither McGreevey nor Harris would answer questions about her departure. They commented only through a joint written statement.

On March 1, Harris starts a mid-semester \$110,000-a-year job at state-run Rutgers University. University spokesman Steve Manas said Harris would research redevelopment strategies of older cities as director of the New Jersey Urban Development Project, a new endeavor at the Bloustein School of Planning and Public Policy.

Her job is for up to 24 months. Harris is a Ph.D. candidate at Rutgers.

"Professionally, I regret her departure, yet this, at long last, fulfills her personal goals," McGreevey said.

Harris and McGreevey said that she had tried to leave earlier, but that he had persuaded her to stay.

"This governor has always shown tremendous support for this department," Harris said. "That is why, when I sought to leave the department for the academic realm several months ago, and Gov. McGreevey asked me to stay, I agreed."

Harris said she also agreed to stay until February because of the deadline of the court-order plan.

Steve Cohen of the Annie E. Casey Foundation, chairman of the panel reviewing the plan for the court, said Harris' departure was a chance for McGreevey to demonstrate how serious he is about making changes at DYFS.

He said the next commissioner needed to be an expert in child welfare who can turn a system around, or someone who has exceptional managerial skills.

Because Harris is staying through the plan deadline, Cohen said her departure need not be a disruption. In addition to child welfare, the Department of Human Services oversees programs for the poor, mentally ill and disabled.

Richard Wexler, executive director of the National Coalition for Child Protection Reform, said Harris' departure could signal to Cohen's panel the governor's willingness to take DYFS in a new direction.

"The result of her lack of leadership is babies sleeping on caseworkers' desks, and nomad children, forced to spend night after night in different homes," he said. "She utterly failed to learn the lessons of other states and cities that have gone through similar experiences. Those states and cities learned that the only way to fix foster care is to have less of it by emphasizing safe, proven programs to keep families together."

Eric Thompson, a staff lawyer at Children's Rights, an advocacy group, said the reform plan was the most important task.

"The reform plan has to be concrete and ambitious enough with a commitment of adequate resources to fix a system that Harris and the governor recognize doesn't protect children," he said.

He said he did not expect Harris' departure would cripple that process.

Assemblywoman Mary Previte (D., Camden County) said Harris' departure would hurt the state.

"She jumped into this witches' brew of problems that have been simmering for years," said Previte, chairwoman of the Family, Women and Children's Services Committee. "She has taken a hands-on approach and has made herself accessible around the clock. I'm just heartsick to see this talent leave."



Since Harris was sworn in in May 2002 as a member of McGreevey's cabinet, she has had to respond to the massive failure of the state's child welfare system.

Harris, a DYFS administrator before taking a 12-year series of political appointments in the Trenton city government, has been out front identifying problems her agency needs to fix. But change has been slow, and one crisis has followed another.

After the death in January of 7-year-old Faheem Williams, whose abuse case was closed by a DYFS worker who had never seen the boy, Harris detailed for legislators the agency's problems and what she believed needed to be done. She was commended for her frankness.

Most recently, DYFS was rocked by the discovery of four starving adopted boys in Collingswood, whose home had been visited more than two dozen times by DYFS workers. This time, Harris, reportedly at the behest of the governor, ordered nine workers fired.

That sullied an already shaky relationship with the union representing caseworkers. Despite Harris' creation of task forces and statements about problems and how to fix them, union officials said the problems at DYFS have only grown worse in the last year and noted it is time for a change.

"In 22 years I've never seen anything worse," said Hetty Rosenstein, president of Local 1037 of the Communication Workers of America. "The system is in crisis."

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## **New Jersey Child Welfare Commissioner to Step Down**

By DAVID KOCIENIEWSKI NY Times

December 6, 2003

TRENTON, Dec. 5 — With New Jersey's child welfare system reeling from several abuse cases, the state's human services commissioner, Gwendolyn L. Harris, announced on Friday that she would resign early next year.

During the 10 months since the death of Faheem Williams, a 7-year-old Newark boy in foster care, brought national attention to the state's troubled Division of Youth and Family Services, New Jersey has enlisted the help of child welfare experts and committed tens of millions of dollars to overhaul the system. But even as Ms. Harris helped create a new administrative master plan for the agency and won praise for her efforts to replace the decrepit Greystone Psychiatric Hospital, children's rights advocates said she was slow to improve staffing, training and supervision.

Since October, when a 19-year-old who had been adopted in Camden County was found so emaciated that he weighed just 45 pounds, senior aides to Gov. James E. McGreevey had been pushing for Ms. Harris to be replaced, administration officials said on Friday. Her decision to resign was first reported in The Star-Ledger of Newark on Friday, the same day as reports about a 3-week-old infant who has been sleeping in a family services office because the state cannot find him a foster home.

In a written statement, issued jointly with Mr. McGreevey on Friday, Ms. Harris said she had been considering leaving the administration for several months to take a position at Rutgers University. She said the governor had persuaded her to remain until Feb. 15 so that she can unveil the reform plan for the agency.

"Managing a department the size and complexity of Human Services has been both extraordinarily challenging and rewarding," said Ms. Harris, 53, who was appointed in February 2002. The salary for the position is \$137,000.

Mr. McGreevey's statement said he regretted Ms. Harris's decision to leave and praised her performance in what he called "arguably, the toughest job in state government."

Many child welfare advocates said her departure would offer the governor a chance to jump-start the state's effort to revamp a sprawling social service network, which has 19,000 employees, a budget of \$8.3 billion and is responsible for aiding the disabled, the mentally ill and thousands of children.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said Ms. Harris was not given the resources to cope with the wide range of problems she inherited. Ms. Zalkind said she hoped the state would consider turning the division into its own department to make it more manageable.

"I would question whether she had the full support of the administration to move reform forward in a more dramatic way," Ms. Zalkind said. "The way things are structured now, it is nearly an impossible task."

For more than a decade, child welfare advocates have complained that New Jersey has neglected and underfinanced its child welfare agency, even as the number of children under state supervision rose from 40,000 to 58,000. As a result, the state's child welfare workers have been undertrained, poorly supervised and forced to work with few cellphones and cars and with obsolete computer systems. They have also carried an average of 41 cases each — twice what is considered the accepted standard.

The advocacy group Children's Rights Inc. sued the state on behalf of the children in the system and in June agreed to settle after Governor McGreevey said he would enact a series of policy changes and allow a federal judge to enforce the plan. Eric Thompson, a senior staff attorney for Children's Rights, said Ms. Harris deserved credit for being the first commissioner to acknowledge fully the scope of the agency's problems.

"As she leaves, it's still an embattled agency," Mr. Thompson said. "But at least she started on the road to dealing with the problems. The question now is whether the state will commit the resources, staffing and training needed to assure that children in New Jersey are safe."

Union leaders frequently clashed with Ms. Harris over a management style they characterized as uneven. Last summer, when the state allotted an additional \$30 million for new caseworkers, Ms. Harris disappointed many employees by allowing months to pass before the hiring began. Then in October, when four boys were found starving at a foster home monitored by the agency, Ms. Harris moved quickly to fire nine child welfare workers — infuriating union leaders, who said that most of the employees had little direct involvement with the case.

The Division of Youth and Family Services "has been in a complete crisis, and the conditions have deteriorated enormously since January," said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents many child welfare workers. "There is desperate need for new leadership."

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### **Harris will remain in post to see DYFS reform through**

BY SUSAN K. LIVIO

Star-Ledger Staff

December 06, 2003

Gwendolyn L. Harris confirmed yesterday she is leaving the top post at the state Department of Human Services, but said she will wait until February to see completion of a plan for reform of the department's child protection division.

Harris plans a mid-February departure and an early March start at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University, where she will lead a research project on urban redevelopment.

"Serving as commissioner has been an incredible challenge and a great opportunity," Harris said in a prepared statement. "But it has been my goal and dream for some time to work in the academic realm, and that opportunity has become available."

Gov. James E. McGreevey was effusive in his praise of Harris for presiding over a mammoth department that serves 1

million poor and disabled people, and a child welfare agency that has seen a series of recent scandals and child deaths.

"Commissioner Harris performed admirably in what is arguably the toughest job in state government," McGreevey said. "She took over a massive agency with many problems, particularly the failure of its Division of Youth and Family Services to fulfill its basic mission of protecting our most vulnerable children."

Several people close to the commissioner, the governor and DYFS, who spoke on condition of anonymity over the last several months, said Harris bore the brunt of frustration and tension from the governor's office over the slow pace of reform.

Harris and McGreevey vowed improvements after a former ward of DYFS, 7-year-old Faheem Williams, was found dead in a fetid Newark basement in January. In October, when four boys were found starving in a Collingswood home that had been monitored by DYFS, it underscored how little had changed.

The department is under pressure to turn in an innovative and comprehensive plan to correct DYFS' problems by Jan. 18. The deadline is dictated by a court-sanctioned settlement of a class-action civil rights lawsuit against New Jersey's foster care system. The state's progress in implementing that plan will be monitored for years.

In their joint statement issued yesterday, McGreevey took great pains to say that Harris is leaving on her own accord.

McGreevey said Harris had broached the subject of quitting over the summer so she could take a job at Rutgers. "I convinced her to remain in her post because I felt the department needed her stewardship through trying times, particularly the transformation of our damaged child welfare system."

Although he regretted her decision to finally leave, McGreevey said, he understood because "this, at long last, fulfills her goals."

Harris said she agreed to stay until February "to ensure that a complete and comprehensive blueprint for reform of the child welfare system is forwarded to a federal judge early next year."

Micah Rasmussen, McGreevey's spokesman, said a search is under way for a successor.

Two key players in the agency's future say whoever replaces Harris must be ready to carry out sweeping change.

"Regardless of the personality involved, the state has committed to specific reforms required to protect children," said Eric Thompson, senior attorney for Children's Rights, Inc. the national advocacy group that sued the state. "Clearly her successor is going to have to be singularly focused on turning this agency around and ensuring that adequate resources, staffing, training and accountability are made available to fulfill the promise of the court-ordered agreement."

The DYFS reform plan must win the approval of a panel of five child welfare experts appointed under the settlement. Steve Cohen, panel chairman, said with Harris staying on until February, a transition from old to new management will be assured. "This is a big opportunity for the governor to demonstrate how serious he is about this," Cohen said.

"And once you've got the plan, there will be ten times as much work to be done" making it work, Cohen added.

Cohen credited Harris for laying the groundwork for bringing DYFS and the community closer together so the mission of protecting children from abuse is shared. "She has been passionate about building these relationships."

Susan K. Livio covers state government. She can be reached at [slivio@starledger.com](mailto:slivio@starledger.com) or (609) 989-0802.

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**Human Services chief to resign**

By MICHAEL SYMONS     December 6, 2003

Gannett State Bureau     TRENTON

Gwendolyn Long Harris will resign as commissioner of the state Department of Human Services on Feb. 15 after less than two years on the job, a tenure that included cases of child abuse in Collingswood and Newark that attracted nationwide attention.

Harris has begun reforming the state Division of Youth and Family Services, but those efforts - begun in the wake of the Newark case in which the body of a boy was found mummified in his basement - were overshadowed by the discovery last month of starving boys in Collingswood.

Gov. James E. McGreevey has been pushing for new leadership at the Department of Human Services since last month, according to sources.

In a statement, McGreevey said Harris first approached him in the summer about leaving her state post to work at Rutgers University.

McGreevey said Harris "performed admirably in what is arguably the toughest job in state government," and he specifically cited the child-welfare problems at DYFS.

"She never shied away from those challenges. She conceded the system's inadequacies and then went about fixing them. I firmly believe that her actions to date, and the plan that is being drafted for the courts, will set DYFS on a corrective course of action," he said.

Harris said she leaves "with mixed feelings." She said the Department of Human Services budget has been increased at a time when most state departments were being cut.

In the past two years, the operating budget for her department was increased by 22 percent.

"Rather than requiring quick fixes to the state's ailing child welfare system, Governor McGreevey gave his full support to real and lasting changes that will benefit New Jersey's children for years to come," Harris said.

Harris was generally praised for her work at the Department of Human Services. Most observers said DYFS' woes are bigger than one person - even critics from Communications Workers of America Local 1034, who thought Harris came down too hard on caseworkers.

"We wish the commissioner well," said Paul Alexander, Local 1034 assistant president. "She inherited a very troubled agency at a difficult time. In the best of circumstances, it's not an easy job. I think she gave it her best efforts for the short time she was there."

Kevin Ryan, the state child advocate, said he has "deep respect" for Harris, then added: "New Jersey is embarking upon the most important chapter of child welfare reform in its history. Going forward with strong leadership will be essential."

Systemic problems at DYFS - which is one of nine divisions in Harris' department - persisted for years, but surged into prominence in January, when police in Newark found the remains of Faheem Williams, 7, in a plastic container in a locked basement.

Last month, 19-year-old Bruce Jackson of Collingswood who weighed 45 pounds was found rummaging through a neighbor's trash can for food. Authorities subsequently found three more brothers also starving; Jackson's adoptive parents say the boys have eating disorders.

In both cases, the boys were under DYFS' supervision. Files showed that caseworkers had visited both homes but either closed the cases without investigating or didn't ask questions while visiting on unrelated topics.

Earlier this year, the state settled a lawsuit brought by Children's Rights Inc., a nonprofit group that had sued over treatment of kids in foster homes and group homes. The state agreed to various reforms and increased oversight by a court-appointed panel.

Harris will remain at her state job until the final reform plan required under that settlement is filed with a federal judge in January.

Harris served for 12 years as chief of staff, business administrator and human services director to Trenton Mayor Doug Palmer before McGreevey hired her on Feb. 12, 2002. Harris was confirmed by the state Senate on March 25.

The Department of Human Services is the largest in state government, with about 19,000 employees and a budget, including federal and other non-state funding, of \$8.5 billion. It serves about 1 million people, including the poor, disabled and abused.

Harris, 53, has been pursuing a doctorate degree in urban planning and policy development at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University. She is going to become director of the New Jersey Urban Development Project at Rutgers.

**RELEASE: December 5, 2003**

**JOINT STATEMENT FROM GOVERNOR JAMES E. MCGREEVEY AND HUMAN SERVICES  
COMMISSIONER GWENDOLYN L. HARRIS**

**STATEMENT FROM COMMISSIONER HARRIS**

It is with mixed feelings that I have resigned, effective February 15, 2004, from my position as Commissioner of the New Jersey Department of Human Services.

Serving as Commissioner has been an incredible challenge and a great opportunity. Every day there was an opportunity to make a difference in people's lives, and we did that. But it had been my goal and dream for some time to work in the academic realm, and that opportunity has become available.

In March 2004, I will begin working as Director of the New Jersey Urban Development Project at the Edward J. Bloustein School of Planning and Public Policy at Rutgers University, where I will help shape state and local urban development policy.

Managing a department the size and complexity Human Services has been both extraordinarily challenging and rewarding. Through it all, I have considered myself blessed to work for a Governor who places the interest of the state's most vulnerable citizens at the top of his agenda. I am also blessed to have worked with many dedicated and talented human services advocates, members of the legislature, employees of my fellow state departments and a good number of the 19,000 dedicated and talented employees of this department.

During these excruciatingly difficult fiscal times, when other state department budgets were slashed, Governor McGreevey increased my department's budget and maintained vital services to the most needy among us. Rather than requiring quick fixes to the state's ailing child welfare system, Governor McGreevey gave his full support to real and lasting changes that will benefit New Jersey's children for years to come. And instead of putting off reforms in the systems that serve people with disabilities, this administration bolstered staffing in our state psychiatric hospitals and developmental centers and set in motion historic innovations in our community care system.

This Governor has always shown tremendous support for this department. That is why, when I sought to leave the department for the academic realm several months ago, and Governor McGreevey asked me to stay, I agreed. And it is why I have agreed stay until February, to ensure that a complete and comprehensive blueprint for reform of the child welfare system is forwarded to a federal judge early next year. This report is required as a result of the settlement of the

Children's Rights lawsuit against the state's child welfare system.

With Governor McGreevey's support, we have accomplished much during the last nearly two years. I am particularly proud of the fact that the department has:

- regained and maintained federal certification for all of the state's large institutions for people with disabilities and received favorable feedback about the state's community services system following a recent sweeping federal review
- advanced the plan to build a state-of-the-art hospital to replace the Greystone Psychiatric Hospital;
- improved the accuracy and efficiency of the child support and food stamp programs; the accuracy of the state's food stamp program went from the bottom nationally to the third best in the U.S. – attracting a \$14 million federal bonus
- increased the number of DYFS adoptions by more than 30 percent, attracting a \$1.9 million federal bonus;
- began to reform the department's massive contracting system
- began implementation a massive child welfare information system that was long overdue;
- implemented an internal program integrity unit at the department to ensure quality of care in all DHS programs and facilities; and
- implemented an innovative new program called, Real Life Choices, that makes it possible for more people with developmental disabilities to stay at home with their families and receive appropriate services.

Again, I thank the Governor and the residents of New Jersey from the bottom of my heart for entrusting me with this most important job and for giving me the opportunity to serve.

#### STATEMENT FROM GOVERNOR JAMES E. MCGREEVEY

“With deepest regrets, I have accepted the resignation of Gwendolyn L. Harris, who has been commissioner of the Department of Human Services since February 2002.

Commissioner Harris first approached me this summer and told me she had a chance to pursue a job in academia, which I know is her ultimate goal. I convinced her to remain in her post because I felt the Department needed her stewardship through trying times, particularly the transformation of our damaged child welfare system.

She approached me again recently, suggesting that she would resign effective December 31, and I requested that she stay until February 2004. By then, the Department of Human Services will have submitted a sweeping child welfare reform plan to the federal judge overseeing the settlement in the Children's Rights Inc. lawsuit.

Commissioner Harris performed admirably in, what is arguably, the toughest job in state government. She took over a massive agency with many problems, particularly the failure of its Division of Youth and Family Services to fulfill its basic mission of protecting our most vulnerable children.

She never shied away from those challenges. She conceded the system's inadequacies and then went about fixing them. I firmly believe that her actions to date, and the plan that is being drafted for the courts, will set DYFS on a corrective course of action.

Professionally, I regret her departure, yet this, at long last, fulfills her personal goals. She has an excellent opportunity at Rutgers University. Her many years of exemplary public service will serve her well.

Her accomplishments are clear in just two short years as commissioner.

We have seen dramatic improvements at the state institutions for people with disabilities, some of which were in danger of losing federal certification and funding just a few years ago.

She launched a major new effort, called Real Life Choices, to attract additional federal money to provide more in-home and community-based services for people with developmental disabilities living with their families.

She advocated for expansion of community services for people with mental illness and construction of a new state-of-the-art psychiatric hospital in Morris County, which will allow this state to provide the best service possible to people

with mental illnesses.

She also pushed forward dramatic improvements in the efficiency of the state's food stamp program, reducing the error rate from one of the worst in the country to the third best in the nation, and drawing in a \$14 million federal performance bonus.

Perhaps most importantly, she began implementation of a child welfare information and tracking system that was many years past due and hired hundreds of front-line DYFS caseworkers to protect children who are at risk of abuse or neglect. Today, DYFS has more than 1,500 caseworkers – the most ever in its history.

These accomplishments will be watershed moments in our efforts to rebuild this child welfare system and ensure that children are safe under our supervision.

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## **New Jersey Says 37 Children Died of Abuse During Year**

By DAVID KOCIENIEWSKI NY Times December 18, 2003

TRENTON, Dec. 17 — Despite New Jersey's high-profile effort to revamp its child welfare system, 37 children died of abuse or neglect in the state this year, including 18 who were known to state social workers, according to state records released on Wednesday.

New Jersey's Division of Youth and Family Services was monitoring eight of those children who died, and had closed case files on 10 other children who were killed.

Those numbers are a slight increase over 2002, when the state had open case files on nine children who died and closed files on seven others; but a drop from 1997, when 25 children known to the state were killed.

Among the fatalities were a newborn infant in Camden County whose body was put in a trash can by his teenage mother, and a 2-year-old who was left unattended in his aunt's apartment in Newark and fell to his death from an open window.

Some child welfare advocates said the numbers demonstrated that the system had become so unmanageable during the last two decades that the state should consider creating a cabinet-level department of child welfare. But Gov. James E. McGreevey said the "horrific" number of fatalities would only bolster his commitment to fix the current system by hiring a new commissioner, providing additional financing and urging parents to take more responsibility for their children.

"We're going to go through this troubling time," Mr. McGreevey said. "There aren't going to be easy answers. DYFS didn't get broken in a week. It's not going to get fixed in a week."

