

5:32) 24-JUN-2003 22:28 [John Searight \(searigh\)](#)

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 treatment 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

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.)

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.

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 stater tSpawien.

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."

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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,

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

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

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

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

Children's Rights projects

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

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,

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

"It's essential that

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

night w

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

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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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 involvement.

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.

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



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.

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. A memo (investigation - Calbi family) regarding drinking the previous evening, abuse and neglect,"

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 \(searigh\)](#)

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

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/hv/Actuatcravxperts, extensively

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 apparentthis n in<</ActualText<FEFF000A>>> BDC ()Tj EMC (combined we thgo

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."

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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

"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
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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 chairman of the

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

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

Trenton, NJ 08625

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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

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.

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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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 tamkSF8. Qhumj /SinBDC ()Tj Ea, said.

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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.

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.

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,

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

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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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."

