DCF CRISIS GROWS
NEW CHARGES HIT AGENCY AS AG PROPOSES OVERHAUL

BROKEN

'TOO MANY CASELoads, CHILDren WHO FALL THROUGH THE CRACKS.'
Gov hopeful Coakley

'IT'S IMPORTANT NOT TO JUMP TO CONCLUSIONS. THEY HAVE A ... DIFFICULT JOB.'
Governor Patrick
Gov. Patrick says he’s considering independent DCF probe

By MATT STOUT

- **Wednesday, January 8, 2014 / NOTE: Breaking web story**

Gov. Deval Patrick said today he is considering calling for an independent probe of the Department of Children and Families to answer continued questions about the embattled agency — even as he painted the latest round of problems as merely “allegations.”

Patrick, speaking to reporters after an event at Beth Israel Deaconess Medical Center, said he’s “satisfied” with the digging DCF Commissioner Olga Roche and Health and Human Services Secretary John Polanowicz have done in the wake of the disappearance of 5-year-old Jeremiah Oliver, a Fitchburg boy the agency was tasked with protecting.

But when asked if an independent investigation is necessary, Patrick suggested a new probe may be in the works beyond those performed by DCF and the Office of the Child Advocate.

“I understand many people in the public want to hear from others than the administration. So we’re talking about that,” Patrick said, without offering more details. “We may have more to say about that soon.”

DCF, after already admitting it mishandled Oliver’s case, has come under renewed fire after Northbridge schools Superintendent Nancy Spitalnik sent a letter to Roche ripping the work by the department’s Whitinsville office.

Spitalnik said school officials once had to send 13 reports alleging sexual abuse of a second-grader before the agency removed the child from the home, and DCF has routinely closed cases because parents wouldn’t cooperate. She also said Whitinsville workers failed to follow up on a homeless student despite alerts from the school district.
Roche met with Spitalnik and other school staff yesterday, after which the superintendent released a letter calling the meeting "productive."

Patrick, who said he was briefed on the meeting, said many of Spitalnik’s concerns were addressed during that discussion.

“I think they’re going to be and have been all kinds of concerns raised, some based on a lack of understanding or a lack of communication and that is it’s own problem,” Patrick said, referencing the Northbridge issues.

“You’re hearing daily allegations,” he said. “That’s different from fact.”

The administration also sought to distance itself from a proposal by Attorney General and gubernatorial candidate Martha Coakley, who unveiled a proposal yesterday to create a new Child Protection Division in the agency to solely handle cases of at-risk children. She touted it as an effort to split DCF’s dual mandates of protecting children and keeping together families, a set-up she said puts children at risk.

Polanowicz said the agency’s current “integrated case management model” has been in place since 2009, and is used in 42 other states.

“We are doing a top-to-bottom review. We are having the OCA looking into specifically this most recent case (in Fitchburg), and I think as part of that process, we’ll make some determinations. But I think right now we’re confident that the model we have is the right model because we see it across the rest of the country,” Polanowicz said.

DCF has been put under a microscope since three workers were fired and a fourth was suspended from DCF’s Leominster office in the wake of the Oliver case. Patrick said today he had no updates on the search for the boy, who was last seen in September but whose disappearance didn’t hit state officials’ radar until last month.

The case and the Northbridge letter have sparked a renewed chorus for answers.

Senate President Therese Murray, in a letter to Roche last week, demanded a review of the Whitinsville office, which union officials have described as having the highest caseload in the state. Murray added that if the “allegations” are true, she wanted to see “swift and immediate removal and overhaul of management” in the office.

Today, Republican gubernatorial Charlie Baker, a former state health and human services secretary under Gov. Bill Weld, called for the administration to produce a report in seven days on the “full accounting of the
status of DCF’s operations,” including: the last time each social worker had a visit with a child in their care, the total number of abuse and neglect reports from the last six months, and the average social worker caseload in each region.