The McGreevey administration has made improving the child welfare system a priority since January, when Faheem Williams, 7, was found dead in the basement of a home in Newark, near two brothers who were emaciated and chained to a wall.

As the case brought national attention to the failures of the system, state officials committed tens of millions of dollars in additional funds to hire new case workers and provide better equipment to a system that had been underfinanced for decades. Mr. McGreevey also entered into a court settlement with a child advocacy group that had been suing the state, agreed to enact a series of policy changes and allow a federal judge to enforce the plan.

But the problems at the family services division have persisted, and so have the new cases of abuse involving families under state supervision. In October, a family in Collingswood was found to have four boys so badly malnourished that

a 19-year-old weighed just 45 pounds. Child advocates say that the statistics released on Wednesday provide disheartening evidence that the state's plan to overhaul DYFS is inadequate. The state's human services commissioner, Gwendolyn L. Harris, resigned last month amid criticism from union leaders and advocates who said she was moving too slowly to address the problems.

"You have to ask yourself, 'What has happened this year?' " said Cecilia Zalkind, executive director of the Association for Children of New Jersey. "They've hired a few more case workers, but they have 60,000 cases, the highest caseload ever, and the system is in chaos. I don't see any indication that anything is being done to keep these children safer."

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## **More troubles for N.J. children**

### **Abuse-related deaths rose as adoptions fell. "It has been a rough year," a DYFS spokesman said.**

By Mitch Lipka

Inquirer Trenton Bureau

Dec. 18, 2003

Child abuse and neglect deaths in New Jersey surged in 2003 while adoptions plunged - a low note to an already dismal year for child welfare in New Jersey.

The 37 suspected and confirmed abuse and neglect deaths in the state, detailed in a report released yesterday, are by far the most since the state began reporting the statistic in 1998. Each year since then, deaths have numbered from 23 to 27.

Another report, also released yesterday, showed adoptions fell by one-third.

The families of 18 of the children who died this year had been seen or investigated by the Division of Youth and Family Services.

"It has been a rough year for children," said Ralph Siegel, a DYFS spokesman. "It is bad news on top of bad news."

It has also been a rough year for DYFS, starting with the discovery of the emaciated body of 7-year-old Faheem Williams in a Newark basement in January and ending with the resignation this month of Human Services Commissioner Gwendolyn Harris. In June, the state settled a four-year-old lawsuit alleging mistreatment of foster children in its custody, forcing an order that DYFS retool how it operates. Another black eye for DYFS was the discovery of the four starving Jackson brothers in Collingswood. They had apparently been seen by DYFS workers for years, but no action was taken.

As for the child deaths, Siegel said that there was no immediate explanation for the overall increase and that DYFS was more focused on the 18 children known to the agency.

"There's 18 children dead," Siegel said. "It's alarming."

It is particularly disturbing, he said, that DYFS has been unable to reduce the number of deaths among families already known to the agency.

Among the deaths of local children whose families were known to DYFS were:

Michael Malinowski, 2, who died in an October car fire in Mount Laurel after allegedly being left in the vehicle by his grandmother.

Rhiannon Wasserman, 10, and her brother, Michael, 8, of Magnolia, who were killed in July by their father.

A newborn boy found in a garbage bag in Barrington.



The head of the state's Office of the Child Advocate said the increase in deaths sent a larger message.

"That raises real questions about our families and communities, and our ability to stop violence to children," Kevin Ryan, the child advocate, said. "We can all focus on the need for DYFS reform, and it's long overdue, but I'm told DYFS didn't even know most of the children who died. What does that say about the rest of us?"

Among the deaths of children who were the subjects of cases involving DYFS was Faheem Williams'. A complaint of abuse in the family was closed by DYFS without Faheem or his brothers having been seen.

Outrage over that case spurred Gov. McGreevey to take greater interest in the system and ultimately forced the settlement of a lawsuit against the state by Children's Rights Inc. that serves as the framework for planned reforms.

Cecelia Zalkind, executive director of the Association for Children of New Jersey, said the deaths highlighted how little progress had been made this year.

"Even if the number were the same, it would be disappointing," she said. "It speaks to the fact that almost a full year after Faheem Williams' death, nothing has been put in place.

"A year later, are children safer? I don't think we can say that."

ACNJ issued its annual Kids Count report yesterday on the state of children in New Jersey and revealed a steep drop in the number of adoptions.

Adoptions, usually a bright spot in the otherwise dim picture of child welfare in the state, dropped to 916 from 1,367 last year.

Blame for the decline appears largely attributable to DYFS adoption staff being dispatched to other tasks in a year with myriad distractions.

"What we've certainly heard from people working in the adoption system is that it's a year they've been pulled off to do other things," Zalkind said.

DYFS workers and management have been pressed into an array of tasks including statewide safety assessments of children in foster care that have gobbled up limited resources in a year the agency's caseload surpassed 60,000 for the first time.

Since the federal government put pressure on states to step up adoption efforts in 1997, adoptions of foster children in New Jersey had risen substantially.

DYFS spokesman Siegel said the drop was a disappointment.

"We had good success in increasing our adoptions," he said. "In a sense they're dropping back to where they used to be. That's not good."

Zalkind said her group's report did have some good news. The number of children in preschool rose by 19 percent, something she said is attributable to the Abbott Supreme Court decision that aims to put the state's poorest school districts on equal footing with other districts.

"Study after study shows the importance of early learning experience to help with success in school and life," Zalkind said. "It's very exciting to see this develop."

Contact staff writer Mitch Lipka at 609-989-8990 or [mlipka@phillynews.com](mailto:mlipka@phillynews.com). Inquirer staff writers Kaitlin Gurney and Jennifer Moroz contributed to this article.

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## **DYFS reports 37 deaths in 2003**

### **Suspected cases from abuse or neglect highest in 13 years**

BY SUSAN K. LIVIO                      Star-Ledger Staff      December 18, 2003

Thirty-seven New Jersey children died from suspected abuse or neglect this year -- the highest number the state has recorded in 13 years.

That is a 28 percent increase over 2002, when 29 children perished from maltreatment, and two fewer than the 1990 record, according to a year-end report released yesterday by the state Division of Youth and Family Services.

DYFS workers had at one point or another investigated the living situations of 18 of the 37 children who died. Eight of the children had open files at the time of their death, according to the report.

"It's been an exceptionally violent year for children," the state Child Advocate Kevin Ryan said yesterday. "How could so many children have died in our communities?"

Two children had their necks slashed by their stepmother. An infant was discarded in a trash bag shortly after his 14-year-old mother gave birth to him at home. Several infants were shaken to death; two others drowned in a bucket of water. Two toddler brothers died when they were left strapped in their car seats with the windows rolled up during a heat wave.

Yesterday's report caps a grueling year for DYFS, which has been the target of unprecedented scrutiny and criticism. Some of the children's deaths touched off scandals and provoked biting criticism from Gov. James E. McGreevey after officials admitted errors in judgment and management led to missed signs that a child was in jeopardy.

"It's more than troubling -- it's horrific," McGreevey said of the DYFS report during a radio call-in show last night. "We are going through these troubling times."

After Newark police recovered 7-year-old Faheem Williams' broken and emaciated body in a relative's basement Jan. 5, Human Services Commissioner Gwendolyn L. Harris revealed DYFS workers had closed his family's case 11 months earlier without investigating a claim that Faheem and his brothers had been beaten and scalded.

The controversy over Faheem's death prompted New Jersey to settle a class-action suit against the foster care system, brought by the national child advocacy group, Children's Rights Inc. The state agreed to submit a reform plan a month from today and undergo monitoring for at least two years by a panel of child welfare experts and a federal judge to ensure the agency improves.

McGreevey said he awaits the Jan. 18 report, hoping it "blows up the system" and replaces it with something that can ensure children are safe.

"For the 18 children who were known to DYFS, that plan has got to be measured against the real stories of these children, and what could we have done to prevent these children's deaths," Ryan said.

DYFS has learned lessons from the deaths of these children, DYFS spokesman Ralph Siegel said. Following Faheem's death, for instance, Harris required caseworkers to visit a child within 30 days before closing a family's case. After seeing various government agencies fail to help the Williams family, McGreevey created a "children's cabinet," a panel of high-ranking officials in his administration to share responsibility for child protection among the departments of health, corrections, education and other agencies.

Child welfare officials cautioned the number of fatalities attributed to suspected abuse and neglect in its report is not final. Prosecutors and DYFS investigators are still deliberating the cause of death in a handful of cases, and some may be deemed accidental or from natural causes, Siegel said. With two weeks left in the year, it's also possible the number of deaths may increase.

"We are not interested in the trend up or down. Every death is a tragedy and is tremendously disturbing," Siegel said. "The leadership has made an unprecedented effort to review cases personally to see what case practices ought to change."

DYFS' best efforts seemed to have little effect on saving 21-month-old Daniel Soto's life.

Daniel and his two brothers spent a year in foster care in October 2001, but returned home to East Windsor last year after his mother -- alleged to have dropped the baby and fractured his skull -- underwent extensive counseling. Social service workers made frequent visits and reported the family to be thriving. DYFS planned to close its file on the family on June 5.

On June 4, the Mercer County Prosecutor charged the boy's mother Maritza, with beating him to death.

But for every dead child DYFS had supervised, there was at least one other who never was brought to the agency's attention.

For example: Two-year-old Derrick Strothers Jr. and his 1-year-old brother Dylan Strothers, of Orange, died Aug. 15 after their father, Derrick, left the boys in his car during a heat wave and reported for work at the post office.

Anthony D'Urso, a clinical psychologist and chairman of the state Child Fatality and Near Fatality Review Board, said the system has gotten worse, not better. The fact that half of the children who died were never under DYFS care, D'Urso said, can be attributed to faith in the agency being at an all-time low.

"The systems that should kick in -- education, schools, mental health agencies, physical medicine -- have a lack of confidence that the child welfare agency can do anything, so they don't call," D'Urso said.

The list of child fatalities itself was the source of some controversy yesterday. Ryan, the child advocate, said he intends to do his own investigation into at least one case of suspected medical neglect that DYFS does not consider suspicious.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said she has always questioned the manner in which DYFS decides what constitutes a child abuse death.

"For years, we have felt this is a soft decision-making process. We don't know who decides, and what's the standard? I think it's always been decided by many people."

Staff writer Jeff Whelan contributed to this report. Susan K. Livio covers health and welfare issues. She can be reached at [slivio@starledger.com](mailto:slivio@starledger.com) and (609) 989-0802.

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5:91) 24-DEC-2003 10:28 [John Searight \(searighj\)](#)

## Governor's aide tops list to lead Human Services

BY JOSH MARGOLIN AND SUSAN K. LIVIO

Star-Ledger Staff

December 24, 2003

James Davy, a longtime aide to Gov. James E. McGreevey, is the leading candidate to take over New Jersey's troubled Department of Human Services, according to four people familiar with the search.

Davy, 50, is an experienced administrator who in recent months has been the governor's point man on child welfare reform. Given his close relationship with the governor, those people say, Davy's appointment would underscore McGreevey's commitment to fix the department's embattled Division of Youth and Family Services.

Davy was one of only two finalists for the job to lead the department, according to those sources, who asked not to be identified. The other contender, Child Advocate Kevin Ryan, a former Davy deputy, recently took himself out of the running.

The governor's spokeswoman, Kathy Ellis, would neither confirm nor deny that Davy is the leading contender. "We are not ready to announce the new commissioner," she said.

McGreevey hopes to name a new commissioner by mid-January to replace Gwendolyn Harris, who resigned earlier this month. The governor declined to discuss his plans for the post in an interview last Friday. Davy did not return calls yesterday seeking comment.

The Department of Human Services has been at the center of controversy all year because of a series of high-profile child abuse cases that were mishandled by DYFS. The governor has vowed to overhaul the agency, which he says is failing to protect the more than 60,000 children under its care.

Steve Cohen, chairman of the New Jersey Child Welfare Panel that is guiding the state's DYFS reform efforts, said the department needs "someone with a lot of child welfare experience and has had success changing a child welfare system, or a strong manager" with "enough political influence so they can bring something special to the table.

"If it winds up being Jim (Davy) and he can bring this to the table, it's a good thing" Cohen said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said she would support Davy's selection.

"I think he's a great choice," she said. "The department is at a crossroads and he is the right man to lead it. The support of the governor's office is essential. More than that, he has a broad perspective of children and families that will be an enormous benefit."

Harris announced her resignation as Human Services commissioner earlier this month and will leave the job in February. Though McGreevey has praised her tenure, people close to her said she bore the brunt of the governor's frustration over the pace of change at DYFS and that he wanted new leadership.

Davy is chief of management and operations for McGreevey's staff. Before that, he served as manager of the governor's transition team following the 2001 election and was chief operating officer of his 2001 campaign. For nearly a decade before that, Davy served as business administrator in Woodbridge while McGreevey was mayor.

Davy maintains a low profile, but he is ubiquitous throughout state government, serving as the governor's liaison to the Cabinet and monitoring executive branch departments.

Over the last year, Davy's name surfaced in the controversy over the state Parole Board's decision to grant parole to reputed Genovese family mobster Angelo Prisco.

The former director of the board told State Police that the board's chairman at the time "implied" Davy had influenced the decision. Prisco's parole continues to be investigated by the state Division of Criminal Justice, John Hagerty, a spokesman for the division, said yesterday.

Davy has declined to comment on the Prisco case. But McGreevey has vigorously defended his aide, even likening him to Mother Teresa and declaring that Davy's "greatest decision in life is going to the 9 o'clock or 10:30 Mass every day."

If nominated by McGreevey, Davy would have to be confirmed by the state Senate. Davy is the last member of the

governor's original senior staff to remain in his job.

Human Services is the state's largest department, with an \$8.3 billion budget and a staff of nearly 19,000.

In addition to overseeing DYFS, the department serves 1 million people in poverty who rely on Medicaid and welfare, as well as people with physical, developmental and mental disabilities. It runs seven institutions for people with developmental disabilities and six psychiatric hospitals.

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**5:92) 28-DEC-2003 08:46 [John Searight \(searighj\)](#)**

### **Problems multiplied for DYFS in 2003**

#### **Despite state's promises, caseloads grew and training has lagged**

BY SUSAN K. LIVIO                      Star-Ledger Staff                      December 28, 2003

The state's child welfare system was already in crisis last January when the battered body of a 7-year-old boy was found hidden in the closet of a Newark house, shocking state officials into action.

In the weeks that followed, they promised a wholesale transformation of the chronically understaffed, underfunded Division of Youth and Family Services -- a new computer, reduced caseloads, management training and much more. The governor said the state of the agency sickened him.

Nearly a year later, New Jersey's child welfare system is more broken than it was Jan. 5, when Faheem Williams' body was discovered, according to interviews with workers, child advocates and state officials, as well as an analysis of all the reform promises made.

Consider:

On Jan. 5, caseworkers in the state's child welfare system were each supervising an average of 33 troubled children. Today they supervise an average of 41 because the number of children monitored by DYFS has swelled to an all-time high of 61,500.

DYFS operated without a modern computer tracking system, management training was nonexistent, the investigative techniques were considered unreliable, and the agency's budget suffered from years of funding cuts.

Nearly a year later, the new computer is still a year away. The state missed a self-imposed Dec. 1 deadline to establish a management training academy, and a much-heralded \$30 million boost to the agency's \$550 million budget in June is now considered little more than a down payment on what is needed to turn DYFS around.

Finally, an analysis of 15 policy proposals DYFS officials made throughout the year found one-third of the goals had been reached, one-third incomplete and one-third stalled or abandoned.

DYFS officials and top managers at its parent department of Human Services say they, too, are frustrated by the glacial pace of change, but are optimistic.

"The reality is that since June," said Kevin Ryan, the state's first Child Advocate, "caseloads have skyrocketed, the number of children under the supervision of DYFS are at an historic high, and this year we will set a record in the high number of child abuse deaths. Reform means all of that has to get turned around, and very quickly."

In the new year, officials expect to announce a massive reform effort estimated to cost \$50 million to \$80 million in fiscal year 2005, according to sources close to the planning process. To satisfy the terms of a class-action settlement, they also hope to produce, by Jan. 18, a blueprint for future reform.

DYFS Director Edward Cotton said the state deserves some credit for reaching a critical milestone: filling 271 new jobs funded by the legislature this year and back-filling a slew of vacancies by Dec. 1.

"I don't know if DYFS has ever had full staffing," said Cotton, who took over the daily operations of the agency in July. "It's a tough time. When I go and meet with staff, I usually end up feeling optimistic that they are going to make it work no matter what it takes."

Few DYFS critics share Cotton's optimism.

"As far as I can tell, nothing has really changed for DYFS," said Marcia Robinson Lowry, executive director of Children Rights Inc., the national child advocacy group that sued the state. "The one thing they did was a disappointment."

Lowry referred to the first requirement the state had to meet under the terms of the lawsuit settlement: visit every child in foster care, including those living in group homes, shelters and other facilities in and outside New Jersey within 120 days. On Oct. 23, Cotton and his boss, Deputy Human Services Commissioner Colleen Maguire, announced the work force had successfully evaluated the safety of some 14,300 children, including 31 children they moved to new homes.

The credibility of the effort was immediately challenged. Raymond and Vanessa Jackson, whose Collingswood home had passed the safety assessment, were arrested Oct. 24 for allegedly starving and medically neglecting four sons they had adopted through DYFS. The couple deny the charges and attributed the boys' stunted growth to eating disorders.

"We had our own data that made it clear things were bad in the foster care system," Lowry said. "When they gave us that report saying only 31 children had been removed, it did not seem realistic to us. Then here was this family (in Collingswood). It made us understand why only 31 had been removed."

The state agreed to revisit 6,000 children, but that hasn't happened yet.

Most of the state's efforts over the last five months have been trained on devising the blueprint for DYFS reform, which will address everything from the way the agency investigates abuse, hires and promotes staff, finds foster and adoptive homes and rehabilitates families.

DYFS officials deny it, but several people close to the planning process say the state won't make the Jan. 18 deadline. The settlement allows a two-month extension.

Nobody denies the discovery of Faheem's emaciated body, wrapped in a quilt and stuffed in a plastic storage container in a relative's closet, jump-started a lethargic bureaucracy of 3,500 people scattered among 38 satellite offices from Sussex to Cape May. The mother's cousin, Sherry Murphy, and her 17-year-old son, Wesley, have been charged with Faheem's death.

Human Services Commissioner Gwendolyn L. Harris disclosed that DYFS workers had closed the Williams' family case in February 2002 even though they had not seen the children in 18 months. Nor had they completed an investigation into a tip that Murphy had abused the boys after their mother, Melinda Williams, went to jail in March 2002.

In his State of the State address days later, Gov. James E. McGreevey pledged his commitment to fixing DYFS. A month later, the state began meeting with Children's Rights attorneys to discuss settling the class-action lawsuit.

Before a settlement had been signed June 23, another two children known to DYFS would die, highlighting anew long-standing problems with understaffing and mismanagement.

Ryan, McGreevey's deputy chief of operations at the time, described the deaths as "watershed events."

"The governor learned for the first time how broken the child welfare system was," said Ryan, whom McGreevey named as the state's first Child Advocate three months ago to monitor DYFS.

Child advocates commend McGreevey for acknowledging the problems within DYFS. But in doing so, "he raised expectations that the system is going to work better, and it isn't yet," Lowry said.

Ryan also said he worries the state is not prepared for the enormous task ahead.

"Reform means in part we are going to attract the best and brightest social workers to join DYFS, and then with adequate training and appropriate caseloads, go into tough neighborhoods and make tough life-and-death decisions ... in partnership with families and communities," Ryan said.

The state has been working feverishly to do just that, guided by a panel of national child welfare experts appointed under the settlement, and advised by 150 people and professionals who are affected by the system.

DYFS officials are tight-lipped about the plan's specifics. Sources say there is talk about creating an entirely new department dedicated to children's services.

Cotton, the DYFS director, said one part of the plan will set a limit on the number of children a caseworker may supervise, although he declined to elaborate. Also included will be more aggressive foster parent recruitment and retention plans.

Some ideas floated during the year have stalled or been delayed. There's no longer talk about changing civil service rules to give top officials more freedom in hiring, promoting and firing DYFS staff. The departments of Health and Senior Services and Human Services completed a plan to address the lack of drug treatment services for parents, as McGreevey ordered, but the report is confidential. Cotton said the plan will address drug treatment needs.

Hetty Rosenstein, president of Local 1037 of Communications Workers of America, the union that represents DYFS workers in parts of central and northern New Jersey, said the state "is on the hook from the lawsuit to bring a lot of staff and resources."

DYFS staff have seen their jobs get tougher this year, she said.

"If you look at our workplaces, you will see people carrying 59 cases with 96 children; 54 cases with 86 children," Rosenstein said. "Each worker in the high-risk, sex abuse unit in Essex County is supposed to have four cases each, but they have caseloads of 40. It's been bad all along but it got worse in 2003."

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said that as state officials have talked about reforming DYFS, they've frequently undermined their message by not showing enough support for the work force and foster parents, who have quit the system this year in large numbers. She commended "the extraordinary public interest and support" child protection received, but said the work has just begun.

"This year has exposed every failing of the child welfare system in the most dramatic way possible," Zalkind said. "It makes it impossible to respond with anything less than a total, systemwide approach that has to include changes in case practice, changes in staffing and structure, and a provision of resources which I don't think this system has ever had."

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**5:93) 28-DEC-2003 17:10 [John Searight \(searighj\)](#)**

### **Changes at DYFS stir 'tug-of-war'**

By Mitch Lipka     Inquirer Trenton Bureau     Dec. 28, 2003

In the challenge to protect children from abuse and neglect, success is elusive. And failure often is measured in dead children.

Although some child-welfare systems are hailed as much improved from the dismal past, no child-welfare system in the

nation can serve as a model, experts say.

"It's not being done right anywhere," said Richard Gelles, dean of the University of Pennsylvania School of Social Work.

It is from that grim starting point that New Jersey's Division of Youth and Family Services, in the next few weeks, will submit a plan to a federal judge to fix the agency, which is considered to be among the worst in the nation.

With writing of the plan in its final stages, the state finds itself at the center of a time-honored debate about the proper way to fix a broken child-welfare system.

The state has no choice but to replace its failed system, part of a settlement of a lawsuit by Children's Rights Inc. over the state's treatment of children in foster care.

Two distinct camps in the world of child welfare each insist it has the better approach. One camp leans toward removing children from their homes and placing them in foster care. The other camp favors keeping children in their homes and correcting underlying problems, such as drug abuse, of a parent or parents.

"This tug-of-war has been going on for more than 100 years," said family-preservation booster Richard Wexler, executive director of the National Coalition for Child Protection Reform.

Gelles said he believes that the family-preservation model does not work. "It's a profound disagreement and one in which I believe the scientific evidence is firmly on my side," he said.

Cecilia Zalkind, executive director of the Association for Children of New Jersey, said she fears that choosing one camp over the other will mean doom.

"I do believe it is not going to work unless both pieces are in place," Zalkind said. "Doing it doesn't guarantee success. Not doing it guarantees failure."

Recently, she said, she has become pessimistic about DYFS' chances of successful changes because she sees the state heading toward the family-preservation model.

"If you asked me eight months ago, I would have thought only good could have come," she said. "Now I think there is a risk things could get worse rather than get better."

But DYFS director Edward Cotton said he sees the state indeed drawing ideas from both camps, allowing that there will be criticism no matter what.

"Child welfare and child protection as a field is not an exact science," he said. "There's a lot of opinions."

As evidence that DYFS will not be squarely in the family-preservation camp, Cotton said the plan includes using 300 workers as investigators of abuse and neglect claims. That is a clear departure from the "keep the family together above all else" approach.

The force for change - the settlement of the lawsuit - followed tragedy. It started with the discovery in January of the body of 7-year-old Faheem Williams, whose abuse and neglect case was closed although he was not being seen by a caseworker.

And, most recently, the state was shamed by the case of four starving adopted Jackson sons in Collingswood whose home was visited dozens of times by DYFS caseworkers who did not raise any red flags.

The number of open cases at DYFS surpassed 60,000 for the first time and the ranks of children in its foster-care system has swollen just as foster homes are getting more and more difficult to find. Human Services Commissioner Gwendolyn Harris, who has been a leading voice in disclosing DYFS' myriad problems, resigned and reportedly will be replaced by top Gov. McGreevey aide James Davy.



The family-preservation movement, championed by the National Coalition for Child Protection Reform and the Annie E. Casey Foundation, which provided staff members to the expert panel reviewing the state's plan for the court, sees hope in keeping families intact by enlisting assistance from other family members and offering services from drug counseling to parenting training.

Family preservation is predicated on a parent's ability to change. "I really believe that most parents don't want to lose their children," said Cotton, the DYFS director.

To make the new system succeed, Cotton said it will take a considerable increase in the agency's \$500 million-plus budget and will require adding to DYFS' approximately 1,800 caseworkers.

Cotton said he could not yet be specific about the costs, but said he was drawing up scenarios that would show what it would take to significantly reduce each worker's caseload.

Cotton envisions a new DYFS with workers given screening tools to ensure that children in danger are removed from harm's way and those who have hope of staying at home are given that chance.

With that, the ranks of children in foster care and the number of children abused will also drop, Cotton said.

"We're taking too many kids into care," he said. "We're going to focus on the kids that are at such a high risk they can't be left in their homes."

So far, Wexler likes what he has heard.

"I don't think you should have the power to tear a child away from his family based on a gut feeling," he said.

Other places that have worked to remedy broken systems - such as New York City and Illinois, where Cotton spent most of his career - have chosen similar paths. All are hailed by family-preservation proponents as success stories.

But the praise for that approach is not universal.

"I can tell you categorically it's not going to work," Penn's Gelles said of New Jersey's efforts. "Some families can't be helped. They just can't."

"If good intentions changed people, very few people would smoke or be overweight. There's an inherent naivete in the Casey Foundation and Richard's [Wexler] approach to changing extremely dysfunctional households."

Because the federal funding scheme favors foster care and adoption and not family preservation, most child-welfare agencies lean toward removing the child from those who are abusing or neglecting them.

That makes it far harder to get involved in helping families deal with their problems, Wexler contends.

"You have incentives for adoptions, you have incentives for foster care. You have no incentives to keep children in their own homes," he said.

This fiscal year ending Sept. 30, foster-care programs in the United States will get \$5 billion from the federal government compared with only \$700 million for programs favoring family preservation.

"States started to do the things the federal government was paying them to do, which was foster care," said New Jersey child advocate Kevin Ryan.

At Penn, Gelles said that because of the funding bias, states that want to do things differently will have to fund much of the expense themselves. While McGreevey has said he intends to make the necessary investment in child welfare, Gelles is dubious that any state could come up with that kind of money.

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**5:94) 30-DEC-2003 07:23 [John Searight \(searighj\)](#)**

## **A Strict Plan to Remedy Child Welfare in Connecticut**

By STACEY STOWE      NY Times      December 30, 2003

HARTFORD, Dec. 29 — A federal judge has ordered Connecticut's beleaguered child welfare agency to comply with a stringent plan to improve within three years to end its court oversight.

The 22-point plan, announced on Monday, was developed by the federal court-appointed monitor, who was given direct management authority of the agency, the State Department of Children and Families, in October.

The monitor, Dr. D. Ray Sirry, oversees the agency with members of a panel that includes the agency's commissioner and the secretary of the state's Office of Policy and Management.

Connecticut is one of eight states in which the courts have stepped in at some level to manage child welfare agencies.

(After a string of reports of child abuse and neglect, and following the settlement of a lawsuit two months ago, New Jersey has begun working with an independent panel to implement its own child welfare agency reforms.)

Last fall, in an attempt to avoid federal receivership, Gov. John G. Rowland became the first governor to admit that his state's child welfare agency was not in compliance with court orders. He agreed to court intervention in the agency's management.

On Dec. 18, Connecticut's child advocate, Jeanne Milstein, sued the agency, claiming that the state had repeatedly failed to diagnose the problem and properly care for a boy in its custody.

The new plan, signed on Dec. 23 by Judge Alan H. Nevas of Federal District Court and announced on Monday by Dr. Sirry, orders the state to meet percentage goals in 22 areas, including timely reporting of abuse or neglect; more regular visits by social workers to children in state custody; and adequate medical, dental and mental health care for children in its watch.

The order requires the state to maintain the financial resources to implement the plan, and it cannot be appealed.

Dr. Sirry is authorized to resolve issues between Judge Nevas and himself, the agency commissioner, Darlene Dunbar, and the policy secretary, Marc S. Ryan.

The deadline for full compliance with the order is Nov. 1, 2006.

According to Mr. Rowland's spokesman, the governor said the state was committed to working with the monitor to end federal oversight of the child welfare agency, including complying with the latest order.

Management issues — not lack of money — have plagued the agency, child advocates have said. Its budget is roughly \$600 million, up from \$256 million in 1995.

In a statement released on Monday, Dr. Sirry said that improvement would require a "more effective work style and major cultural change throughout the agency." Two months ago, in an attempt to decentralize the Hartford agency, he announced the creation of 13 area offices to provide neighborhood-based services.

Ms. Dunbar, the agency's third commissioner in three years, said in a brief statement on Monday that the "department will focus all of our energies toward achieving these outcomes."

She said, however, that at least two of the goals could not be met in the allotted time: reducing the percentage of children who live in residential treatment centers to 11 percent, from the current 13.5 percent, and requiring that at least

32 percent of adoptions be made final two years after children are removed from a home; only 9 percent are now completed, said an agency spokesman, Gary Kleblatt.

Fourteen years ago, Children's Rights Inc., a child advocacy group based in New York, and the Center for Children's Advocacy at the University of Connecticut School of Law, sued the agency on behalf of thousands of children in state care. Yet despite a 1991 settlement that required numerous improvements, Connecticut failed at least a dozen times to meet the terms, according to Ira Lustbader, associate director of Children's Rights Inc.

The latest failure to comply with a plan that would have ended court oversight occurred last summer, when the state was unable to meet 28 of 35 benchmarks for reform.

A report by Dr. Sirry found serious lapses in the agency's ability to conduct an investigation. It also revealed some woeful statistics, including the fact that one-quarter of the children in Connecticut foster care have medical, dental or mental health needs that go unmet for more than 60 days.

Mr. Lustbader and Martha Stone, director of the Center for Children's Advocacy, sued to place the agency in federal receivership. The suit was settled in October, giving Dr. Sirry direct management of the agency.

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**5:96) 04-JAN-2004 08:24 [John Searight \(searighj\)](#)**

## **A Year After the Horror Next Door, Parker Street Is Keeping Watch**

By RICHARD LEZIN JONES    NY Times                      January 4, 2004

NEWARK

THE teddy bears are gone, but the police tape is still there.

"Yeah," said Vera Barksdale from her front steps on Parker Street here, opposite the house where the police found the body of Faheem Williams — the 7-year-old boy who, in death, many credit with helping change a troubled child welfare agency that failed him in life. "I think they left that up there so nobody would break into the place."

Sorrow came to Parker Street a year ago today, when the police found two of Faheem's brothers starving but alive in a locked cellar. The next day, searchers recovered Faheem's mummified remains in a purple plastic container.

In those first few days after the discovery of the boys — before a raft of child welfare changes inspired by the case — Ms. Barksdale watched as a memorial of cards, balloons, candles and teddy bears bloomed on the sidewalk in front of their house.

The shrine was taken away months ago, but on Friday strands of yellow tape marked "Police Line Do Not Cross" remained, spooled almost delicately around the wrought-iron gate and banister. The message "R.I.P. Faheem," scrawled in fading ink, was still visible on a pair of railings. And, to Ms. Barksdale, something else has lingered.

It seems to her that over the past year, residents in this struggling section of Newark's North Ward near Branch Brook Park have paid a little more attention to their neighbors — studying unfamiliar faces, watching over one another's homes and, especially, one another's children.

Ms. Barksdale readily concedes that she may be overly optimistic. In neighborhoods everywhere, and especially here, it is easy, and sometimes even preferable, to simply live in a cocoon where next-door neighbors do not even know one another's names. And, she said, that still holds true for many here.

But after the horror of last January, Ms. Barksdale said, from her perch on Parker Street at least, something has changed.

"Everybody's speaking; everybody's getting connected," said Ms. Barksdale, 42, who works as a school bus aide in neighboring East Orange. "That's what we're doing now as far as watching out for people's houses, who's leaving, who's coming. We don't want to get in nobody's business, but when it comes to kids, we're going to look out for whoever's around here."

It is an echo of the kind of closeness Ms. Barksdale witnessed as a child growing up in a small town in Virginia. While that kind of familiarity may not return, she said, she hopes the spirit behind it can be rekindled. "These kids are scared of love," she said. "How can you feel it if you never had it? These kids need love."

It was too late, Ms. Barksdale said, when residents here realized that that was what Faheem Williams needed. She said that because of their proximity to the case, she and many of her neighbors have watched the changes in the state's child welfare system with particular interest.

WHILE praising the efforts of Gov. James E. McGreevey, who acknowledged years of problems in the State Department of Human Services and has sought to correct them by enlarging its staff and budget, Ms. Barksdale agreed that much work remained to be done.

The bulk of the charge to improve the system falls to the human services agency, whose task often seems Sisyphean: while adding more than 250 new child welfare workers over the past year, the agency's caseload has grown by nearly 15,000.

"The challenge," said Ed Rogan, a department spokesman, "is to run the system while you're rebuilding the system from top to bottom."

Challenges remain, too, for Kevin Ryan, the state's child advocate — a position created by the governor in the fall.

"It's not just the happiness and well-being of the children in the system," Mr. Ryan said. "But it's about whether we're going to give meaning to the lives of children who died violently or through neglect this year or whether we're going to let them be meaningless."

Back on Parker Street on Friday, Ms. Barksdale continued doing her part to ensure that the former holds true. She was talking about the bond between neighbors here when a man with ponytails and a down jacket walked by.

"Hey, Papi," she called out. "How's the baby?"

"Getting big," the man with ponytails called back. "You know, we're moving."

His family is off to Bethlehem, Pa., he said, adding that despite its difficulties he would miss a lot about city living and being so close to New York.

"Hey, you've got to do what you've got to do," Ms. Barksdale said. "Whatever you have to do to take care of the babies, right?"

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**5:97) 10-JAN-2004 09:28 [John Searight \(searighj\)](#)**

**State seeks extra 30 days to design a foster-care plan**

**Officials talking with litigants**

BY SUSAN K. LIVIO

Star-Ledger Staff

January 10, 203

Facing a deadline 10 days away, state officials are asking for more time to deliver a blueprint for court-ordered reform of New Jersey's troubled child welfare system.

The state had agreed to the Jan. 20 deadline last June as it settled a class-action lawsuit brought by the advocacy group Children's Rights Inc. The McGreevey administration promised a thorough overhaul of the Division of Youth and Family Services and said it would have an action plan ready by then.

James Davy, the operations chief for Gov. James E. McGreevey, "has asked for a 30-day extension," McGreevey spokesman Micah Rasmussen said. McGreevey planned today to officially announce Davy's nomination as Human Services commissioner, to succeed Gwendolyn L. Harris.

Children's Rights executive director Marcia Robinson Lowry acknowledged informal negotiations were taking place and said nothing was decided.

"Certainly I would not agree simply to an extension -- there are a number of issues I would be concerned about," said Lowry, declining to elaborate.

The group's lawsuit accused the Division of Youth and Family Services of trapping foster children in a mismanaged bureaucracy that leaves them at risk of abuse and neglect.

Child advocates and a labor leader familiar with the state's efforts said the plan due in 10 days still lacks a strategy on how to implement the necessary changes at DYFS.

"There was no direction. It was appalling," said Hetty Rosenstein, who as president of a union representing DYFS workers attended a number of meetings last month on what the plan should say. "A lot of what was there was not specific, not focused, and didn't have dates or goals set. It didn't have the money lined up and what it will cost."

Rosenstein, the leader of Communications Workers of America Local 1037, said getting an extension would be "a good thing," particularly because she has confidence Davy and his assistant, Lisa Eisenbud, will get it done.

State Child Advocate Kevin Ryan agreed that the plan needs more work.

"I can't describe how disappointing this is after the state has come this far, but I am hopeful that Davy will finally deliver for thousands of at-risk kids quickly," said Ryan, who worked under Davy before taking his current post.

Cecilia Zalkind, the executive director of the Association for Children of New Jersey, a Newark-based advocacy group, said any extension must come with a guarantee the plan will "address the immediate problems in DYFS."

"Things have gotten far worse since the signing of the settlement agreement," Zalkind said, noting increases in the number of children in foster care and the size of worker caseloads. "Any extension has to come with a commitment those emergent needs must be addressed with an infusion of resources."

The state did make progress on one key component of its reform plan, announcing yesterday it had awarded a \$26.8 million contract to implement a long-delayed, federally required computer system to track the 63,000 children under its care.

American Management Systems of Fairfax, Va., is expected to deliver the "statewide automated child welfare information system" within 24 months.

The Web-based system will replace an outmoded 20-year-old network and eliminate hours of redundant paperwork. Caseworkers and their bosses will be able to track how often children are visited and where foster-home vacancies exist, according to Harris, the departing commissioner. The system also will be linked to other government agencies involved in child support, welfare and Family Court.

"We're finally on the road to giving our staff the technology that they so very much need to get their jobs done effectively," Harris said. "Past administrations, for whatever reason, did not see fit to update our child welfare information system."

State officials admit the absence of the system cost the state \$6.2 million in federal assistance after the state failed a foster care audit last year.

American Management Systems has been a major government contractor, particularly in the defense industry, for 30 years. State officials said they visited Wisconsin to observe the child welfare computer tracking system the company installed there.

Six other companies submitted competing bids, and three offered to install the system for less money. But American Management Systems presented the "lowest responsible bid," said Louis J. Marino, director of Human Services' Office of Information Systems.

During the past decade, American Management Systems or its employees have donated tens of thousands of dollars to both Democratic and Republican candidates, according to the state Election Law Enforcement Commission and Political Money Line, a Washington, D.C.-based group that tracks political contributions.

In New Jersey, the firm gave a \$2,600 check -- the maximum -- to McGreevey's gubernatorial general election in 2001. Employees made donations in the past to other prominent Democrats, including Gov. Jim Florio and Sens. Jon Corzine, Bill Bradley and Robert Torricelli.

Staff writer Joe Donohue contributed to this report.

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### **State awards contract for DYFS computer system**

TRENTON— The New Jersey Department of Human Services (DHS) announced today it has selected a vendor to implement a new child welfare information system to help caseworkers track and monitor children and families.

The contract for the Statewide Automated Child Welfare Information System (SACWIS) to be used by the Division of Youth and Family Services (DYFS) has been awarded to American Management Systems, Inc. (AMS) headquartered in Fairfax, Virginia. The \$26.8 million contract is subject to review and approval by the U.S. Department of Health and Human Services' Administration for Children and Families.

"Thanks to Governor McGreevey, we are finally on the road to providing our staff with the technology they need to do their jobs effectively," said DHS Commissioner Gwendolyn L. Harris. "SACWIS is long overdue. Past administrations did not, for whatever reason, see fit to update our child welfare information system. We're still using the same computer system I used 20 years ago as a DYFS district office manager."

SACWIS will reduce manual paperwork and repetitive data entry allowing workers to spend more time in the field protecting children. SACWIS' enhanced functionality will benefit DYFS workers and community providers as they will now be able to provide more timely services to children and families.

New Jersey is one of only six states yet to implement SACWIS. DYFS currently relies upon a combination of six mainframe, 17 PC based and five Oracle-based systems to support child welfare operations. Current systems are incapable of producing necessary prompts/alerts of casework activities and fail to provide supervisors with the necessary management tools to track case practice issues.

In addition, the current systems cannot talk to each other or share information. SACWIS will integrate the data and functionality of these systems into one integrated application providing a seamless source of information to the Division and its workers.

The new system will also incorporate specific prompts/alerts for caseworkers to visit families or conference a case with supervisors within designated timeframes. This will allow caseworkers, supervisors and senior management to proactively manage individual cases and the overall caseload.

“SACWIS will improve our system of checks and balances,” said Commissioner Harris. “How many children have been placed at risk because staff didn’t have accurate information or couldn’t access it at all?”

As part of the reform plan to improve the State’s child welfare system, more than 2600 new computers have already been supplied as part of the SACWIS development. Using the latest web-based technology, SACWIS will produce an integrated system that will:

Support quality assurance, outcome monitoring and evaluation through improved tracking of cases, including required reviews and assessments to ensure that all cases are properly accounted for and served as promptly and effectively as possible

Expand automated management reports to facilitate timely policy decision-making, program evaluation, quality assurance, accounting, research and other administrative functions

Support the automation of DYFS’ Structured Decision Making (SDM) process that will improve consistency and accuracy in the decisions staff makes. SDM is a decision-making model that sets specific criteria for determining immediate and long-term risk to a child and facilitates case planning

Brings the state in compliance with Federal regulations such as the Adoption and Safe Families Act (ASFA) and the Child and Family Service Review (CFSR) that require an automated child welfare system

Provide appropriate interfaces with other information systems to coordinate information and communication with the courts, Work First New Jersey (TANF), Medicaid, and child support enforcement

Enhance DYFS’ ability to meet Federal AFCARS (Adoption and Foster Care Analysis and Reporting System) and NCANDS (National Child Abuse and Neglect Data System) reporting requirements - translating into increased Federal reimbursements including Title IV-E (foster care)

Enhance the capacity of DYFS to allocate and monitor the expenditure of funds for third party contracted social services from private providers to support its child protection/child welfare efforts.