“I know firsthand from my experience overseeing DCF during the Weld administration that immediate action is needed, that these reports are possible and that another level of bureaucracy within the agency is not the answer,” Baker said in a statement.

State Sen. Michael Barrett is also calling for the administration to release data on staffing levels inside DCF, compared to fiscal year 2007.

“It’s becoming harder to suppose we’re dealing with just a few bad apples rather than a systemic problem,” said Barrett, co-chair of the Committee on Children, Families and Persons with Disabilities. “During hard times, have all the key decision-makers protected DCF’s capacity to do its job?”
Coakley: DCF needs protective section

By MATT STOUT

Attorney General and gubernatorial candidate Martha Coakley is proposing an overhaul of the state’s embattled Department of Children and Families, even as the agency was hit with new charges it was slow to respond to school officials pushing for help to rescue endangered children — including a child who was being sexually assaulted.

“What I’ve proposed ... addresses the future issues we see coming up time and time again: too many caseloads, children who fall through the cracks,” Coakley told the Herald of her plan to create a Child Protection Division inside DCF, which has come under fire after a Fitchburg boy it was supposed to protect went missing and is now feared dead.

“I’ve seen it historically, we’ve seen these kinds of issues plague the child welfare system. ... I’ve seen different commissioners struggle with this,” Coakley added, saying she would have created the plan even if the case of 5-year-old Jeremiah Oliver of Fitchburg hadn’t come to light. “I think this breaks it apart, makes it clearer.”

Coakley, one of five Democrats seeking her party’s nomination for governor, proposed splitting the agency’s dual mandates of protecting children and keeping together families. She would create an investigative unit focused entirely on probing cases of at-risk children while allowing other social workers to continue to deal with families.

She unveiled the plan just as state officials scrambled to respond to a letter from Northbridge school officials, who accused DCF of ignoring repeated alarms about threatened children overseen by its Whitinsville office.

In one instance, Northbridge educators said they had to file 13 “51A” reports — alleging sexual abuse of a child — before a second-grader was removed from the home. School officials also accused DCF of closing
cases because parents refused to cooperate, not following up on a child who had missed school for weeks, and not checking on a homeless student.

A defensive Gov. Deval Patrick said he hadn’t been briefed on a meeting DCF Commissioner Olga Roche had scheduled with school brass, but didn’t immediately call for action either, saying that every “real incident” should be taken seriously.

“I don’t diminish any of them,” he said of problems plaguing DCF. “There’s going to be lots of issues raised and there have been lots of issues raised, not all of which are based on fact.

“I think it’s important not to jump to conclusions,” Patrick added. “They have an enormously difficult job. They perform miracles every day, hundreds and hundreds of miracles that don’t get the attention of all of you here, but do earn, I believe, the respect of the public, certainly of mine.”

Northbridge Superintendent Nancy Spitalnik, who penned the initial letter to Roche, called yesterday’s meeting “productive” and said the district will have ongoing “roundtable” conferences with DCF brass. The letter was first reported by the Worcester Telegram & Gazette.

Coakley, while noting she didn’t know the specifics of the Northbridge case, said her plan could help untie the red tape school officials say bogged down their concerns.

“When those complaints come in, it’s not that there’s 13, or 12 or two, what (matters) is what is the nature of it and does it suggest a pattern?” Coakley said.

Under her plan, Coakley would keep DCF’s current process of screening abuse claims, but transfer those for children “at risk of continued abuse and neglect” to the new unit. Meanwhile, different social workers would work with the family, helping the new division keep a “singular focus on the welfare” of the child.

-- Chris Cassidy contributed to this report.