To alleviate problems and to expedite implementation, New Jersey’s SACWIS system will be based upon the successful system AMS developed for Wisconsin. Called eWiSACWIS, Wisconsin’s system supports nearly 3,000 caseworkers with about 800 concurrent users daily. The system being transferred also has the potential to provide mobile and remote functionality to workers and providers, allowing the system to be used in the field and eventually by community groups and service providers.

In addition to Wisconsin, AMS has developed SACWIS systems for Alaska, Connecticut, Illinois, New Mexico and Rhode Island. The company has also led SACWIS design projects in Alabama and Louisiana.

Seven vendors originally supplied bids which were subsequently reviewed for compliance by the Department of Treasury’s Division of Purchase and Property. Bidders were required to meet New Jersey procurement regulations and were subjected to extensive review including reference checks, on-site visits and program demonstrations. Installed through a series of modules, the system will be operational within 24 months with the first module rolling out statewide within the first year. Recognizing the importance of providing staff with the tools they need to serve New Jersey’s children and families, the Division recently deployed several interim applications to help track visits with children as well as foster care placements which can lead to better documentation and additional Federal reimbursement for Title-IV E (foster care).

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## **DYFS falls short of deadline**

## **N.J. will ask for more time to draft an overhaul plan. Critics called the delay a sign of leadership failures.**

By Mitch Lipka

Inquirer Trenton Bureau

Jan. 10, 2004

New Jersey's child-welfare agency, widely viewed as a dismal failure, has fumbled again - this time in coming up with a plan for its own overhaul.

After working on a blueprint for a new system for about six months, the state acknowledged yesterday that it would not meet a federal judge's Jan. 20 deadline.

The draft of the plan was an embarrassment, and its deficiencies illustrate a leadership failure at the Department of Human Services and its Division of Youth and Family Services, several people familiar with the plan contended. Department Commissioner Gwendolyn Harris has already resigned, and other management changes are expected.

DYFS's failures began last January with the death of 7-year-old Faheem Williams in Newark and continued through October with the discovery of the four starved Jackson brothers in Collingswood. Last month, DYFS revealed that children's deaths due to abuse or neglect had increased last year while the number of adoptions had fallen.

Jim Davy, an aide to Gov. McGreevey who is scheduled to be appointed commissioner of human services today, will take control of the revision of the plan from DYFS officials and ask for a 30-day extension, said Micah Rasmussen, spokesman for McGreevey. Rasmussen had no further comment.

Steve Cohen of the Annie E. Casey Foundation, which focuses on child welfare, said he had expected the request for a delay. Cohen is chairman of the panel that will review the plan for a federal judge overseeing the settlement of a lawsuit filed against the state by Children's Rights Inc.

Said Marcia Robinson Lowry, executive director of that children's advocacy group: "If the plan is not close to final at this point, that raises some very, very serious questions about management and leadership."

Lowry said she could not discuss details of her discussions with the state because of legal confidentiality issues, but was "disappointed that things have not happened up until now."

Among other things, the state had committed to assessing the safety of all children in foster care. But after the discovery of the Collingswood brothers, whose adoptive parents also were providing a girl with foster care, the process was deemed at least a partial failure, and contractors were supposed to revisit thousands of homes.

Others child advocates, including Cecelia Zalkind, executive director of the Association for Children of New Jersey, said attention to the DYFS plan was delaying responses to problems plaguing children in the system. Now that a year has passed since the discovery of Faheem Williams' body (an abuse and neglect case was closed without DYFS seeing the child), it is particularly troubling that DYFS has yet to make meaningful change, she said.

Recent data provided to her group indicate the welfare of children in New Jersey is at a low, Zalkind said.

"It's looking pretty grim on every indicator of child well-being," she said.

Zalkind said a lack of leadership was evident in the preparation of the DYFS plan. "It's no surprise," she said, adding that her organization "has been concerned about the planning process from Day 1."

Zalkind and others familiar with the plan said it lacked details on key items, including staffing and funding.

"There were no details as far as we can tell to translate from nice goals to reality," she said.

The state's child advocate, Kevin Ryan, said he would like to believe the request for an extension and the leadership change finally meant child welfare was headed in the right direction.



"I'm hoping that Jim Davy can finally deliver for literally tens of thousands of at-risk children across the state of New Jersey who have been waiting a long time for meaningful change," Ryan said.

A union leader who represents DYFS workers and has been involved in developing the plan said she, too, saw optimism in the failure.

"We haven't seen change. We haven't seen vision," said Hetty Rosenstein, president of Communication Workers of America Local 1037. "I think it's embarrassing. It would be more embarrassing and much worse if the Governor's Office was not saying there was not enough here.

"I'm glad the Governor's Office has recognized the need to look at this again."

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## **DYFS reformer quits as plan deadline nears**

### **Governor names top aide to get children's agency overhaul on track**

BY SUSAN K. LIVIO      Star-Ledger Staff      January 11, 2004

Colleen Maguire, a former caseworker and senior manager who was brought back to the state's child-protection agency to lead it out of crisis, has resigned after less than a year on the job, state officials said yesterday.

Word of Maguire's abrupt exit spread as Gov. James E. McGreevey yesterday formally nominated his most trusted aide, James Davy, to run the Department of Human Services, which oversees the turbulent Division of Youth and Family Services.

Maguire quit Friday, the same day Davy publicly confirmed he needed an extra 30 days to assemble a top-to-bottom plan to overhaul DYFS. The blueprint for those changes was due Jan. 20, under a federal court settlement McGreevey accepted in June to end a class-action lawsuit against DYFS on behalf of foster children.

As deputy human services commissioner for children's services, Maguire was the state's point person on the reform effort and chief architect of the plan. The court settlement calls for the plan to contain a specific strategy and budget to hire and train staff, improve child abuse investigations, find more foster parents and provide services like drug treatment to families. If the state fails to produce a viable plan, a federal judge could impose changes.

Having seen a draft copy of the plan last week, Davy yesterday described it as "needing a radical restructuring" and lacking "a sense of urgency."

"I will move to provide that over the next six weeks," Davy, 50, told reporters and a packed room of well-wishers at a reception in his honor at Drumthwacket, the governor's mansion in Princeton.

The plaintiff in the class-action suit, Children's Rights Inc. of New York, has not formally agreed to grant the state more time, the advocacy group's Executive Director Marcia Robinson Lowry said yesterday. But Children's Rights is likely to do so if the state meets certain conditions that Lowry is negotiating privately.

"We are very disappointed at the fact that this plan is neither ready nor close to being ready," Lowry said. "Given that state of affairs, we are pleased with the seriousness with which the governor and state take this, and that the governor's office has taken this over."

While declining to discuss Maguire specifically, Lowry said a shakeup at DYFS was necessary.

"There were clearly very serious leadership and management issues in the agency as evidenced by the fact we do not

have a close-to-final plan, and the fact that so little has improved since the settlement has been signed," she added.

McGreevey's spokesman Micah Rasmussen called Maguire "an important and critical part of the reforms that have taken place, and somebody Jim Davy wants to sit down with and finish the conversation they have begun."

Maguire could not be reached for comment.

Outgoing human services Commissioner Gwendolyn L. Harris will remain in her post until next month, while Davy, McGreevey's operations chief, and his deputy chief, Lisa Eisenbud, take control over the DYFS plan.

DYFS is far from accomplishing the radical overhaul it promised a year ago after the discovery of the beaten and emaciated body of 7-year-old Faheem Williams in Newark and the revelation that DYFS lost track of him and closed his case a year earlier.

In the year since, the numbers of children under the state's supervision and in foster care rose roughly 35 percent and 20 percent, respectively. The number of children supervised per worker jumped from 33 to 41. And the agency has careened from one emergency to the next as several high-profile child abuse and death cases highlighted long-standing problems within the agency.

Maguire was hired 11 months ago for her reputation as a tough manager who wasn't afraid to hold people accountable and talk openly about DYFS' problems.

But some say she lacked the pro-union governor's support on key changes such as relaxing civil service rules so problem DYFS employees could be more readily disciplined.

"Her primary loyalty is, was and will continue to be the welfare of kids in New Jersey," said Thomas Blatner, Maguire's partner at the human services consulting firm Janus Solutions, and a former DYFS director. "She put her heart and soul into this."

"Because of the Children's Rights lawsuit, the issues of accountability and the need for more resources and structural change has to be addressed," Blatner said. "I hope Jim Davy is up to addressing them. He has to succeed now, or the child welfare system will be taken away from New Jersey."

Maguire, a former nun and schoolteacher, had her critics -- the most vocal among them being the union that represents DYFS staff, the Communications Workers of America.

Bad blood between the union and Maguire dates to 1989, when as a regional DYFS administrator, Maguire recommended severely disciplining seven employees involved in the case of Dyneekah Johnson, a 5-year-old girl murdered by her foster parents. Ultimately, no one received more than a reprimand.

The acrimony only intensified upon Maguire's return when she touted civil service changes. Then in October, Maguire and Harris suspended nine DYFS employees involved with a foster family in Collingswood immediately after authorities arrested the foster parents for depriving food and medical care to four sons they adopted through the state.

Hetty Rosenstein, president of CWA Local 1037, said Maguire never offered any evidence to support the case for suspending the workers.

"She's been shown a lot more consideration than she showed the nine workers she held responsible for serious systemic issues at DYFS," Rosenstein said.

Davy's appointment as commissioner has been well-received, given his reputation as a meticulous and effective manager during his tenure as Woodbridge business administrator under then-Mayor McGreevey, as well as his two years as the governor's chief of operations.

"In all of my professional life, I have worked to just get it done, and that's what I will do as commissioner of human

services," Davy said.

The commissioner oversees an \$8.3 billion department serving 1 million people, including those in poverty who rely on Medicaid and welfare, as well as people living with physical, developmental and mental disabilities.

Melville D. Miller, executive director of Legal Services of New Jersey, which serves the poor, said he was impressed with Davy.

"He seems very focused and open-minded," Miller said after yesterday's reception.

"We won't let them forget the other issues, such as the people who are not succeeding under welfare reform," Miller said. "But DYFS has to be dealt with now."

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## **McGreevey Names Top Aide to Overhaul Child Welfare**

By COREY KILGANNON

NY Times

January 11, 2004

Seeking to reform a child welfare system rocked by several high-profile abuse cases, Gov. James E. McGreevey named one of his top aides yesterday to lead New Jersey's Department of Human Services.

Mr. McGreevey appointed James M. Davy, his chief of management and operations to replace the current commissioner, Gwendolyn L. Harris, who said last month that she would officially resign Feb. 15.

But making it clear he was not waiting, Mr. Davy immediately called for an additional 30 days to prepare a court-ordered plan to reform the state's child welfare system, the department's Division of Youth and Family Services.

The department, which controls the division, received national attention and came under fire in January 2003, after Faheem Williams, a 7-year-old Newark boy in foster care, was discovered dead in a Newark basement, where his two brothers were found emaciated. In October, a family in Collingswood, N.J., was accused of keeping four foster children so badly malnourished that a 19-year-old weighed just 45 pounds, even though caseworkers from the division had visited the family.

Mr. McGreevey promised to make the overhaul of the troubled division a top priority. Yesterday, his spokesman said that he showed his commitment by appointing Mr. Davy, 50, one of the governor's closest advisers and a confidant since Mr. McGreevey was mayor of Woodbridge during the 1990's. Also, Mr. Davy has lately served as Mr. McGreevey's chief liaison to the Human Services Department.

At a news conference at his mansion yesterday afternoon, Mr. McGreevey said that Mr. Davy "has consistently demonstrated an exceptional ability to manage government with great professionalism and compassion."

"The challenges he will confront at the Department of Human Services are formidable, but he is well-equipped to meet them," he said in a statement.

Many child welfare advocates have long complained that New Jersey has neglected its child welfare agency and that caseworkers were undertrained, poorly supervised and ill-equipped to handle inordinately high numbers of caseloads.

Of the 37 children that state records revealed had died of abuse or neglect in New Jersey last year, 18 were known to state social workers. Division workers were monitoring eight of them and had closed case files on 10 others.

The advocacy group Children's Rights Inc. had sued the state on behalf of the children in the system and in June agreed

to settle after Mr. McGreevey said he would enact a series of policy changes and allow a federal judge to enforce the plan.

Ms. Harris, who was appointed in February 2002, helped create a new master plan for the agency, but some critics called her slow to improve staffing, training and supervision. Others commended her broad vision.

Yesterday, the governor's press secretary, Micah Rasmussen, said that Mr. McGreevey appointed one of his most trusted aides because he wanted to keep close tabs on the overhaul.

"Governor McGreevey has worked with Jim Davy for more than 14 years," Mr. Rasmussen said. "Jim is a career public administrator and the governor's go-to guy, his right-hand man."

Mr. Rasmussen added, "Jim is very organized in his approach to a problem and he's the person you want working up a blueprint to reform the system."

The Human Services Department, which has seven other divisions, oversees programs to care for abused children, the mentally disabled and the poor. It is New Jersey's largest agency, with 19,000 employees, a \$8.3 million budget and 61,000 children under its supervision.

Last March, Mr. McGreevey angrily rebutted and denounced reports that Mr. Davy helped influence parole proceedings for an organized crime figure. Mr. Davy's appointment to the \$137,165-a-year position must still be confirmed by the State Senate.

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## **Editorial from the Camden Courier-Post Tuesday, January 13, 2004**

### **New focus on DYFS needed**

Gov. James E. McGreevey named his longtime political aide, James Davy, to head the Human Services department Saturday. Hopefully, Davy, a tough no-nonsense manager, can accomplish what an experienced social services administrator could not: Significantly improve the state Division of Youth and Family Services.

Human Services, the largest state agency, has a wide range of responsibilities - from helping poor families to caring for the mentally ill. But its efforts to protect the state's most vulnerable children has been glaringly inadequate.

Last January, DYFS was faulted for prematurely closing the case of a 7-year-old Newark boy whose mummified body was found in an aunt's basement. His two emaciated brothers were found in an adjoining room.

In October, DYFS workers were criticized for not keeping better track of apparently undernourished boys adopted by DYFS foster parents in Collingswood. Both cases happened under the watch of outgoing Human Services Commissioner Gwendolyn Harris, who had a good reputation statewide as a reformer and manager.

Clearly, Davy, who has no background in social work, faces a tough task. DYFS' performance has been so consistently poor over the years it is now under a court order to come up with reforms. Davy has asked for an extension on the Jan. 20 deadline to get a plan together. One drafted under the direction of special deputy commissioner Colleen Maguire was criticized by child advocates as short on specifics.

We hope the plan Davy finally proposes offers the protection that abused and neglected children need. The state can and should do better for these children.

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## Emergency steps adopted by DYFS

### Different procedures for closing cases and renewed efforts to find foster homes are among the changes.

By Robert Moran      Inquirer Trenton Bureau      Jan. 15, 2004

TRENTON - A series of "emergency interim measures" to address problems in the state's troubled child-welfare agency was announced yesterday after the state got extra time to come up with a final restructuring.

Facing a deadline next week, the Division of Youth and Family Services was given 30 more days to submit a plan because the draft that was in the works was "deficient," said James Davy, the commissioner-designate of the Department of Human Services, which oversees DYFS.

The measures, which Davy said will cost more than \$11 million, include revisiting thousands of children in foster care to ensure their safety and reducing caseloads for overburdened caseworkers.

DYFS will immediately begin work on safety reassessments of 6,000 children at a cost of \$2.5 million.

Davy said thousands of safety assessments performed last year were "flawed and not uniformly administered."

In October, agency officials said that more than 6,000 safety assessments had to be conducted again, but they were postponed so the agency could develop the plan for change.

Now the agency can't wait, Davy said. "We must move quickly," he said.

Caseload has been a long-standing concern, and it has only grown worse. The agency is handling more than 60,000 cases - the most ever.

With DYFS's most experienced caseworkers laboring "around the clock, through the evening and on weekends," Davy said, the agency will close as many as 6,000 cases that no longer require oversight but remain pending due to an enormous amount of paperwork.

Cases will not be closed unless DYFS is certain the children are safe, Davy said. And they won't be closed if caseworkers haven't seen the children in the previous four weeks.

DYFS will expedite licensing of more than 100 new foster homes and launch new efforts to recruit foster parents.

Other efforts include making sure children do not languish in DYFS district offices for lack of transportation or child-care services, and streamlining medical screenings and procedures.

"I can assure you that this is just the beginning," said Davy. He replaces Gwendolyn Harris, who resigned.

The DYFS plan, which must now be submitted to a special court-appointed panel Feb. 18, was required to be filed by next Tuesday as part of a settlement of a class-action lawsuit filed on behalf of children in state care.

Davy said the report that had been in the works "was deficient in many respects." That led Davy to request the extension last week. He declined yesterday to discuss details of the report.

Children's Rights Inc., which filed the lawsuit, and the state Child Welfare Panel created as a result of the settlement, agreed to the postponement Tuesday night.

"The state needed the extension to allow Jim Davy and the Governor's Office to take control of the process and get it right," said Eric Thompson, senior staff attorney at Children's Rights.

Thompson said that before the governor intervened, the process "apparently floundered."

Kevin Ryan, the state child advocate, participated in the postponement discussions over the weekend.

"This is a moment for all of us to work together to make the case for substantive changes that stabilize this system, ensure accountability to children, and get DYFS on the road to enduring reform," Ryan said.

If the state missed the original deadline, it could have been subjected to any of a range of sanctions - the most extreme being a federal-court takeover of the agency.

"I think the extension is appropriate," said Cecelia Zalkind, executive director of the Association for Children of New Jersey. "Our concern was how this time is going to be used."

Paul Alexander, a union official, called the measures "a huge first step."

However, Alexander raised concerns with the agency's decision to retain outside child-welfare workers to accompany caseworkers on the safety reassessments.

He said it was unclear what types of background checks and training requirements are in place for these contractors.

Last summer, the state agreed to overhaul the child-welfare system by settling a four-year-old lawsuit brought by Children's Rights.

The move to settle picked up momentum after the January 2003 death in Newark of 7-year-old Faheem Williams, who had been neglected and abused, but whose case had been closed by DYFS without a caseworker visiting.

The agency appeared on the way to change change when it was rocked in October by the starvation case of four adopted boys in Collingswood.

That home was among thousands of households visited by DYFS workers as part of the original wave of safety assessments. Nine DYFS employees were fired in connection with the Collingswood case.

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## **DYFS tackles problems long ignored**

### **Agency to recruit more foster families as extension is granted on plan to overhaul division**

BY SUSAN K. LIVIO

Star-Ledger Staff

January 15, 2004

While they scramble over the next month to develop a master plan for reforming New Jersey's child-protection agency, state officials promised yesterday to immediately address some of the system's most critical problems.

The Division of Youth and Family Services will spend some \$2 million right away to pay staff overtime, recruit more foster families and provide day care for children languishing in agency offices.

In return, the state won a one- month reprieve from a court-ordered deadline to produce a plan for an overhaul of the troubled division. The plan was due next Tuesday under the terms of a settlement of a class-action lawsuit, but top McGreevey administration officials said it was far from ready.

"Although the final plan has not been fashioned, there is much we can do today to improve the lives of children and families," said James Davy, nominated by Gov. James E. McGreevey to become commissioner of DYFS' parent Department of Human Services next month. "We must move with a sense of urgency."

By "reordering priorities," Davy, currently the governor's chief of management and operations, said he has freed up funds within the department that will total \$11.2 million a year to address long-ignored problems within DYFS.

Children's Rights Inc., the advocacy group that brought the class- action lawsuit on behalf of foster children, said yesterday it agreed to extend the deadline for the overhaul plan until Feb. 18.

"As we understand it today, we are nowhere on the plan," said Eric Thompson, senior attorney at Children's Rights. "But we are glad this is getting deserved attention from the governor's office."

The New Jersey Child Welfare Panel, a group of experts appointed under the settlement to monitor the state's reform progress, also agreed to the extension.

The short-term DYFS agenda includes:

Lining up day care and hiring aides to transport children who would otherwise spend their days in DYFS offices while waiting for their next foster homes. This is projected to cost \$3.7 million a year.

"It is worth every penny to have children in learning and loving environments, instead of occupying office space and enjoying the sporadic attention of well-meaning but busy and overworked staff," Davy said.