*If you know of a case of abuse in the foster care system, email your confidential tip to ChildrenInDanger@bostonherald.com and we’ll check it out. All tips will be sent only to the journalists covering the case. Confidentiality is guaranteed. We want to hear your story about the state’s embattled foster care system. If you’re not near a computer, call the newsroom at 617-619-6493 and leave a message.*
ANOTHER DCF DISASTER

Dad furious as his 11-year-old autistic son’s claim of sexual assault in foster home deemed ‘consensual’

‘THEY FAILED Miserably’

Ex-social worker: Office driven by cost-cutting over kids’ well-being
DCF deems alleged assault of boy, 11, ‘consensual’ sex

By MATT STOUT and ERIN SMITH

An 11-year-old autistic Middleboro boy’s claim that he was sexually assaulted by another youth inside his foster home was dismissed as “consensual” sex by child welfare officials charged with protecting him, in a stunning case the boy’s family and school officials charge was plagued by missteps by the embattled Department of Children and Families.

“I want DCF to be held accountable,” said the boy’s biological father, whose name the Herald is withholding so as not to identify his now 16-year-old son. “It was hard to think that nobody did their job ... or that they all failed miserably and my son had to pay the ultimate price for that — losing his innocence. It will affect him for the rest of his life.”

The case — one of several on the radar of lawmakers preparing to haul in DCF officials for questioning on agency failures on Thursday — is detailed in competing narratives of the autistic boy and officials at DCF and Massachusetts MENTOR, a state contractor hired to oversee the foster home, who brushed it off as a “consensual and experimental” encounter.

The allegations in the 2009 case are outlined in a raft of reports, letters and other documents kept by the boy’s biological father and provided to the Herald.

The father and school officials also maintain that the autistic boy may have been taken back to the foster home just days after the alleged incident.
Further, DCF officials were more motivated to cut costs when they decided to move the boy from residential treatment to foster care where the alleged incident occurred, according to a former social worker.

A school official, in a fiery letter to then-DCF Commissioner Angelo McClain, called it “one of the most abhorrent situations I have encountered in my career.”

“The alleged sexual abuse of an 11-year-old boy has been completely minimized in this case,” said John C. Randall, president and CEO of Amego Inc., the school and residential treatment center the boy was attending. He said DCF staff “did not respond properly, but exacerbated the situation” by emphasizing their rocky history with the boy’s biological father, not the incident at hand.

“I am a calm, rational and direct person who was completely frustrated in my communications with your staff,” Randall wrote. “I can’t imagine where I would have been emotionally if it had been my son involved in this case.”

According to DCF investigative reports, police reports and letters, the boy — then 11 but with the cognitive ability of a 5- or 6-year-old, his father told police — was allegedly sexually assaulted by another youth in the foster home while the parents slept during the early morning hours of May 2, 2009.

Officials at Massachusetts MENTOR, a state contractor that supervised the foster care, said they immediately removed the 11-year-old from the home, but they didn’t take him to the hospital because both boys initially said the incident entailed only touching and rubbing — actions officials described as “consensual and experimental.”

But two days later, the boy told a teacher at Amego he was “harassed” into sexual contact, prompting school officials to rush him to a hospital to be examined.

Both the autistic boy and the other youth described the contact as sexual in nature — and that it had happened three to four times — but DCF investigators, in wrapping their probe, indicated it was consensual, writing in a report that “the boys took proactive steps to avoid parental detection.”

DCF investigators never interviewed either of the boys, citing a potential criminal case, and said doctors found no evidence of “tears or bruising” on the autistic boy, though, as one social worker pointed out in the probe, the examination didn’t come until days afterward, according to an investigation report.

“The children were opportunistic regarding their actions,” investigators wrote in June 2009, when they also found the foster parents' supervision to be “appropriate.”
Paul Cataldo, executive director of Massachusetts MENTOR, said in a statement that the agency has worked with the foster home since 2001, and the parents have provided a “warm, loving home for more than 20 children in need.” He said in all abuse cases, MENTOR follows DCF protocol, including “seeking medical attention for the child involved, as appropriate based on the facts of the case,” and that new protocols were put on the home as a result.