Spending \$1.2 million on overtime pay to allow DYFS supervisors to finish the paperwork required to close an estimated 6,000 cases that no longer require the agency's attention, and to allow licensing officers to expedite the certification of 100 foster homes within the next month.

Distributing \$1.5 million to private foster-parent groups to boost their efforts to recruit new foster families. One-third of that money will be spent within the next month.

Revisiting 6,000 children in foster homes, group homes, shelters and institutions to assure their safety by June 30, at a cost of \$2.5 million.

Immediately assigning nurses to every DYFS office to speed the medical examinations required each time a child is moved from one home to another, at an annual cost of \$1.75 million. Workers have argued that long waits in emergency rooms for routine physicals waste time and traumatize kids.

Assigning a coordinator at University Hospital in Newark to try to place "boarder babies" with relatives. The aim is to prevent extended hospital stays by newborns whose mothers are unable or unwilling to care for them. The cost is estimated at \$500,000 a year.

"These are the kind of initiatives we have been requesting for many years," said Mary Jane Awrachow, executive director of Foster and Adoptive Family Services of New Jersey, an advocacy and training organization.

"If foster parents hear a message from Davy that they are valued, it may vitalize" them, Awrachow said. "This is a demoralized sector right now."

A union representative agreed the proposal was good news because it addresses concerns DYFS workers have raised for more than a year.

But the mood of the agency's staff was tempered by the opening day of a grand jury probe in Camden County, where 11 DYFS workers were subpoenaed to testify.

A Collingswood couple was arrested in October and charged with depriving their four adopted sons of food and medical care. DYFS had determined the family operated a safe foster home. Camden County Prosecutor Vincent Sarubbi has said DYFS workers may face criminal charges for failing to act to protect the children.

A busload of DYFS workers from across the state descended on the courthouse in a show of support, said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, the union that represents DYFS

workers.

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## **New Jersey Announces Plan for Child Welfare System**

By THE ASSOCIATED PRESS NY TIMES January 15, 2004

TRENTON, Jan. 14 (AP) - The newly appointed commissioner of the New Jersey Department of Human Services, James M. Davy, announced a \$11.2 million plan on Wednesday to begin fixing the state's troubled child welfare system.

Mr. Davy, who was selected for the job last week by Gov. James E. McGreevey, also said that the state had been granted a one-month extension, to Feb. 18, for filing a formal report on how the system would be overhauled. That report is required under terms of a lawsuit settlement that was reached in June and is overseen by a federal judge.

The immediate steps include repeating safety assessments of 6,000 children in foster care, with independent agencies monitoring the performance of caseworkers from the Division of Youth and Family Services. The agency was supposed to have conducted thousands of face-to-face safety assessments of the children last year, but Mr. Davy questioned those findings on Wednesday. "We must commit the resources necessary to do this job right," he said.

Mr. Davy said \$1.2 million in overtime pay would be authorized to allow Youth and Family Services supervisors to examine files on up to 6,000 children whose cases might be safely closed, in an effort to reduce caseloads of agency workers.

He also announced a program to end the practice of "boarder babies." They are newborns who are not wanted by their parents and must stay in hospitals until they are placed in foster homes. The problem is most serious at the University of Medicine and Dentistry of New Jersey hospital in Newark, Mr. Davy said. He also said the processing of 100 new foster homes would be speeded up over the next month, and that medical screenings of children going from one foster home to another would be done quickly by nurses rather than in hospital emergency rooms.

Mr. Davy's quick attempt at action was the latest effort to straighten out the mess at the Division of Youth and Family Services. Governor McGreevey came under pressure last year to reform the agency after several high-profile cases, including the death of a 7-year-old boy in Newark and the alleged starving of four boys by their adopted parents in Camden County.

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### **PRESS RELEASE FROM DHS**

#### **Davy calls for immediate actions to protect children**

#### **Child welfare improvement plan now due February 18th**

TRENTON—New Jersey Department of Human Services (DHS) Commissioner Designate James Davy today announced that the state will now have until Feb. 18 to submit a sweeping reform plan to the federal court overseeing a lawsuit against the state's child welfare agency, the Division of Youth and Family Services.

Davy also unveiled emergency interim measures to protect New Jersey's children while that plan is being finalized including:

- the licensing of 100 new foster homes in one month



- closing thousands of inactive DYFS cases to free up caseworkers in one month;
  - immediately releasing funds to transport and provide child care to children who languish in DYFS district offices;
  - ending the practice of allowing “boarder babies” to remain in hospitals after they are medically cleared;
  - authorizing millions to re-do safety assessments on children in out-of-home placement and requiring independent verification of those assessments by outside agencies
- “I thank Children’s Rights and the Child Welfare Panel for agreeing to this 30-day extension,” said Davy. “However, our staff and the children they serve cannot wait any longer. They need help now and that is why I am ordering several immediate actions be taken to protect our children, support our staff and increase the number of foster homes available.”

Specific immediate actions include:

- Expanding the number of foster homes available by expediting the licensing of over 100 foster homes currently in different stages of the licensing process – and collapsing the licensing process from months to weeks
- Introducing targeted foster home recruitment initiatives to meet the needs of Latino children
- Immediately funding support services for foster parents in each region and bolstering local recruitment efforts
- Reducing the number of children spending their days in DYFS district offices by increasing transportation services to school and expanding child care options by Feb. 1
- Within days, promulgating emergency regulations that will allow nurses to conduct medical screenings for foster children so children and caseworkers do not have to spend countless hours in hospital emergency rooms
- Establishing a Boarder Baby coordinator in UMDNJ-Newark hospital so the state can end the practice of keeping babies in the hospital once they are medically cleared
- Closing as many as 6,000 cases where children and families no longer require DYFS services so caseworkers can focus on protecting children rather than completing paperwork
- Authorizing \$2.5 million to redo safety assessments on about 6,000 children in care within five months and requiring those assessments be verified by an independent, local community agency.

“Some of these tasks may seem insurmountable but we are talking about our children,” said Davy. “We are going to expand existing contracts, reassign staff and most importantly authorize overtime for DYFS staff. We will do whatever it takes to get it done.”

Safety assessments will be conducted by DYFS caseworkers who will work in tandem with a local community agency. Unlike the previous safety assessments conducted by the Division where only a specific child was assessed, a uniform protocol will now be followed and every child in a home including adopted and natural children will be assessed. Over \$2.5 million has been allocated to fund the community agency involvement.

An additional \$1.2 million in overtime has been authorized for DYFS supervisory and case practice staff to work evenings and weekends to close thousands of cases. Additionally, staff in the Department’s Office of Licensing will also work overtime to expedite the licensing of an additional 100 foster homes in the next month.

“I was greatly disturbed to learn many children are spending their day in our district offices instead of going to school,” added Davy. “We’re going to expand transportation services and also provide additional child care services so our staff can do their work and more importantly our children can be in a nurturing environment.”

Overall, Davy has authorized an additional \$11.2 million in spending over the next year with about \$2 million of that to be spent in the next 30 days. Existing transportation and child care services will be expanded at a cost of \$3.7 million

annually while funding for initial and subsequent medical screenings will grow by \$1.7 million annually. As outlined in the original Children's Rights settlement agreement, DYFS will also spend \$1.5 million to recruit more foster homes over the next year including \$500,000 in the next month alone.

"We need more foster homes and we need them now," said Davy. "We cannot wait weeks or months to launch innovative recruitment strategies. We must do it now. We must get it done."

Last year, the State settled a class-action lawsuit filed on behalf of the children in its care. As part of the settlement, the New Jersey Child Welfare Panel comprised of national experts was created to oversee the plan for improving services to children and families. Public meetings were held throughout the State and three workgroups were established in the areas of resource families (foster care), community partnerships/resource development and practice model and system. Each workgroup identified problems in the current child welfare system while making recommendations to be considered for implementation.

Under the leadership of Davy, the State will work with the Panel to finalize a reform plan by February 18th. Once the plan has been submitted and approved, the Panel will monitor the State's progress in implementing the plan for an additional 18 months.

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5:100) 17-JAN-2004 09:18 [John Searight \(searighj\)](#)

### **New DYFS plan to stress accountability**

Published in the Asbury Park Press 1/17/04

THE ASSOCIATED PRESS

TRENTON -- The latest plan being put together to reform New Jersey's child welfare agency will establish a system of accountability and boost community-based programs, the state's newly appointed human services commissioner said yesterday.

James Davy ordered a staff of about 100, including members of the governor's office, to work through the weekend to finish the first draft of the plan to overhaul the state Division of Youth and Family Services.

The finished plan is due Feb. 18 under the terms of a lawsuit settlement reached in June between the state and a children's rights group. The settlement is being overseen by a federal judge.

A previous version of the plan prepared for former commissioner Gwendolyn Harris was rejected by Davy as being "deficient." He said the new plan would introduce sweeping reform.

DYFS has been plagued by problems for years, but pressure on Gov. McGreevey to fix the agency intensified last year after several horrific child abuse cases, including the death of a 7-year-old boy in Newark and the alleged starving of four Camden County boys by their adoptive parents.

Davy announced a series of emergency measures immediately after he was appointed to office this week. He still must be confirmed by the Senate.

Those included repeating safety assessments of 6,000 children in foster care, having managers work overtime to close DYFS files on up to 6,000 children in an effort to reduce caseloads of agency workers and establishing a program to end the practice of newborns unwanted by their parents being kept in hospitals.

Davy said that in addition to ensuring accountability, the overhaul plan would expand services in communities to help stabilize troubled families. Those would include mental health, substance abuse, domestic violence and employment services programs, according to Davy.

Also asked to work on the plan this weekend were members of an oversight panel established as part of the lawsuit settlement, DYFS managers and supervisors, and budget and information technology officials.

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**5:102) 21-JAN-2004 10:21 [John Searight \(searighj\)](#)**

### **Court rules on lawyers in child abuse case**

### **Camden County couple are accused of starving 4 adopted sons**

BY JUDITH LUCAS      Star-Ledger Staff      January 21, 2004

A Camden County couple accused of starving their four adopted sons won a minor victory yesterday when a judge ruled that their criminal defense attorneys also can represent them in Family Court.

The state Division of Youth and Family Services had argued that dual representation in the Camden court proceedings gives the lawyers for Raymond and Vanessa Jackson an unfair advantage because they would have access to the boys' psychological and biological history and their medical and birth records.

Superior Court Judge Robert Page disagreed.

"They (DYFS) did not want us to get this information. They wanted to keep it from us," said attorney Richard Josselson, who represents 50-year-old Raymond Jackson. "If they had succeeded, this information, if I was entitled to it all, would only be available after indictment or through discovery."

Page's decision required deputy state Attorney General Nora Pearce, who represented DYFS, to turn over four boxes of documents to Josselson and Alan Bowman, the attorney for Vanessa Jackson, 48.

Yesterday's Family Court hearing was not open to the public and Page prohibited attorneys from providing details about it.

Meanwhile, the Jacksons face indictment within weeks for allegedly starving their sons, who range in age from 9 to 19, said Bill Shralow, spokesman for the Camden County Prosecutor's Office.

When the boys were removed from the Jackson's Collingswood home in October, they weighed 45 pounds or less and stood no more than 4 feet tall.

The oldest, Bruce, was discovered Oct. 10 rummaging through a neighbor's trash can and begging for food.

Camden County Prosecutor Vincent P. Sarubbi has said the children were malnourished, had lice and were denied medical care. He said the Jackson family even locked a door to the kitchen and kept an alarm on the refrigerator.

In state custody the children have blossomed, gaining between 15 and 30 pounds and at least an inch in height, Sarubbi has said.

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### **Abandoned babies spur stronger ad campaign**

By KEVIN SHEA      January 21, 2004      Trenton Times

A third newborn baby abandoned in New Jersey this year instead of being dropped off at a police station or hospital with no questions asked, as the state allows, has prompted officials to provide more money to publicize the Safe Haven Infant Protection Act.

The state's Department of Human Services also is moving up an ad campaign scheduled for this spring. It will now run immediately on radio and television stations to call more attention to the Safe Haven program, which was enacted in

2000, Human Services Commissioner designee James M. Davy announced.

Davy said he has set aside an additional \$100,000 for the on-air ads.

The Safe Haven law appropriates \$500,000 annually to pay for advertising efforts, from broadcast spots to print ads, posters on NJ Transit buses and other materials to help school teachers and community volunteers share information about it.

Davy has also ordered immediate plans to be a partner with local faith-based and community action agencies to "wallpaper" and "flood" neighborhoods with information about Safe Haven in supermarkets, laundries, bus stops and other neighborhood sites statewide.

"We need for people to know that there is an alternative to abandoning your baby, and we need to speak to people where they live, where they shop and where they work," Davy said in a statement.

"Certainly we would prefer that mothers come to us while they are pregnant so they get medical care and counseling and any other services they might need," Davy said. "But it clearly is better to have the baby dropped off in a hospital than dumped on a beach. If a mother finds herself in distress over an unwanted pregnancy, we want her to know that this option exists as a last resort."

The third baby found in as many weeks this year was in Ventnor, Atlantic County, where a passer-by found a 6-pound baby in a bag washed ashore on the beach. Investigators say the baby was strangled and was in the ocean for one or two days.

In Trenton on Jan. 3, a 40-year-old city woman discarded a newborn baby in a trash bag behind the crack house where she just gave birth. Trenton police and EMS found the little girl and saved her life, authorities said, after finding her whimpering in subfreezing temperatures.

The abandoning of the other child this year was also on Jan. 3, in Mount Ephraim, Camden County, where a woman gave birth into a toilet and allegedly left the newborn for dead. The woman's boyfriend saved the little girl.

The Trenton and Mount Ephraim women have been charged with attempted murder.

The Safe Haven act allows for the anonymous drop-off of babies at hospitals or to the police, and immunity from prosecution for the parents if the baby is generally healthy, under 30 days old and not connected to any criminal activity. The act is not a protection for child abuse or neglect.

The bad start in New Jersey this year follows a Safe Haven success in Trenton last fall.

On Oct. 21, an infant girl whom nurses named Blossom Doe was taken to a city hospital by a woman who left without being questioned. The prematurely-born girl thrived in a hospital nursery, and on Nov. 12 she was discharged into the care of a foster family that is on track to adopt her.

A Human Services spokeswoman said in December that Blossom Doe's outcome was what the act intended to create.

Since the law was enacted in August 2000, 14 children have been dropped off safely as Safe Haven babies.

NOTE:

Anyone needing information about the act can call the Safe Haven hotline at 877-839-2339.

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**5:103) 22-JAN-2004 05:53 [John Searight \(searighj\)](#)**

RELEASE: January 21, 2004

## **Davy Announces DYFS Progress on Immediate Actions State is Halfway Toward Goal of 100 New Foster Homes**

Human Services Commissioner-designate James M. Davy today announced that in the past week the Division of Youth and Family Services (DYFS) progressed nearly halfway toward its goal of licensing 100 foster homes by mid-February.

The department's Office of Licensing has licensed 47 new foster homes since last Wednesday, when Davy outlined seven immediate actions designed to improve the DYFS while the department continues to craft a sweeping, long-term reform plan for the state's child welfare system.

The plan – due to be submitted by Feb. 18 to Children's Rights Inc. and a panel overseeing DYFS reforms – was required under the settlement of a class-action lawsuit filed by Children's Rights on behalf of the state's foster children. Fifteen teams of people, totaling dozens of departmental managers and staff, worked through this past weekend to complete a first draft of the plan.

"I am pushing hard for these tasks to be accomplished because we need to just get this job done," Davy said. "I want to commend DYFS staff for their hard work and dedication. I firmly believe we have the talent and the commitment to get the job done for New Jersey's children."

Last week, Davy authorized re-deployment of licensing staff and overtime pay to speed up processing for roughly 60 homes with pending licenses. In addition, Davy announced that home studies on potential foster parents would begin while they are in training so that licenses can be issued soon after training is completed. That process is underway – foster parents in training have been identified and their home studies will begin next week.

Following is a list of the remaining six immediate actions and a progress report:

- Safely close up to 6,000 cases that no longer require DYFS intervention.

Status: The Department of Personnel approved overtime for DYFS supervisors and casework supervisors, some of whom are not normally eligible for overtime, to review cases targeted for closing. The reviews will begin Friday.

- Increase transportation and child care services to ensure that foster children do not spend their days in DYFS district offices.

Status: Case aides have been deployed, and overtime pay approved, to provide transportation for children who are waiting in district offices. Beginning today, Davy will receive daily reports on children brought to DYFS offices needing placement, the times that they arrived, the length of time they stayed, and the places where they were finally transported.

- End the practice of allowing newborns to remain in hospitals after they are medically cleared to leave.

Status: Beginning Friday, an experienced social worker will be reassigned as the boarder baby coordinator for Newark to work with families to identify homes for children who cannot go home with their birth parents.

- Redo safety assessments of 6,000 children in out-of-home placement.

Status: DYFS employees will be trained in conducting the safety assessments beginning Monday. DYFS has identified three outside agencies that will be hired to monitor the assessments. In addition, independent entities such as the Office of the Child Advocate, Children's Rights, and the child welfare panel will spot-check the assessments.

- Bolster foster parent recruitment and retention

Status: DYFS is in discussion with the Hispanic Information Center to add 10 foster home beds for Latino children,

addressing a critical need in the state's foster care system.

- Expedite medical screenings for children going into foster care.

Status: DYFS began discussions this week with the New Jersey Chapter of the American Academy of Pediatrics to help establish a pool of pediatricians who will be on-call and available to DYFS district offices when a child needs a physical exam. Also, Davy said, DYFS will hire 10 additional nurses to conduct some physicals; the agency's current nurses will be issued cell phones so they are instantly reachable; and all district offices will establish private areas for medical screenings.

RELEASE: January 20, 2004

### **Commissioner Designee Increases Funding for Emergency Safe Haven Ads**

After a third baby abandonment in as many weeks, Human Services Commissioner designee James M. Davy announced that he has earmarked an additional \$100,000 to immediately air radio and television ads to raise awareness of the Safe Haven Infant Protection Act.

Davy also ordered that plans be implemented immediately to partner with local faith-based and community action agencies to flood neighborhoods with information about the Safe Haven program in supermarkets, Laundromats, bus stops, and other neighborhood sites throughout the state.

The Safe Haven law allows people to surrender an unwanted child at a police station or hospital emergency room without fear of prosecution, provided that the child is less than 30 days old and has not been abused or neglected.

Davy's announcement comes in the wake of the discovery of a six-pound baby who was found washed up on a Ventnor beach in a nylon bag. The baby apparently had been strangled shortly after birth, according to investigators.

"We need people to know that there is an alternative to abandoning your baby. We need to speak to people where they live, where they shop and where they work," said Davy.

Governor McGreevey has tapped Davy to be the next Commissioner of the Department of Human Services, which administers the Safe Haven Program through its Division of Youth and Family Services. He is replacing current Commissioner Gwendolyn L. Harris who has accepted a post at Rutgers University.

Since the law was enacted in August 2000, 14 children have been dropped off safely at New Jersey hospitals. However, another 14 children have been abandoned in unsafe locations in New Jersey during that same time period – three in this month alone.

"This year is not even three weeks old, and we already have three babies who were either murdered or discarded," Mr. Davy said. "We need to take immediate steps to be sure that people know about our Safe Haven program."

The department will also partner with community- and faith-based organizations and will immediately mail thousands of volunteer kits to those agencies. Moreover, Davy said he has directed the department to focus efforts on getting information distributed at public housing complexes and shelters.

The Safe Haven law appropriates \$500,000 annually to cover a variety of efforts, including television and radio spots, magazine and other print ads, posters on NJ Transit buses, and materials to help school teachers and community volunteers to share information about the Safe Haven program.

The ad campaigns have featured the slogan: "No shame. No blame. No names."

They also reference a Safe Haven hotline – 1-877-839-2339 – which people can call for information about the program.

"The Safe Haven law can save a baby's life," Mr. Davy said. "Certainly we would prefer that mothers come to us while they are pregnant so they get medical care and counseling and any other services they might need. But it clearly is better to have the baby dropped off in a hospital than dumped on a beach. If a mother finds herself in distress over an unwanted pregnancy, we want her to know that this option exists as a last resort."

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5:104) 28-JAN-2004 23:24 [John Searight \(searighj\)](#)

222 South Warren Street  
RELEASE: January 28, 2004

### **Davy Updates DYFS Progress on Immediate Actions Pediatricians agree to expedite medical screenings of foster children**

Pediatricians in 15 counties across New Jersey will provide pre-placement examinations of children who are entering foster care, under an agreement reached with the Division of Youth and Family Services (DYFS), Department of Human Services Commissioner-designate James M. Davy announced today.