But the boy’s father noted that in the years after the incident, his son’s behavior was marked by violent outbursts and sexualized behavior, and he had to be hospitalized in 2010 and returned to a residential program in 2011. “They called it ‘consensual’ sex ... It’s pretty frightening that they thought it was OK,” the father said.

He and Randall also accused officials of letting the foster father bring the boy back into his home in the days afterward to have dinner.

Cataldo said the foster father helped shuttle the boy from his temporary home and to a school bus stop for four days until the plan was stopped given the DCF investigation.

Efforts to reach the foster father were not successful.

Local police, who first received notice of the incident four days after the alleged incident, investigated but closed their case in 2010 after the probe stalled.

DCF spokeswoman Cayenne Isaksen said, “The Department works closely with providers when issues may arise to mitigate any problems that may exist and to ensure that they can, and are, providing the optimum level of care to our children.”
Social worker: Bosses valued cost-saving over kids’ interests

By ERIN SMITH and MATT STOUT

Child welfare bosses in the Department of Children and Families Plymouth office that handled the allegations of sexual assault of an autistic 11-year-old boy were more obsessed with saving money than the well-being of children in their custody, according to a former South Shore social worker.

“Without a doubt the Plymouth office used to identify themselves as the top office in the state for saving money. We pulled kids out of residential facilities and put them in foster home placements to save the state money,” said the former worker, who asked not to be identified given the sensitivity of the case.
“The Plymouth area office was known for that. That’s what they would talk about in staff meetings, ‘We’ve got to save money.’ It was direct orders and you can’t tell them no. If they tell you, ‘This kid has to go to a foster care placement,’ you had to do it.”

The former staffer, who left the DCF in 2012 out of frustration, told the Herald that penny-pinching motivated supervisors at the Plymouth office to move the 11-year-old autistic boy from his residential school into the foster home where he allegedly suffered sexual abuse in 2009.

“I wasn’t happy about some of the decisions being made. It wasn’t what I thought social work should be,” said the former social worker, who was familiar with the case. “It was all about trying to cover yourself and not make the department look bad.”

Cayenne Isaksen, a DCF spokeswoman, declined to comment on the case, citing department policy. But, speaking generally, she said, “Decisions about where, or what kind of home, to place a child is made based on the best interests of the child, taking into consideration his or her individual needs.”

Officials at Amego Inc., the school and residential treatment center that previously worked with the autistic boy, sounded alarms on moving him into foster care, saying a plan to reunite him with his biological father was unexpectedly scrapped. In a November 2008 letter to DCF officials, school officials said they were concerned the foster parents didn’t have the training to handle the boy’s “behavioral repertoire.”

Later, after the abuse allegations surfaced, school CEO John C. Randall said in a letter that during the move to the foster home, “Our input was not sought, nor were our concerns accepted.”

“We were told that this transition needed to happen,” Randall wrote to then-DCF Commissioner Angelo McClain.

**Timeline of case**

What follows is a timeline of the case of an autistic 11-year-old Middleboro boy who claimed he was sexually assaulted by another youth inside his foster home.

**September 2006:** The autistic boy’s biological parents voluntarily agree to place him under state care.
October 2008: DCF starts the process of moving the then-11-year-old boy from residential treatment into foster care; by the end of the year, he is placed in a foster home.

May 2, 2009: The autistic boy and the other youth tell the foster father they engaged in what officials at the human services agency Massachusetts MENTOR later described as “consensual and experimental” touching. The foster father alerts MENTOR officials, and the 11-year-old boy is removed from the home and put in another temporary foster home.

May 4, 2009: The 11-year-old tells Amego Inc. school officials he was sexually assaulted, and is taken to the hospital for the first time since the alleged incident.

May 5, 2009: Local cops are called to the hospital to pick up a rape kit, but are not told who the victim is or any information about the case, according to a police report.