Pediatric practices were identified by the American Academy of Pediatrics New Jersey Chapter (AAPNJ), and DYFS is working to secure Medicaid approval to pay for the service, Davy said, during a press briefing to report progress on seven immediate actions he ordered Jan. 14.

"I am so grateful for the help of this organization and these physicians," Davy said. "Children about to enter foster care are in distress; we shouldn't leave them languishing in emergency rooms for hours waiting for medical exams, unless they have injuries that require that level of medical treatment."

"We are excited to be partnering with DYFS to develop this important network of pediatricians statewide," said Dr. Charles Scott, AAPNJ President. Scott said the organization will be working to expand the network of physicians available to do pre-placement examinations to every county in the state.

Davy ordered the immediate actions this month in an effort to improve DYFS while department officials continue to craft a sweeping reform plan for the state's child welfare system. The plan, required under the settlement of a class-action lawsuit filed by Children's Rights Inc., is due to be submitted Feb. 18 to the plaintiffs and an expert panel overseeing DYFS reforms.

In addition to the availability of pediatricians in 15 counties, Davy has approved hiring 10 new nurses who can handle medical screenings for children moving from one foster placement to another. Cell phones and pagers have been issued to several DYFS nurses so they can be reached immediately to perform medical screenings when necessary and dozens of other phones and pagers are on order.

Davy offered the following progress reports on the remaining six immediate actions:

- License 100 new foster homes by mid-February.

Status: The DHS Office of Licensing has licensed 67 new foster homes since Jan. 14, and about 100 prospective foster families were designated to undergo home studies beginning this week while they are still in training. Those families – and up to 100 more recent applicants – will be moved onto this "parallel track," which is expected to dramatically shorten the licensing process.

- Safely close up to 6,000 cases that no longer require DYFS intervention.

Status: To date, 142 DYFS supervisory staff volunteered to review files on more than 6,000 children whose cases were identified as ones that might be closed safely. Last week, the Department of Personnel approved overtime for DYFS supervisors and casework supervisors, some of whom are not normally eligible for overtime, to review the cases.

- Increase transportation and child care services to ensure that foster children do not spend their days in DYFS district offices.

Status: DYFS created 38 case aide positions and redeployed existing staff to transport children to child care, school,

after-school programs, and other places so they do not spend hours in DYFS district offices. In addition, DYFS reached agreements with several after-school programs to serve children who might otherwise spend the afternoon in a DYFS office. "This is a perfect example of changing expectations," Davy said. "Now that it has been made absolutely clear that it is unacceptable for children to spend hours in a district office, and now that that information is being tracked daily, we are finding solutions to this problem."

- End the practice of allowing newborns to remain in hospitals after they are medically cleared to leave.

Status: There were 21 boarder babies in New Jersey on Jan. 14 when Davy ordered them all placed by Feb. 28. As of today, all but six of those children have been placed.

Last week, two veteran DYFS workers were reassigned to address this issue, one serving as boarder baby coordinator for the Newark area and another stationed at University Hospital in Newark to initiate family team conferencing on boarder baby cases. The first such conference, held last Friday, resulted in a family member taking the baby home and receiving support services from community agencies. Three more conferences were scheduled for today.

- Redo safety assessments of 6,000 children in out-of-home placement.

Status: Beginning tomorrow, DYFS employees will be trained in conducting the safety assessments. Three outside agencies – Youth Consultation Services, Children's Home Society of New Jersey and Family Services of Burlington County have been contracted to work with DYFS in completing the safety assessments. In addition, independent entities such as Children's Rights Inc. and the child welfare panel, administered by the Annie E. Casey Foundation, will spot-check the results.

- Bolster foster parent recruitment and retention.

Status: Today, DYFS signed a contract with the Hispanic Information Center to add 10 foster home beds for Latino children, a crucial need in the state's foster care system.

Davy noted that other recruitment efforts are being discussed with the child welfare panel, specifically how to spend \$1.5 million for recruitment.

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5:105) 29-JAN-2004 08:31 [John Searight \(searighj\)](#)

## **A caseworker for every foster family?**

### **Proposals for DYFS overhaul include more hires and simpler adoptions**

BY DORE CARROLL AND SUSAN K. LIVIO      Star-Ledger Staff

Human Services officials are considering a plan that would assign a caseworker to each of New Jersey's 3,500 foster families as part of a broad, \$100 million effort to salvage the state's beleaguered child protection system.

The plan is still in the draft stages, but the proposal for new caseworkers to help foster families navigate the state bureaucracy is being taken seriously by top administration officials. They are concerned that foster parents are quitting at a time when the number of children in need of homes is rising at a record pace.

State officials also are considering closing the Division of Youth and Family Services' adoption offices and simplifying the way the state finds permanent homes for foster children.

These proposals are likely to be part of the agency's attempt to meet next month's court-mandated deadline to devise a blueprint for remaking DYFS. They offer a glimpse of how expensive improving child protection services is likely to be. Several officials close to the planning process say it is estimated to cost at least \$100 million, with more to follow in the coming two years.



The foster care proposal would create a new work force -- estimated in the hundreds -- to tend to the needs of foster families. This would be in addition to the hundreds of caseworkers the state is expected to add to the work force that monitors 63,000 children under state supervision. The average caseload for those 1,500 workers is 41, but many veteran workers say they juggle 70 or more cases.

Human Services officials and child advocates insist that the enormous investment is necessary for the state to avoid getting dragged back into federal court by Children's Rights Inc. of New York, the advocacy group that sued the state for violating the civil rights of its 14,300 foster children. Under the terms of a settlement, the state must submit a plan by Feb. 18 to a panel of experts monitoring the reform efforts.

James Davy, Gov. James E. McGreevey's management and operations chief, who is leading the planning process, declined to discuss the specifics of the plan yesterday. But he acknowledged it "is very likely to be expensive. We need to find a way to fund it."

"Everybody within the administration, within the Legislature and within New Jersey as a whole -- we need to find the political will to support this plan to protect children and families," said Davy, McGreevey's choice to become the department's next commissioner.

When asked if the state was considering a special tax to help fund DYFS reforms, Davy replied: "We haven't ruled out anything."

McGreevey spokesman Micah Rasmussen said last night that although no budget decisions have been made yet, "we know the reforms will not come cheap."

"The governor is certainly committed to DYFS reform," said Rasmussen, noting McGreevey added \$30 million to the agency's \$550 million budget for the current year.

State Child Advocate Kevin Ryan said he will push for a special tax to fund children's services. "Years from now, when political momentum shifts away from child welfare, we are going to need to be able to support this system," he said.

The reform ideas themselves have their share of supporters and detractors.

The foster home support worker idea came from a committee of volunteers impaneled by former Deputy Human Services Commissioner Colleen Maguire to advise the state on DYFS reform. The committee's report, obtained by The Star-Ledger, recommended that these workers not carry a caseload of more than 15 families, and visit each home monthly, "spending a minimum of three to four hours." The workers would be responsible for "brokering services, including respite care, by knowing the family's needs."

Child welfare panel chairman Steve Cohen praised the idea, saying foster parents who have the help they need are likely to encourage their friends to join the program. "The best foster home recruiter is a satisfied foster parent," he said.

Cecilia Zalkind, executive director of the advocacy group, the Association for Children of New Jersey, said foster parents typically get scant attention from DYFS. "You can have four or five different children in the home, and a different caseworker for each child. Things don't get done. You need a worker for the foster home."

One veteran foster parent saw some potential problems with the idea.

The dual caseworkers could have conflicting interests, said Michelle Cannaveno, a Long Valley foster parent who, along with her husband, Bud, leads the Foster Parents Association of Morris County. If a foster parent is accused of abuse or neglect, Cannaveno said, "You can't have a caseworker on your side. They're there for the child, to keep the child safe."

"What the parents need is continuity. They do need a support person, yes. But it can be another foster parent," said Cannaveno, who has cared for 30 foster children in 11 years.

The state also is deciding whether to dismantle its six regional adoption offices and make DYFS caseworkers responsible for every aspect of child welfare. The benefit would be that one caseworker would see a child through the system, rather than handing off the child to an adoption worker.

Children's Rights executive director Marcia Robinson Lowry has advocated for the closure of the adoption offices because there has been a high incidence of abuse and neglect of children whose cases were supervised by adoption workers. Through depositions and case records, "We learned adoption workers did not consider themselves responsible for dealing with problems in the home," Lowry said. "This has been obviously harmful for the kids."

Other panned the idea.

"This is a huge burden to add to district offices," said Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, which represents DYFS workers. "We know the first priority has got to be children's safety. It's not going to be adoption. We need to have our adoption agency as its focus getting DYFS children adopted."

Zalkind of the Association for Children agreed, saying the regional adoption office system "has been the strongest part of DYFS practices for many years." She noted that New Jersey doubled its adoption of foster children in the last five years. "New Jersey has created an adoption practice that has been a model for other states, so it's ironic there is talk of dismantling" these offices.

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## **State Accused of Reneging on Child Welfare**

By STACEY STOWE      New York Times      January 29, 2004

Two children's rights organizations said that they planned to file court papers today accusing the State of Connecticut of reneging on its agreement to let a federal monitor manage its troubled child-welfare system.

In a brief to be filed in Federal District Court in Bridgeport, lawyers for the groups, Children's Rights Inc., of New York, and the Center for Children's Advocacy, at the University of Connecticut School of Law, said the state's recent challenge to the monitor's improvement plan was "an attempt to back out of the legal obligations of a bargained-for, court-ordered agreement."

In an attempt to avoid federal receivership of the State Department of Children and Families, Gov. John G. Rowland acknowledged in October that the agency was not in compliance with earlier court orders. He agreed to court intervention in the agency's management. A federal judge ordered a monitor, D. Ray Sirry, to manage the agency with the help of its commissioner, Darlene Dunbar, and Marc S. Ryan, the secretary of the State Office of Policy and Management.

In December, Mr. Sirry released a plan that required the state to meet percentage goals in 22 areas, including timely reporting of abuse and neglect; speeding up the adoption process for children who cannot be safely returned home; and providing adequate medical, dental and mental health care for children in its care. The deadline for full compliance is Nov. 1, 2006.

The plan's goal is to end more than a decade of federal court intervention in the child welfare agency. Since 1991, when the state settled a lawsuit filed by two children's rights groups, it has struggled to comply with court-ordered improvements to the agency.

The order also requires the state to pay for the plan. The state spends about \$650 million a year on child welfare, but child advocates say the problem is management, not money.

On Jan. 8, lawyers for the state filed a brief arguing that the exit plan was unconstitutional because it ordered the agency

commissioner and Mr. Rowland to appropriate funds requested by the monitor, even though fund appropriations are the province of the General Assembly.

But Ira Lustbader, a lawyer for Children's Rights, said yesterday that the claim was a diversionary tactic. "We had a landmark agreement 90 days ago," he said. "Governor Rowland stood up and said, 'Whatever it takes to right the agency.' And now he's backing out. It's shameful."

A spokesman for Mr. Rowland said not only that the court-ordered plan ignores the authority of the legislature, but also that the administration thinks some of the measures it requires are too ambitious to accomplish in three years. "We're just being honest with the court and the monitor," said the spokesman, Dean Pagani.

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**5:106) 04-FEB-2004 21:43 [John Searight \(searighj\)](#)**

### **State receives lukewarm grade on DYFS reforms**

By TOM BELL    The Associated Press    2/4/2004, 4:28 p.m. ET

TRENTON, N.J. (AP) — An oversight panel put in place to ensure that New Jersey reforms its troubled child welfare agency gave the state lukewarm marks for its performance so far in a report issued Wednesday.

While the state made efforts in the last six months to take immediate action, the results were less than completely satisfactory, the New Jersey Child Welfare Panel said.

The state is required to overhaul the Division of Youth and Family Services under terms of a lawsuit settlement reached in June with a children's rights group. The agreement is being overseen by a federal judge.

"While the state carried out virtually all of the specific actions it promised, on the whole it did not do so with the speed, consistency or results that the settlement agreement contemplated," the panel's report said.

The state is required to issue a comprehensive overhaul plan for DYFS by Feb. 18. The panel's report said it was optimistic that the plan being formulated by newly appointed Human Services Commissioner James Davy would produce improvements.

Davy said he agreed with the panel's assessment that the state needs to speed the reform process to protect children.

"Although progress was noted in each area, I concur with the panel's view that the state needs to move quickly and think out of the box to address critical issues such as the safety of children in out-of-home care, the recruitment and retention of foster families and the hiring and training of highly qualified staff," Davy said.

State officials reached the lawsuit settlement under pressure after a series of horrific child abuse cases involving youngsters who were supposed to be under the protection of DYFS.

Problematic cases involving DYFS children have continued, including one reported this week when authorities said that a 13-year-old girl in foster care in Clark was forced to take meals to a room where a dead man's body was decomposing for weeks. The girl's foster parents have been charged with child abuse, and the girl and her foster siblings were removed from the home.

A DYFS caseworker was in the home one month before the body was found and reported that everything was fine. That visit was part of a statewide safety assessment of every child in foster care.

Davy questioned the findings of those safety assessments and ordered 6,000 of them to be performed again by DYFS workers under the supervision of independent reviewers.

The panel's report agreed and questioned the "consistency and reliability" of the previous assessments.

"The panel cannot vouch for the quality or impact of some of the work that has been done," the report said.

Steve Cohen, the child welfare consultant who leads the panel, conceded that any assessments would not guarantee that no child would ever be harmed.

"These things are never going to be perfect," Cohen said. "There will still be problems."

Another criticism by the panel was the state's failure to provide a "well thought-out plan of action" regarding children waiting for long periods of time to be placed in foster care.

In addition, the panel said the state should have hired more caseworkers much more quickly, and that even the new employees did not lead to a reduction in caseloads.

DYFS Director Edward Cotton, who was part of the administration prior to Davy taking office, acknowledged that some of the reform effort had moved slowly.

"We had a lot of things to fix," Cotton said.

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## **Report finds DYFS reacted slowly to fix problems**

### **Agency lost foster homes and lagged in hiring staff after settling federal lawsuit**

BY SUSAN K. LIVIO    Star-Ledger Staff    February 05, 2004

Long-standing problems of mismanagement and bureaucratic foot-dragging continued in New Jersey's child-protection agency even after the state promised major reforms last summer to settle a federal lawsuit, according to an expert report released yesterday.

The New Jersey Child Welfare Panel, ordered by the court to monitor the state's progress, said the state actually lost foster homes, failed to hire much-needed staff until the end of 2003 and spent only \$6.5 million of the \$30 million it had dedicated to shoring up the Division of Youth and Family Services.

Marcia Robinson Lowry, executive director of Children's Rights Inc., which brought the lawsuit against DYFS on behalf of the state's 14,300 children in foster and group homes and residential programs, said yesterday's report confirmed her fears that very little changed in the first six months after the settlement was signed.

"We have lost time here. I am very frustrated all around that things were going so poorly and the alarm bells did not ring," Lowry said.

Acting Human Services Commissioner James Davy thanked the panel for its "frank assessment," and said he largely agreed with it.

"The state needs to move quickly and think out of the box to address critical issues such as the safety of children in out-of-home care, the recruitment and retention of foster families and the hiring and training of highly qualified staff," Davy said.

The next test for the state comes on Feb. 18, when DYFS has to submit its blueprint for top-to- bottom DYFS reform. The expert panel then has 30 days to reject or accept the plan; if it is rejected, Children's Rights could go back to U.S. District Court and ask a judge to dictate how DYFS must improve.

The panel's report, which tracked DYFS activities for the final six months of 2003, noted that even when state officials did meet some of the goals contained in the June 23 settlement agreement, progress came too slowly.

The state, for instance, did create 305 DYFS jobs last year to ease its staffers' often staggering caseloads. But serious progress was not made until November, even though Gov. James E. McGreevey had earmarked money for the jobs nine months earlier.

"They did quite a lot of work in response to the commitments they made. Unfortunately that work didn't happen as fast or as consistently as we had hoped for," said panel Chairman Steve Cohen, a child-welfare expert from the Annie E. Casey Foundation, a philanthropic think tank in Baltimore.

Children's Rights requested the panel's account of what happened since June because "we were getting a lot of conflicting information," Lowry said. "We wanted to have some specific information about what had been and what had not been done."

DYFS officials reported there were 3,928 foster homes in September, a decline of 85 since July, despite an additional \$1.5 million for a recruitment campaign.

But the panel questioned the accuracy of DYFS' numbers.

"They do not have an automated way of saying how many foster homes there really are," Cohen said.

The panel also expressed concern about the accuracy of the state's safety assessments -- the face-to-face evaluations of 14,300 foster children. As a result of its assessments, DYFS removed roughly 31 foster children deemed to be unsafe. But the credibility of these assessments plummeted after the discovery in October of four emaciated boys, adopted through DYFS, at a home in Collingswood that had passed a safety assessment.

The report also noted that 70 percent of the foster children assessed were evaluated using a process the panel had deemed flawed -- a percentage far higher than DYFS reported in October. At that time, the state agreed to reassess 6,000 of the children.

Lowry of Children's Rights said this time her organization, as well as other independent agencies, will accompany DYFS employees to ensure the evaluations are being done properly.

Davy assumed control over the DYFS reforms Jan. 10, when McGreevey announced he wanted Davy, his management and operations chief, to be the next Human Services commissioner. Deputy Commissioner Colleen Maguire quit Jan. 9, and her boss, Commissioner Gwendolyn L. Harris, departed last week.

There are clear indications that DYFS is starting to show signs of improvement, Davy said. The state has licensed 107 new foster homes since Jan. 14, just by holding foster parent training when staff conduct home visits.

"We need these kinds of innovative ideas if we are going to give DYFS more resources and take the strain off our foster care system," Davy said.

The panel appears to agree, according to its report:

"The commitments made by Commissioner-designate Davy in mid-January represent the first credible plan to address these urgent problems."

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**Panel says DYFS no longer lagging**

**Improvements have taken too long, but the pace is picking up, the N.J. Child Welfare Panel reported.**

By Mitch Lipka Inquirer Trenton Bureau Feb. 05, 2004

New Jersey's efforts to improve child welfare faltered in several areas initially, but are heading in the right direction, the panel overseeing the process reported yesterday.

The New Jersey Child Welfare Panel found that the state Division of Youth and Family Services had failed to act quickly, as required by the settlement of a federal lawsuit filed by the advocacy group Children's Rights Inc.

"In some of the areas in which DYFS has made progress, it has taken longer to bring about improvements than we believe should have been necessary," the court-appointed panel reported.

Among those areas were hiring additional staff and reducing caseloads, identified as important actions to better serve children.

The June resolution of Children's Rights' 1999 lawsuit, which alleged that the state was harming foster children, is the foundation for the effort to remake DYFS.

The discovery a year ago of the body of a 7-year-old boy who should have been visited by a DYFS caseworker but wasn't hastened the settlement.

Since then, DYFS has been dogged by high-profile failures, including the discovery of four starving adopted brothers in a Collingswood home that caseworkers had visited numerous times over several years.

This week, two foster parents in Clark, N.J., were arrested on allegations that the 13-year-old girl in their care was forced to take meals to a corpse that had been decomposing in the house for weeks. A caseworker had visited a month earlier and given a positive report as part of a statewide assessment of the safety of foster children.

Because of questionable assessments, acting Human Services Commissioner James Davy had already ordered 6,000 of them to be redone under outside supervision.

DYFS was supposed to have taken several steps by October. In addition to increasing staffing, the state was supposed to have added foster homes, eliminated the problem of boarder babies (infants left to live in hospitals), and done the assessments of the living arrangements of foster children.

Since Davy's appointment last month, he has been credited with tackling virtually all of the issues that previous administrators had left hanging.

Much of the blame for delays in meeting the requirements of the settlement - include a blueprint for change that was due to the panel last month - has been heaped on former Commissioner Gwendolyn Harris and former Deputy Commissioner Colleen Maguire. Both resigned under pressure. The plan is now due Feb. 18.

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**5:107) 05-FEB-2004 17:10 [John Searight \(searighj\)](#)**

### **State announces drug abuse treatment program for DYFS families**

By KATHY HENNESSY The Associated Press 2/5/2004, 3:32 p.m. ET

TRENTON, N.J. (AP) — The Department of Human Services on Thursday announced it will spend \$10 million to treat families and children with substance abuse problems who are under the supervision of the Division of Youth and Family Services.

The money will provide treatment for 2,500 families who are struggling with alcohol or drug addiction, particularly parents who are in danger of losing their children, said Acting Human Services Commissioner James Davy. It includes

both residential treatment and outpatient programs.