May 6, 2009: The autistic boy’s biological father, who is working and living in Virginia, meets with DCF officials in Plymouth. In a heated exchange the father becomes upset, throws “bottles of soda,” kicks open doors and throws a bench outside, according to a court investigator report. DCF moves to shift the boy from voluntary placement to temporary state custody.

May 7, 2009: Local police meet with the boy’s biological father, starting their investigation into the case.

May 14, 2009: Amego official sends letter to DCF saying the alleged sexual abuse “has been completely minimized” and criticizing its handling of the case.

June 16, 2009: DCF investigators close their case, determining the foster parents were not neglectful and provided “appropriate” supervision in their home. They conclude the boys “engaged in sexualized contact,” but took “proactive steps to avoid parental detection.”

May 26, 2010: The autistic boy, now 12, is removed from foster care and reunited with his biological father.

Oct. 25, 2010: After a series of aggressive outbursts and signs of “sexual reactive” behavior, the boy is hospitalized. By May 2011, he is placed into a residential treatment facility.

Sources: DCF and police reports, hospital and court records, and letters to the child welfare agency

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Third of DCF’s social workers unlicensed

By ERIN SMITH and MATT STOUT

More than one-third of social workers at the Department of Children and Families are not licensed to practice in their field, failing to meet basic state standards for experience, training and education, the embattled agency admitted last night.
More than 800 DCF social workers — or 34 percent — don’t have a state license in social work, according to the agency. Only social workers who work for the commonwealth or local government are exempt from having licenses, according to state regulations. Those who are licensed by the state are required at a minimum to hold a social work degree or log thousands of hours with a qualified supervisor, and pass a state exam.

A bachelor’s degree in social work or a related field has been required of new DCF hires only since 2001, while supervisors must now have a master’s degree, agency spokeswoman Cayenne Isaksen said.

DCF officials, who have dragged their feet answering simple questions from the Herald, took more than a day to disclose the number of unlicensed staffers — and only acknowledged the licensing gap late last night after the paper’s own review of a random sampling showed hundreds of DCF social workers with no records on file with the state Division of Professional Licensure.

The licensing revelations come as lawmakers are set to haul a dozen DCF executives, including Commissioner Olga Roche, before a legislative hearing today to dig into the agency’s failures after a series of Herald exposes, including one on a teenage girl with a history of sexual abuse who was placed with a foster father later accused of secretly filming her in the bathroom.

DCF has also come under fire in the case of missing Fitchburg boy Jeremiah Oliver, whose disappearance went unnoticed by state social workers for months and prompted the firing of three staffers.

“I want to make sure that there are adequate layers of supervision, that the supervisors are asking the right questions and that the record-keeping is spotless. There’s no room for error here,” said state Rep. David Linsky, chairman of the House Committee on Post Audit and Oversight.

The Herald reported yesterday that DCF sought to deflect blame to contractor Massachusetts MENTOR in the wake of a front-page article Tuesday that revealed the for-profit firm labeled an 11-year-old autistic boy’s claim of sexual assault by a teen in his foster home as “consensual.”

Contractors like Mass. MENTOR were responsible for more than 25 percent of foster home placements in 2012, Isaksen said.

“State governments are putting a lot of trust into the contracting process and putting a lot of reliance on how well the state can monitor those contracts,” said Irene Clements, president of the National Foster Parent Association. "So when they try to blame it all on the contractor, the buck doesn’t stop there. They can’t say, ‘We didn’t know.’ They maybe didn’t know about a particular situation, but they know the history of performance on that agency.”
Also yesterday, Gov. Deval Patrick unveiled his final state budget, funneling $32.6 million more to DCF, $9.2 million of which would help hire 175 more workers in some overburdened offices.

“They’ve had a pretty steady diet of the most challenging children and the most challenging family situations, and over and over again, as I’ve said, they’ve done that well,” Patrick said. “They’re making judgment calls, they’re being second-guessed and they’re getting a lot of questions, not just from you folks (in the media) but from me about whether they’re doing everything they can.”