The treatment program funding is part of the state's yearlong effort to reform DYFS. New Jersey is trying to rebuild the division but abuse cases have continued, including one reported this week where authorities say a 13-year-old girl in foster care in Clark was forced to take meals to a room where a dead man's body was decomposing for weeks.

About one-third of all proven abuse or neglect cases each year involve a parent with a substance abuse problem, state officials said. The \$10 million is a 33 percent increase over the previous amount spent for state-sponsored addiction programs, Davy said.

"If we can help people beat addictions, they are more likely to be loving parents who can provide their children with safe and stable homes," Davy said.

The treatment program will be paid for with \$3 million allocated under terms of a class action lawsuit brought by Children's Rights Inc. The state reached a settlement under pressure after a series of horrific child abuse cases involving youngsters under supervision of DYFS.

Another \$7 million will come from state and federal welfare funding that is being redirected to parents who are on public assistance and involved with DYFS.

Some of the money will be used to create and expand programs that work to reunite children with mothers who have beaten addiction problems, officials said.

State officials also announced that the Division of Addiction Services would be transferred to the Department of Human Services. Previously, the division was part of the Department of Health and Senior Services.

The division, which employs 122 people and has a \$130 million budget, has offices in Trenton and Newark. It provides funding for more than 250 local agencies and community-based organizations that provide prevention, and treatment programs.

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**RELEASE: February 5 , 2004**

**Davy Commits \$10 million to treat substance-abusing parents:  
DHS to Assume Oversight of Addiction Services**

Department of Human Services Acting Commissioner James M. Davy announced that \$10 million will be earmarked to treat drug- and alcohol-abusing parents who are involved with the state child welfare system, a groundbreaking step that helps lay the foundation to reform the Division of Youth and Family Services (DYFS).

"Despite the fact that substance abuse is a huge factor in child maltreatment, DYFS had relatively little funding committed to treatment for parents – until today," said Davy, during a joint press conference with Clifton R. Lacy, M.D., Commissioner of the New Jersey Department of Health and Senior Services.

The funds will be used to create 850 new treatment slots for drug- and alcohol-abusing parents who are in danger of losing their children. It is estimated that the influx of treatment dollars will serve about 2500 families in the coming year, said Davy.

The funding increase includes \$3 million previously allocated under the settlement of a class-action lawsuit brought by Children's Rights Inc., plus \$7 million in state and federal welfare funds that is being redirected to provide treatment for parents who are both on public assistance and involved with DYFS.

Also today, Davy and Department of Health and Senior Services (DHSS) Commissioner Clifton R. Lacy, M.D.,

announced that the Division of Addiction Services, which coordinates and implements substance-abuse treatment and prevention services statewide, will be transferred from DHSS to the Department of Human Services. Governor James E. McGreevey transmitted an executive order to the state legislature on Thursday making the transfer effective.

“It just seems logical that the Department of Human Services assume this function,” Davy said. “Thousands of our clients already receive services, yet many more need them – whether you’re talking about people with mental illnesses, parents and individuals on welfare, or parents and teens who are involved with DYFS. This administration feels we can better serve people if this department, which is already monitoring people who need addiction services, takes the lead in determining where and how these services are delivered.”

“The transfer of the Division of Addiction Services moves these important services to DHS, where closer integration with DYFS and other DHS programs will result in more efficient service delivery to individuals and families in need. This is an example of positive structural change to increase efficiency and effectiveness in state government,” stated Dr. Lacy.

Joseph P. Miele, chairman of the Governor’s Council on Alcoholism and Drug Abuse, said he fully supports the reorganization. “This is a significant announcement. Investing \$10 million to increase treatment services for DYFS families is unprecedented, and reorganizing addiction services under the Department of Human Services is logical and overdue,” Miele said.

The DAS, with offices in Trenton and Newark, employs 122 people and has a \$130 million budget for the current fiscal year. Various units within the division focus on prevention; treatment; administrative support; planning and new initiatives; research and information systems; and licensing of residential treatment programs. The division funds more than 250 local agencies and community-based organizations that comprise a comprehensive network of prevention, intervention and treatment services.

The Department of Human Services does not plan any personnel changes. Carolann Kane-Cavaiola, currently an Assistant Commissioner in the Department of Health and Senior Services, will remain in charge of the division but will now report to Davy instead of Commissioner Lacy. The Comprehensive Tobacco Control Program, formerly part of the DAS, will remain under the DHSS and be closely coordinated with the department’s cancer and cardiovascular initiatives.

The transfer of addiction services coincides with DHS efforts to craft a long-term DYFS reform plan. Substance abuse treatment will be one of the key elements in the reform plan. DYFS reports that at least one-third of substantiated abuse or neglect cases each year involve a parent with a known substance abuse problem. In addition, prenatal substance abuse accounts for approximately 11 percent of substantiated abuse or neglect cases each year and was present in 23 percent of the deaths of children under the age of 1 between 1998 and 2002.

Davy said the \$10 million boost in funding for DYFS-involved parents represents a 33-percent increase in the roughly \$30 million spent each year to provide addiction services through various DHS divisions, including DYFS, Mental Health Services, and Family Development, which oversees public assistance programs.

Some of the new funds will be devoted toward creating and expanding programs that work to reunite mothers with children who have been removed by DYFS and placed with relatives or foster parents because of the mothers’ addiction problems.

“If we can help people beat addictions, they are more likely to be loving parents who can provide their children with safe and stable homes. We want children to be able to go home, when it’s appropriate, because it’s less traumatic for them,” said Davy. “I realize we have many huge-hearted foster and adoptive parents in this state, and we certainly need more of them. But we must make every effort to work with parents who can become functional and provide for their own children. And increasing substance abuse treatment programs is one of the best ways that we can do that.”

The plans for the \$3 million allocated under the Children’s Rights settlement call for 20 long-term residential treatment beds – 10 beds each at Sunrise House in Lafayette, Sussex County, and the Newark Renaissance program; 60 intensive outpatient treatment slots using local providers in various counties; and 22 slots in residentially assisted partial care



programs.

The additional \$7 million is an expansion of substance abuse treatment initiatives for parents who receive benefits under Temporary Assistance to Needy Families (TANF), the federal welfare program for families with dependent children. About 31 percent of the parents involved with DYFS also receive welfare benefits. The funding will support 190 outpatient treatment slots, 220 intensive-outpatient slots, and methadone maintenance for 350 clients.

All told, the \$10 million in new funds will provide 862 treatment slots that will serve about 2,500 DYFS-involved parents each year.

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Robert L. Johnson, M.D., a professor of psychiatry at the University of Medicine and Dentistry of New Jersey, and a member of the expert child welfare panel overseeing DYFS reforms issued the following statement:

“The \$10 million in new funding and the transfer of addiction services to DHS are important first steps in crafting a better child welfare system. It signals that the state is beginning to view child welfare services in a much broader way. In New Jersey, parental substance abuse is a significant root cause of dysfunction and toxic families. You cannot really protect children and strengthen these families until the root cause of dysfunction is addressed. The transfer of addiction services to DHS will facilitate the type of joint planning and coordinated treatment that is essential to effective outcomes.”

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**5:109) 10-FEB-2004 08:14 [John Searight \(searighj\)](#)**

## **DYFS revamp plan calls for more hires**

### **1,100 more staff and caseload caps on tap**

BY SUSAN K. LIVIO      Star-Ledger Staff      February 10, 2004

State officials are considering a plan to boost staffing at New Jersey's troubled child protection agency by more than 1,100 workers -- a dramatic increase that would reduce the average caseload in the Division of Youth and Family Services to among the lowest in the nation.

The proposal, obtained by The Star-Ledger, also would set limits on the number of abused and neglected children whom agency caseworkers can supervise -- a move that child advocates and labor leaders have sought for more than a decade.

The changes, proposed in a draft of a court-mandated plan to revamp DYFS, would come at a substantial cost. Officials familiar with the proposal say the overall reforms at the agency could cost \$125 million in the first year. An increase in the cigarette tax is under consideration to help pay for it, those officials said.

Gov. James E. McGreevey is under immense pressure to reverse decades of neglect and mismanagement at DYFS to comply with the settlement of a class-action civil rights lawsuit brought by a national advocacy group on behalf of foster children.

The department faces a Feb. 18 deadline to submit a blueprint for sweeping changes to a panel of child welfare experts appointed by U.S. District Judge Stanley Chesler. If the panel is not satisfied, it could ask Chesler to order improvements at the agency.

The plan, "A New Beginning: The Future of Child Welfare in New Jersey," recommends hiring 1,113 new caseworkers, aides, clerks and supervisors to help reduce the demands on the DYFS work force.

DYFS officials declined to comment yesterday on the Jan. 28 draft, which could still change. But Steve Cohen, the panel's chairman, said, "No one has shied away from saying it's going to take a lot more staff to do the job right -- that caseworkers as well as supervisors and support personnel are needed."

The draft plan envisions that intake workers -- those employees who investigate allegations of abuse and neglect -- would accept no more than eight new cases a month. Caseworkers would be limited to a total of 15 families at any one time -- with no more than 10 foster children under their supervision.

The average DYFS caseworker now manages 42 children -- one of the highest caseload averages in the nation.

To meet those limits, the state would need to hire 540 new caseworkers to add to the existing staff of 1,711, plus 40 "floaters" who would fill in for caseworkers who are on vacation or medical leave.

"This is a tremendous union victory. We have been fighting for this for more than 10 years," Hetty Rosenstein, president of Local 1037 of the Communications Workers of America, said yesterday.

She said some intake workers now are assigned 50 to 60 cases to investigate at the same time. Caseworkers supervising 75 or more families are not uncommon, she said.

"There would be no reform without a caseload cap," Rosenstein said.

Supervisors also would have a restricted workload. Front-line supervisors would oversee no more than five caseworkers, while the next tier of supervisors would manage no more than three front-line supervisors.

Meeting those limits would require adding 106 new jobs, according to the plan.

The number of clerks who file paperwork and perform data entry tasks also would increase. The state would add 155 clerks to the existing 318 to maintain a ratio of one clerk for every six staff members. The state also would hire an additional 352 case aides -- one for every five caseworkers -- to transport children to visits to doctors and their parents. The state now has 90 aides.

Marcia Robinson Lowry, executive director of Children's Rights Inc., the advocacy group that sued the state, said she expected the state would have to make "a commitment to substantial new workers and positions. This is not something the state can tinker with around the edges."

"New workers alone won't make a difference," she added. "They must come into a coherent and well-managed system, which doesn't exist right now."

The state loosely modeled its caseload cap after standards set by the leading child welfare think tank, the Child Welfare League of America. The league recommends, for instance, that one caseworker supervise no more than 15 foster children.

Pamela Day, the league's director of child welfare standards, said states like New Jersey that assign one worker to handle a little bit of everything -- from foster children to children awaiting adoption -- can succeed, but only with close supervision and guidance.

"Generalists can do this work, but they have to be highly skilled and trained," Day said.

But she warned that even when states set caseload limits, they still often struggle with high rates of turnover.

"States may face problems of recruitment and retention and may not meet the caseload, even though they are trying," Day said.

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**5:110) 12-FEB-2004 05:51 [John Searight \(searighj\)](#)**

**Help for foster parents and drug users**

**DYFS reform boosts stipends and adds treatment opportunities**

BY SUSAN K. LIVIO

Star-Ledger Staff

February 12, 2004

The state would raise the monthly allowance for foster parents by more than 40 percent and provide 2,200 new drug treatment openings for addicted parents over the next five years under the latest draft of its plan to overhaul the Division of Youth and Family Services.

Teenage foster children -- the most often-overlooked segment of the child welfare population -- would see a boost in services to help them find permanent homes and prepare for life on their own when they reach adulthood, according to the plan.

State officials have privately estimated the first-year cost of court-ordered reforms at the troubled child protection agency at more than \$125 million. The latest draft of the plan, dated Monday and obtained by The Star-Ledger last night, puts the cost of expanded drug treatment at \$57 million and the additional services for teens at \$10 million, but it lacks many other specifics about costs.

Acting Human Services Commissioner James Davy said yesterday the plan is still very much a "fluid" document, and with a week to spare before its Feb. 18 due date, "we will use every minute to get it done." He declined to comment on specifics of the plan before it is completed.

Davy did offer a progress report on ongoing changes he's making within the agency. He said it has closed 2,056 of a backlog of 6,000 cases involving children identified as being in safe hands and no longer in need of state intervention. DYFS also has licensed 126 new foster homes in the past month and an additional 200 potential foster parents are undergoing home reviews and training.

Gov. James E. McGreevey's administration agreed to overhaul the \$550 million agency to settle a class-action civil rights lawsuit on behalf of foster children brought by Children's Rights Inc. of New York. The settlement last summer requires the state to present a reform plan to an expert panel monitoring the reforms.

Highlights of the draft plan include:

Significant raises in the monthly stipends for foster parents as well as for relatives raising orphaned or mistreated children. For the first time, relatives would earn the same amount of money as nonrelated foster parents.

Currently, the "board rate" paid to foster parents starts at \$420 for the youngest children and rises to \$500 for teens. "Kinship homes," in which children are placed with relatives, receive a flat \$250 per child.

The plan calls for gradual increases in those rates, the first in six years. The rate for the youngest children, for example, would rise to \$594 a month -- a 41 percent increase for foster parents, and more than double what relatives now receive. The plan also leaves room to adjust the monthly fees higher over time.

Doing so would "more accurately reflect the cost of raising a child in New Jersey," according to the plan. "People willing to consider foster and or adoptive parenthood should be respected, honored and supported throughout the process."

A dramatic expansion of drug treatment programs for addicted parents, as well as teenagers under DYFS supervision.

Davy last week announced a \$10 million push to add 760 outpatient and inpatient beds this year, but the administration's long-term plan goes much further. The plan proposes adding 1,420 additional long- and short-term treatment beds over the next four years. The plan also contemplates adding 125 inpatient and 625 outpatient openings for teenage drug users over the next five years.

Expanded services for teenagers under the care of DYFS.

DYFS officials would keep teenagers' cases open past the age of 18 if they choose, automatically enroll every teen

leaving the system in Medicaid, and develop 200 transitional living units over the next five years. Every DYFS office will train several workers to specialize in adolescent care and make a concerted push toward finding adolescents adoptive homes "until at least their 16th birthdays." Those willing to adopt teens would qualify for a one-time tax credit, respite care and mental health services in the home.

"Like many other child welfare systems, New Jersey is reluctant to acknowledge adolescents' abuse and neglect, and to permit them to enter the system even when they desperately need to -- thus consigning them to situations that can include homelessness, drug and alcohol addiction or dealing and prostitution," the plan says.

The DYFS plan, as previously reported in The Star-Ledger, also includes hiring 1,100 new employees to reduce caseloads.

Human Services officials also envision changing the way caseworkers investigate abuse and assist troubled families. Some workers would be assigned to investigate abuse and receive extensive forensic training, while others would focus on "permanency," assisting birth, foster and adoptive families in providing stable homes.

"Separating the protective and permanency functions will also improve our ability to coordinate with law enforcement and medical providers in cases of severe maltreatment which may require criminal prosecution," the report said.

Those few who have seen the draft plan generally praised the effort.

"I am impressed with the scope of the plan," said Cecilia Zalkind, executive director of the child advocacy group, the Association for Children of New Jersey. "It seems to touch upon the relevant issues and makes connection with other systems that seem important.

In particular, Zalkind said she supported the expansion of drug treatment services and separating out investigations. "Caseworkers cannot be both the policeman and support worker," she said.

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## **Health overhaul in DYFS plan**

### **A draft calls for more nurses, HMO coverage, and expanded programs to treat substance-abuse.**

By Mitch Lipka      Inquirer Trenton Bureau      Posted on Thu, Feb. 12, 2004

TRENTON - The overhaul of New Jersey's child-welfare system includes far-reaching improvements in health care, according to a draft of the state's plan.

Under part of the plan, obtained yesterday by The Inquirer, the number of families getting substance-abuse treatment would triple, the number of nurses on staff would more than double, and children living in adoptive and foster homes would be enrolled in HMOs.

Funding for programs dealing with substance abuse - suspected to play a role in as many as four of every five Division of Youth and Family Services cases - would triple to almost \$90 million a year.

DYFS officials would not comment specifically on the plan. However, spokeswoman Laurie Facciarossa said medical care and substance-abuse treatment provided by the state desperately needed improvement.

"A major high-impact commitment to substance-abuse treatment for adults as well as children is absolutely critical for the success of the reform plan," she said.

The draft calls for the state to hire a DYFS medical director by July; the pediatrician would oversee health, mental-health and substance-abuse policies as well as medical programs.

The plan calls for hiring 32 nurses and four nurse practitioners by January. Currently, 27 nurses are on staff. Nurses would be on call around the clock.

"One of the more glaring deficiencies was the lack of attention paid to the medical needs of the children," Facciarossa said. "It's clear the plan needs to address those needs - needs to deliver mainstream medical care, needs to ensure children are accessing medical care.

"The fact that DYFS has not had a medical director for some time underscores the fact that the medical needs of the children have not been a priority."

Foster parents and caseworkers have complained for years about the current system of hunting for doctors who accept Medicaid. Under the proposal, the state would pay HMOs for enrollments, with the federal government reimbursing half the cost.

The plan, to be submitted Wednesday to a state child-welfare panel, calls for a nurse to be available in all DYFS offices (currently 32, but soon to grow to as many as 46). The nurses would review three-quarters of all new cases.

That would be part of a new program involving a so-called family team meeting, designed to offer a more comprehensive look at a case and use people familiar with the family to help.

The child-welfare panel reviewing the plan was established under a settlement of a lawsuit that the advocacy group Children's Rights Inc. filed in 1999. The expert panel - which can approve, reject, or ask for changes to the plan - is scheduled tomorrow to discuss what elements it would like included.

The plan, titled "A New Beginning: The Future of Child Welfare in New Jersey," was due to the panel last month. But the day before Gov. McGreevey appointed James Davy as acting commissioner of the Department of Human Services, officials acknowledged they would not make the deadline and got a month's extension.

Davy has been regularly announcing progress on a host of issues that were required to be addressed in the short term under the lawsuit settlement.

Yesterday, he said that about 2,000 of some 6,000 cases that had languished on desks waiting to be closed finally were closed after a marathon weekend session by supervisors. He also said DYFS had exceeded his goal of licensing 100 new foster homes.

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**5:11) 12-FEB-2004 22:50 [John Searight \(searighj\)](#)**

This is most disturbing, especially the details (revisiting old files instead of homes) contained in the Star-Ledger report.

### **Adopted Boys Were Starved, and Caseworkers Did Little, Report Finds**

By RICHARD LEZIN JONES      NY TIMES      February 13, 2004

NEWARK, Feb. 12 - A state investigation has concluded that four New Jersey boys who were found severely malnourished last fall had been systematically starved by their adoptive parents, while state child welfare workers, in a bewildering series of errors, failed to make the most basic checks on the children over a dozen years.

In a case that prompted national headlines and outrage from Trenton to Capitol Hill, the investigation into the parents, Raymond and Vanessa Jackson, found that state workers did not follow their agency's own guidelines when visiting the Jacksons' Camden County home, when obtaining routine medical records for the boys and when checking the family's

unsteady finances, according to a report released on Thursday by the state's independent child advocate, Kevin Ryan.

In fact, the report said, the state's child welfare policy in general is so poorly understood or ignored by workers that it is "almost meaningless."

The Jacksons, who are free on bail while they face charges of neglect, have claimed that the boys' scrawny bodies and brittle health stemmed from birth defects and eating disorders. But the state found that the children were unmistakably starved. Detailed medical examinations showed no evidence of disease or disorders, Mr. Ryan said at a news conference here on Thursday, and all four boys have made remarkable gains in both weight and height since their discovery on Oct. 10, when a neighbor of the Jacksons in Collingswood, near Philadelphia, noticed the oldest boy, 19, rooting through the trash for food.

The report amounts to the latest and perhaps most damning portrait of a child welfare system that Gov. James E. McGreevey and others - including the agency itself, the Division of Youth and Family Services - conceded last year was broken almost beyond comprehension. The death of Faheem Williams, a 7-year-old foster child whose body was found hidden in a Newark basement in January 2003, spurred widespread calls for change and led Mr. McGreevey to create the post of child advocate. Although the state eventually agreed last June to a complete overhaul of the agency to settle a federal lawsuit condemning its foster care system, the new report raises serious questions about a key component of that effort: the agency's claim, days before the Jackson boys were discovered, that it had visited all 14,000 children in its care, one of the terms of the settlement.