*Samantha Tatro and Andrew Blom contributed to this report.*
DCF HANDBOOK SHOCKER

Criminal past doesn’t disqualify foster parents

By MATT STROUD
and ED SMITH

Prospective foster parents with rap sheets listing criminal convictions for armed assault, drug trafficking, motor vehicle homicide and even solicitation of sex from a minor could be cleared to take at-risk children into their homes under a longstanding policy at the state’s embattled child welfare agency.

The stunning rule, tucked inside the Department of Children and Families’ handbook on criminal record checks and updated six years ago, allows foster parents with checked pasts to take charge of endangered kids in the agency’s care.

Among the crimes DCF policy might forgive would-be foster parents after screening their applications:

■ Offenses such as inducing sex from a minor, soliciting a prostitute and possessing obscene “pornographic” materials;

■ Violent offenses, including assault and battery with a dangerous weapon, armed burglary and voluntary manslaughter;

■ Motor vehicle homicide while driving under the influence; and

■ A slew of drug offenses, including trafficking in cocaine or heroin within 1,000 feet of a school.

One of the agency’s so-called “discretionary” lists numbers roughly 110 crimes applicants can have on their records and still qualify as foster parents. It’s far longer than DCF’s roster of crimes that would presumptively disqualify foster parent applicants, including murder, indecent assault and battery on a child, and aggravated rape.

DCF officials say they have granted “very few approvals” of foster parents who have committed crimes listed on their “discretionary” list, but the agency was unable to say how many such applicants have passed muster since 2012.

Wendy Murphy, an attorney and victim’s advocate, has been a critic of allowing DCF to approve foster parents with criminal backgrounds.

“When the policy allows blatantly dangerous adults to become foster parents, you the governor have approved poor quality control standards,” Murphy said. “You can’t say you are doing your best. If that was true, you would apply stricter standards. That’s a leadership issue. It’s not like there’s a constitutional right to be a foster parent.”

Spokesman Alec Lofthus said the agency needed more time to determine how many convicted criminals have been approved as foster parents because officials are looking at a “queue” of public records requests from media, lawmakers and the Child Welfare League of America — which is conducting an independent review of DCF Commissioner Olga Roche was also unavailable for an interview.

“While a 2000 Superior Court decision bars DCF and other state employers from automatically disqualifying an individual from employment solely based upon a prior conviction, the Department uses factors such as the nature of a crime, circumstances and time frame to deny an application to become a foster parent if a situation is deemed unsafe,” Lofthus said in a statement.

State Rep. Paul Har-
ox, a member of the Joint Committee on Children, Families and Persons With Disabilities, said he under-

stands some crimes may carry “extenuating circumstances.” But when it comes to a sex crime against a child, “there’s no wiggle room around that.”

“They should definitely take a second look at that list,” the Attleboro Demo-

crat said.

Maria Mosaides, executive director of DCF contractor Cambridge Family and Children’s Service, which screens potential foster parents, said the agency does not grant approvals for criminals “easily, even though that stuff is on that list as discretionary.”

Mosaides said she and her staff, who oversee about 40 foster homes, tend to be “very conservative” in pushing for such approvals from DCF and won’t con- sider anyone with a record of domestic violence.

She said, “I wouldn’t want for my agency to have the responsibility of plac-
ing a child in a home where there was anything seri-

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— matt.stout@bostonherald.com

DCF OVERSIGHT: Criteria uncovered by the Herald in a Department of Children and Families manual shows these shockingly permissive set of rules for screening potential foster home parents, allowing a history including sex offenses involving minors, violence such as manslaughter, and drug offenses such as trafficking cocaine and heroin within 1,000 feet of a school.