"Our investigation has concluded that in a substantial number of cases, including the Jackson case," Mr. Ryan said, "DYFS simply did not require or conduct face-to-face safety assessments for hundreds, if not thousands, of children." He noted that those instances involved children being supervised by the state's nine Adoption Resource Centers, regional offices that had monitored the Jacksons at various times.

Taken in sum, Mr. Ryan said, the report raises questions about the effectiveness of policy reform at the agency, and leads to "the very unsettling conclusion that policies designed to protect children are not strictly adhered to at DYFS and have not been for many years."

"They're not even fully understood in the DYFS offices," he continued, "and this raises inevitable questions that concern whether this system is too debilitated to support its own policies."

Marcia Robinson Lowry, the leader of the group that sued the state over its foster care system, said her organization was so troubled by the revelation about visits never made that it would step up its oversight.

"I am really shocked," said Ms. Lowry, executive director of Children's Rights Inc., an advocacy group based in Manhattan. "Either people were purposely flouting a federal court order or the depths of their incompetence was so profound that people didn't know what they were supposed to do."

The leader of the union representing many of New Jersey's social workers, Hetty Rosenstein, said on Thursday that workers in the Adoption Resource Centers were told that they did not have to conduct face-to-face visits with children in their adoptive homes, but could base safety reviews on previous visits. She said the agency was overburdened and needed more staff members, training and technology to do a proper job.

James M. Davy, the acting commissioner of the State Department of Human Services, which includes the child welfare agency, said he planned to meet with Mr. Ryan to discuss the report and had ordered an immediate review of the visits questioned in the report. Any child whom workers had failed to check up on will be visited, he said.

"I am satisfied that the safety assessments we are currently doing are being done in person and are being done correctly," Mr. Davy said in a statement.

The report spells out in disturbing detail how caseworkers failed to recognize the severity of the Jackson boys' condition.

Although child welfare policies called for the boys to receive annual medical checkups, Mr. Ryan said that workers had not enforced those guidelines since 1991 and that none of the Jackson children had visited a doctor since 1997.

Mr. Ryan said that there had been previous reports of malnourishment in the Jackson home and that each boy began losing weight soon after he were placed there. One boy, Mr. Ryan said, lost almost 10 pounds within a year of being placed with the Jacksons. Another child, 9-year-old Tyrone, weighed the same when he was found last October - 28 pounds - as he did when he was placed in the Jackson home as a 17-month-old toddler.

Despite those signs, Mr. Ryan said, child welfare officials took no action.

"In every case, these signs were all dismissed, ignored or overlooked by the State Department of Human Services and the State Division of Youth and Family Services," he said.

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### **Revisiting old files instead of homes**

BY SUSAN K. LIVIO

Star-Ledger Staff

February 13, 2004

Last October, top state officials called a news conference to announce that the Division of Youth and Family Services had done something really special.

Workers had visited all 14,300 of the children whom DYFS had placed in foster homes, group homes, shelters and institutions to ensure their safety. And they had done it in four months, meeting a court-appointed deadline.

"I want to emphasize the monumental task this was," Human Services Deputy Commissioner Colleen Maguire said at the news conference in Trenton. "This is the first full assessment of all the children ever conducted in New Jersey. It's a landmark effort."

Yesterday, state Child Advocate Kevin Ryan questioned how much of that landmark effort actually happened.

As many as 2,500 of the "safety assessments" appear to be nothing more than a review of 6- to 12-month-old notes in a foster child's file, Ryan said, based on a series of depositions with high-ranking DYFS officials and an extensive review of the agency's records.

The revelation stunned Maguire, who quit last month.

"There was never an expectation or an allowance for a paper review -- that would have bastardized the whole process," a distressed Maguire said in a telephone interview last night.

"I can't believe my staff would mislead me," she said.

The revelations are contained in a scathing report of the state's treatment of four children police say were nearly starved by their adoptive parents, Vanessa and Raymond Jackson of Collingswood. The couple was arrested in October.

The Jackson home was among those DYFS said were visited in June by its staff, which was supervising a 10-year-old foster daughter the Jacksons intended to adopt.

But instead of a caseworker visiting the child and evaluating the home as required, adoption staff in this and many other cases appeared to have divined children's safety by reviewing files, the child advocate's report said.

Had the home visit taken place, it is possible the emaciated condition of the four boys would have been discovered, Ryan said.

"The department said they conducted visits June through October, and that is simply inaccurate. It didn't happen in this case and hundreds, if not thousands, of others," Ryan said at a news conference in Newark yesterday with staff and senior members of the law firm Latham & Watkins, which donated its services in the preparation of the report.

"The testimony from the eight high-level officials from the Department of Human Services strongly suggests there was a great lack of clarity, even at the highest levels, about what was required of the field workers conducting the safety assessments," Ryan said.

Acting Human Services Commissioner James Davy immediately vowed to ensure that staff visit the foster children who had not been seen last summer, and to investigate what went wrong.

"This report raises a number of serious concerns, not the least of which is that safety assessments conducted last year of children in pre-adoptive foster homes may have been done incorrectly," Davy said in a prepared statement. "I have ordered a complete review of how safety assessments were conducted during the time period in question."

The state had agreed to conduct face-to-face assessments of every child in foster care as part of the settlement of a federal lawsuit brought by Children's Rights Inc. The state also promised to produce a plan for a complete overhaul of DYFS by Jan. 18, but missed that deadline. Children's Rights agreed to a Feb. 18 extension.

Had Davy not pledged full cooperation, attorneys at Children's Rights would have dragged the state back to court to make sure the assessments are done, said Marcia Robinson Lowry, the advocacy group's executive director.

"This is a violation of the settlement agreement ... This is appalling," Lowry said.

"We do not have a lot of faith in this process," Lowry said. "We have a lot of questions about these assessments, and we want a comprehensive report within three weeks to see how this is going. If it is not going as intended, we will take additional steps."

Part of the controversy and confusion can be tracked to a June 2 memo by acting Deputy Director for Program Operations Beth McGinnis, describing how the safety assessments of foster children ought to be done. Maguire had launched the assessment process weeks before the June 23 lawsuit settlement.

"I am directing that for all children in foster care ... or kinship/relative care, we affirm that we have documented in the child's case record that a safety assessment has taken place during the previous six months," the memo said.

When read the memo last night, Maguire replied: "I had no knowledge those cases were not seen face to face."

Hetty Rosenstein, president of Communications Workers of America Local 1037, which represents DYFS employees, contends the face-to-face visits by adoption workers had not occurred, "on instruction from management."

"We've seen the training for what people were supposed to do for the assessments, and the training said you were supposed to review the file with your supervisor and go over what you learned over the prior six months. That is very clear," Rosenstein said.

Steve Cohen, chairman of the court-appointed panel of experts monitoring the state's compliance with the settlement, said, "What is disturbing is that it looks like there was a part of the organization that didn't insist that they go out. That is dismaying."

Cohen added that his group, the New Jersey Child Welfare Panel, will monitor state compliance more aggressively by reviewing case work and visiting DYFS offices.

"Does that guarantee that we will know when people are lying? Of course not," he said.

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## Investigator issues scathing DYFS report

By MATT KATZ and BILL DUHART Courier-Post Staff NEWARK February 13, 2004

The systemic problems within the Division of Youth and Family Services have their roots in two problems - managers' failure to communicate procedures and caseworkers' failure to implement them.

That was the essence of a report by the state's Office of the Child Advocate after a 3 1/2-month investigation.

The report that child advocate Kevin Ryan issued Thursday calls for major changes within DYFS requiring an infusion of funds. But Ryan finds less fault with existing procedures than with the agency's failure to carry them out.

In analyzing the case of Vanessa and Raymond Jackson's four adopted sons who were found starving in their Collingswood home in October, Ryan found that DYFS workers consistently ignored warning signs that the boys lacked food and medical attention.

He also found that the state lied in saying that 14,000 face-to-face assessments were done with foster families, including the Jacksons', between June and October of 2003.

According to DYFS regulations, caseworkers should have been monitoring all aspects of the Jackson household because the parents regularly cared for foster children whom they sought to adopt. Warning signs

Ryan said DYFS missed the following warning signs:

- None of the four boys had seen a doctor in six years, even though caseworkers were mandated to evaluate medical records of all children yearly. Medical records had not even been requested since at least 1997.
- Other foster children continued to be placed in the home, even after all four boys lost weight while living in the home.
- In May 1995, the school Bruce Jackson attended reported to DYFS that there were signs that he was malnourished. DYFS never followed up on this nor required a medical report, and Bruce - who weighed 45 pounds at age 19 in October - was home-schooled thereafter.

- DYFS caseworkers visited the home 38 times from 1999 to 2003, and yet the Jackson boys are mentioned in only five of those reports. One report mentioned "physical development issues," but nothing was done as a result of the finding. A lead attorney for one of the nation's most aggressive advocates for abused and neglected children said Thursday she was shocked by the failure of New Jersey's child welfare agency.

Susan Lambiase cq of Children's Rights, a New York-based group that previously sued New Jersey over child welfare issues, said Ryan's report on DYFS was far worse than she ever imagined. Lambiase helped write some of the current DYFS regulations as a result of the lawsuit settled in June.

"I was shocked at the level of malfunction regarding the kids in the Jackson household," Lambiase said, "how many things went wrong and how many opportunities there were to save them. And I was shocked at the misrepresentation of what they were supposed to do with the safety assessments." Wide-ranging probe

Ryan's child advocate office interviewed senior state officials under oath and reviewed 20,000 documents - including DYFS memos, medical reports and school records. The Department of Human Services, which oversees DYFS, now has 30 days to respond to the report and its recommendations, which are as follows:

- Mandating face-to-face visits with all household members in homes where a foster child is being considered for adoption.
- Establishing a continuum of medical care for foster children.
- Sharing casework among DYFS offices, and ensuring employees understand DYFS regulations.
- Providing post-adoption support for families, including yearly medical examinations for the children of those families who get post-adoption subsidies.
- Implementing a "quality assurance initiative" that audits DYFS work.

In the report, Ryan also blasted DYFS for misleading the public in claiming it had conducted 14,000 face-to-face safety assessments late last year. Instead, in possibly thousands of those cases, Ryan said caseworkers simply reviewed paperwork.

"Every step of the way, the Division of Youth and Family Services has failed these children," he said.

James Davy, the acting commissioner of the Department of Human Services, said in a statement that he has ordered a review to determine what happened with the assessments. He also said policy changes have been implemented,

including forbidding home-schooling for foster children.

Some policy changes reflect Ryan's concerns. According to Davy, everyone in the household must now be interviewed when a foster home license is up for approval or when a safety assessment is conducted. Safety assessments also require a check of housekeeping standards, including sufficient food.

Despite these procedural changes, Ryan's major concern is that existing procedures are not followed because of lack of communication and failure of implementation.

"This is simply a matter of the division following its own policies and procedures," he said. Management breakdown The fault for this lies with management, according to Hetty Rosenstein, president of a union representing DYFS workers. She said workers - nine of whom have been suspended in the fallout from the Jackson case - were never told they had to examine medical reports of children in the home.

"We are holding individuals responsible at the lowest level when people at the highest level were apparently indifferent, uncaring, or lying," she said.

A spokesman for Gov. James E. McGreevey said he is looking forward to reading Ryan's report, and any change at DYFS would likely require a budget increase this year.

The Camden County Prosecutor's Office is also reviewing the report. Charges against Raymond and Vanessa Jackson are pending, and the office is investigating further charges against others, including state workers, a spokesman said. DYFS's own report on the Jackson case is expected to be released next week.

Locally, Michael Byrd, the neighbor who called police in October after finding Bruce Jackson rummaging through his trash, said he hopes people never forget.

At the time, Bruce stood 4 feet tall and weighed 45 pounds - lighter than Byrd's 10-year-old child. Today, Bruce is 82 pounds and more than 4 1/2 feet tall.

"Anyone with a heart should care about these kids," said Byrd, 36. "I don't want this story to go quietly."

## **Starvation Report Blames N.J.**

### **Child advocate: The system failed four Jackson brothers "every step of the way."**

By Mitch Lipka and Troy Graham    Inquirer Staff Writers    Feb. 13, 2004

NEWARK, N.J. - New Jersey's system to protect children from abuse and neglect instead perpetuated it - allowing the four Jackson brothers to endure years of starvation, according to a report on the state's role in their case.

The state Division of Youth and Family Services exhibited years of dysfunction in the case, failing time and again to follow its own rules and leaving the brothers in harm's way, reported the 52-page investigation - with hundreds of pages of supporting documentation - released yesterday by the New Jersey Office of the Child Advocate.

"In short, every step of the way, the New Jersey child welfare system failed these four boys," the report said.

Had basic rules about foster homes - Raymond and Vanessa Jackson had both foster and adopted children in their Collingswood family - been followed, the brothers likely would have been removed years ago, said Child Advocate Kevin Ryan, whose office was created last year to investigate problems in the state's child-welfare system and suggest change.

"The distinction between policy and practice is so great as to make DYFS's written rules almost meaningless," the report concluded.

Even after Bruce Jackson's school raised the first red flag in 1995, reporting that he might be malnourished, DYFS workers sought no medical input and did not object when Vanessa Jackson began to home-school the boys the next year.

Repeatedly, DYFS workers also took Vanessa Jackson's word when issues were raised about the brothers' development. In fact, workers did not follow up with doctors or notice that regular medical care for the four ceased in 1997, the report said.

Although DYFS workers were in the Jacksons' Camden County home 38 times, usually regarding foster children, the four adopted sons were rarely seen.

Raymond and Vanessa Jackson face an array of criminal charges regarding their treatment of the brothers.

Richard Josselson, Raymond Jackson's attorney, suggested that officials were turning an innocent family into a scapegoat for political reasons. "Everything they're doing is a public gesture," he said. "It's a sensational case they can hang their hat on. It's something the governor can make a big deal about, say, 'Look how I reformed DYFS.' "

Josselson said that the level of systemic incompetence detailed in the report was impossible, and that things had been massively blown out of proportion.

"Come on, you're in that house, and you don't notice these children in this awful condition? DYFS wasn't that blind."

Because of the Jackson case, children in foster care in New Jersey are no longer allowed to be home-schooled. All occupants of foster homes must be interviewed for license renewal, and medical care must be tracked.

Ryan said the state Department of Human Services had publicly misrepresented that workers had in-person encounters last year to assess the safety of 14,000 children when "hundreds, if not thousands" - including the Jacksons - were not seen.

"That's appalling," the child advocate said. "The administration has a responsibility to ensure the safety of all the children in its care."

Children not seen were those awaiting adoption.

The assessments were required under the settlement last year of a lawsuit against the state filed by the advocacy group Children's Rights Inc.

DYFS was scheduled to present its rebuilding plan to a special court-appointed panel Jan. 20, but missed that deadline. The agency-overhaul plan will be released Wednesday.

The two top officials overseeing the changes, Human Services Commissioner Gwendolyn Harris and Deputy Commissioner Colleen Maguire, have resigned.

James Davy, appointed last month to take over for Harris, has instituted many changes and pledged yesterday to work with Ryan to address issues raised by the report.

"Any safety assessments that were not done in person will be redone," Davy promised.

The only response from the state came in Davy's statement. Neither Davy nor DYFS director Edward Cotton would take questions on the report.

Children's Rights attorney Eric Thompson said it was disappointing to learn how fouled up the safety assessments had been.

"We already knew after the Jackson case that the safety assessments were flawed," he said. "Now it's clear... many of them never occurred."

Thompson said Davy told him Wednesday that safety assessments would be conducted on all 1,700 children in the adoption system who needed to be seen. He and others blame some of the failings to reexamine those homes on the zeal to get children adopted.

In the DYFS safety assessment for the Jacksons, a caseworker consulted documents and completed a form. The worker's supervisor signed the form.

Nine DYFS workers and supervisors were fired over the case and have been under criminal investigation. However, union officials said that while workers might have made some errors, they had broken no laws.

Ryan's report noted that four DYFS workers who evaluated the Jacksons eight times between 1991 and 2002 failed to follow policies requiring medical examinations that could have caught the problems.

Hetty Rosenstein, president of a union representing DYFS workers, said that "it was management's decision to waive" those medical exams.

The four brothers were pulled from the Jacksons' home after the eldest, 19-year-old Bruce Jackson, was found scavenging for food in garbage cans in a nearby alley.

Raymond and Vanessa Jackson asserted that the brothers had eating disorders, but all have thrived since being removed from their home in October.

The cumulative weight of the four has gone from 136 pounds to 241 pounds. The other brothers are Keith, 14; Tyrone, 10; and Michael, 9.

"The facts strongly suggest that [the brothers] were systematically starved over many years," the report said.

DYFS workers did not follow their own regulations that each member of a household receive a medical evaluation and in-person interview each year. DYFS officials interviewed by the Office of the Child Advocate said they did not even realize these steps were required.

DYFS may be "too debilitated to support its own policies," the report said.

Caseworkers also were required to get a medical report and conduct an interview for each member of a household when parents adopt a child from the foster-care system.

Caseworkers would have been required to do both in March and December 1997 and October 2000, as the Jacksons adopted children from the foster-care system. Bruce Jackson, the first, would have had a medical exam and an interview on all three occasions.

But DYFS workers did not conduct medical evaluations or interviews.

DYFS officials also continually signed off on an adoption subsidy the Jacksons were entitled to as long as they certified that they provided at least half of the children's financial support. The agency approved the subsidies annually based solely on the Jacksons' word. On their 2001 tax returns, the Jacksons reported just \$11,000 in income - "a far cry from the \$80,000 noted by the caseworker."

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5:112) 13-FEB-2004 19:54 [John Searight \(searighj\)](#)

RELEASE: February 12 , 2004

**James Davy, Acting Commissioner of the Department of Human Services, issued the following statement on the Office of Child Advocate's report on the Jackson family:**

"I want to commend the Child Advocate for conducting such a thorough and thoughtful evaluation of this heart-breaking case.

"This report raises a number of serious concerns, not the least of which is that safety assessments conducted last year of children in pre-adoptive foster homes may have been done incorrectly. Specifically, the Child Advocate raises a concern that many of those assessments were not performed in person, as was previously believed.

"I plan to meet with the Child Advocate and his staff as soon as possible to discuss the concerns that have been raised in

this report. In addition, I have ordered a complete review of how safety assessments were conducted during the time period in question.

“Any safety assessments that were not done in person will be redone.

“Below are some of the policy and practice changes that have been implemented since the news of the Jackson tragedy broke last fall.

“However, as the Child Advocate points out, these policies are only useful and relevant if they are clearly communicated by supervisors and clearly understood by workers. Under the current safety assessment protocol, each and every assessment must be done in person and verified by a partner community agency – without exception. Moreover, every caseworker and community partner worker must undergo training in the new protocol before they begin doing the safety assessments. This assessment protocol is to be used by all caseworkers routinely as a part of their minimum visitation requirement with a child.

“I am satisfied that the safety assessments we are currently doing are being done in person and are being done correctly. And I am committed to redoing any safety assessments that may have been improperly done in the past. Without question or delay, we must do all we can to ensure the safety of children.

“Finally, I agree with the Child Advocate’s conclusion that the department must better coordinate medical care for children in its charge, that case practice must be more fully integrated so that all workers have access to the same information about a child or a family, that additional supports must be provided to foster and adoptive families and that DYFS must continually audit its work to ensure quality.”

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Policy changes as a result of the Jackson case:

Foster children cannot be home schooled. It is imperative that people in the community regularly see and interact with our foster children. Schools can be a key partner in recognizing problems with a child’s development or signs of maltreatment, and home schooling effectively circumvents any school district involvement with the child.

Licensing inspectors now must interview every adult and child in a home every time they initiate or renew a foster home license. All foster children are to be interviewed privately. Interviews with the adults and other children in the home are to focus on their relationship with, and perceptions of, the foster children. Any protective service issues – whether in reference to natural, foster or adopted children – must be reported immediately to the appropriate DYFS district office for investigation.

Safety assessments of children in foster care are more comprehensive and, as with licensing inspection, now require interviews of every adult and child in the home. The assessments require detailed identifying information on each child and adult in the home. They also require information on criminal history and child abuse registry checks on the adults, the home’s licensing history, and any prior involvement with the Institutional Abuse Investigations Unit. Also, staff conducting the safety assessments must visit every room in the home, note the housekeeping standards, assure that the electricity is on and all appliances are in working order, and check if there is adequate food in the home.

The Department of Human Services is now tracking Medicaid usage for adoptive children. This will allow DYFS to contact families who are not using Medicaid coverage to determine if adopted children are receiving appropriate medical attention. Federal rules do not allow DYFS to require annual medical checkups as a condition of adoption subsidy, but the agency can follow-up to ensure children’s medical needs are not being neglected.

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