OLGA ROCHE

STATE PHOTOS BY CHRISTOPHER OWEN

ESCAPE BY PRISONER
FALSE INFORMATION FOR GUN PERMIT
FORGERY, ALTER PRESCRIPTION
FUGITIVE FROM JUSTICE
INTERSTATE PROSTITUTION
INDUCE PROSTITUTION
INDUCE SEX, MINOR
INVOLUNTARY MANSLAUGHTER
KIDNAPPING, MINOR BY RELATIVE
KIDNAPPING, MINOR BY RELATIVE, ENDANGER
BANK EMPLOYEE OR OFFICER

STATE PHOTOS BY CHRISTOPHER OWEN

Determination of Overall Risk

Following the rating of each independent supervisor make an overall determination. This overall determination should account for the level of risk associated with how each factor impacts on other factors in the “moderate to high risk” list. The agency may do this in its discretion.

Similarly, the presence of one factor may elevate a high risk situation to low.

A. Crimes that Result in Discretionary

Individuals will require written authorization in accordance with any pre-existing court order or parole, if she/he is on post-conviction parole. The applicant must provide signed consent to the Residential Program.

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DCF handbook shocker: Criminal past doesn’t disqualify foster parents

By MATT STOUT and ERIN SMITH

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Spokesman Alec Loftus said the agency needed more time to determine how many convicted criminals have been approved as foster parents because officials are juggling a “queue” of public records requests from media, lawmakers and the Child Welfare League of America — which is conducting an independent review of DCF. Commissioner Olga Roche was also unavailable for an interview, he said.

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DEVAL'S EMBATTLED AGENCY PRESSURES ADOPTIVE MOM WHO TALKED TO HERALD

REVENGE OF DCF

WHY THEY'RE ANGRY

OVER THE LINE

ANOTHER DCF NIGHTMARE
Adoptive mom says DCF retaliated for Herald tip

By ERIN SMITH and MATT STOUT

An adoptive mom who sounded the alarm in the Herald yesterday over four at-risk kids being pushed to visit their abusive birth parents has been put on the hot seat by the beleaguered Department of Children and Families for speaking out.

A DCF social worker yesterday called the woman — who adopted one of the vulnerable children — to set up a meeting about her plan to adopt another child, the mom told the Herald.

“I said, ‘Wait a minute, is this going to affect my ability to adopt again?’ And she said, ‘Well you went to the press and now this is tied up with your evaluation,’” the mom said. “It’s clearly bullying to me, at least that’s how I felt.”

The mother said she has never wavered in her support of open adoptions — which give birth parents visitation rights — but she was rattled by this particular case because of the horrific allegations of sexual and physical abuse.

The Herald reported yesterday the three oldest children in the Worcester case — now ages 12, 11 and 8 — told DCF investigators, therapists and social workers about allegations against their birth parents of rape, molestation and being “taught” sexual acts they performed on each other, physical beatings and a lack of food, documents obtained by the Herald show.

- Related: What do you think it will take to fix the problems at DCF? Join today's Friday Throwdown at noon

This case is just the latest in a series of Herald stories that indicate systemwide failures plaguing the state’s child welfare agency. Gov. Deval Patrick has sought to blame rogue DCF staffers who mishandled the case of Jeremiah Oliver, a 5-year-old Fitchburg boy whose September disappearance went unnoticed for months.

DCF investigators supported abuse allegations against both parents in August 2011 but then continued to set up monthly visits between the four foster children and their birth parents, documents show. The two
youngest children were adopted last year with agreements requiring twice-annual supervised visits with the birth parents. The two oldest kids remain in foster care.

“Nothing that was said in that article wasn’t said to (the DCF social workers’) faces. We went to them all along with our concerns,” said the adoptive mother, who the Herald has not named to protect the identity of the children. “It’s not even DCF I’m most frustrated with — it’s the system. In my opinion, DCF should be just as outraged as I am and not trying to alienate their resources. To use this as retaliation is just disgusting to me.”

DCF denied the meeting is a retaliatory effort to block the mother from adopting another child.

“It is DCF’s responsibility to ensure that children placed in adoptive homes are placed with parents who are not only comfortable with, but embrace, the terms of their adoption,” said DCF spokeswoman Cayenne Isaksen. “As is standard practice, when this adoptive mother expressed concerns about the arrangements of her open adoption, her adoption worker reached out to her to be responsive to those concerns.

“Following that conversation, we’re very pleased that the adoptive mother remains an open resource for adoption in our system,” Isaksen added. “The Department of Children and Families does not retaliate against any person for raising concerns about the Department or the children in our care.”

Isaksen confirmed yesterday her agency immediately reported their abuse findings in the Worcester case to prosecutors, who looked into DCF’s findings.

“I can tell you there wasn’t enough evidence presented from our witnesses to bring it to the level where we could bring a criminal charge,” said Worcester District Attorney Joseph D. Early Jr., who told the Herald his office opened an investigation in July 2011. “There was a very thorough review done, a very thorough review. All the evidence that was brought into us was assessed, analyzed, and the interviews were conducted.”

DCF Commissioner Olga Roche defended the agency’s visitation policy yesterday as she left a closed-door State House hearing, saying, “Parents do have the right to visit with their children until the parental rights are terminated and even after the parental rights have been terminated, there are agreements for those visitations to continue.”

Antonio Planas contributed to this report.
If you know of a case of abuse in the foster care system, email your confidential tip to ChildrenInDanger@bostonherald.com and we’ll check it out. All tips will be sent only to the journalists covering the case. Confidentiality is guaranteed. We want to hear your story about the state’s embattled foster care system. If you’re not near a computer, call the newsroom at 617-619-6493 and leave a message.

Rep. David Linsky demands tally of abuse cases involving criminals

By ERIN SMITH and MATT STOUT

Child welfare officials reported 70 cases of abuse and neglect inside foster homes in 2012, but state officials told the Herald yesterday they still don’t know how many convicted criminals may have been involved in those heartless incidents.
“I can’t answer that one and it’s not that I’m evading you. I just don’t know the answer to that yet,” said Gail Garinger, the state’s child advocate, as she left a closed-door State House hearing yesterday probing the Department of Children and Families.

The Herald reported this week that criminals with convictions for more than 100 offenses, including drug trafficking, armed assault and soliciting sex from a minor, can be cleared as foster parents under a policy that gives DCF workers wide discretion. The agency has refused to say how many such approvals have been awarded in recent years.

DCF has also refused Herald requests since December to provide even basic details on the 70 abuse cases in 2012, including if police were notified and whether the foster home in question is still licensed to take in children.

State Rep. David Linsky, chairman of the House Committee on Post Audit and Oversight, said he has requested that DCF provide criminal records in foster abuse cases as part of the committee’s investigation.

“We’re doing a stem-to-stern review of the Department of Children and Families, and visitation rights, foster care are among a wide variety of issues that we’re looking at,” said Linsky, as he left yesterday’s hearing. “We had a discussion with the commissioner today about criminal records and the review process for foster care. It will be one of the areas that we’re looking at.”

State Rep. Shaunna O’Connell (R-Taunton) said DCF Commissioner Olga Roche addressed about eight of legislators’ 96 questions during the hearing, which lasted nearly two hours.

O’Connell said the discussion mainly centered on training and personnel issues, but Roche promised to turn over data on how many people with criminal records have been approved to be foster parents “by the end of the week.”

The hearing was held out of public view to discuss “individual personnel matters within the Department of Children and Families as well as the service plans of some of the families who are being served as DCF clients,” Linsky said.

He would not say whether those service plans include some of the cases brought to light by Herald investigations, including a DCF contractor’s decision to brush off an 11-year-old autistic boy’s sexual assault allegations against an older youth in his foster home as “consensual” and a Framingham foster father — now facing federal child pornography charges — accused of secretly filming his then-foster daughter in his bathroom.
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DCF clears 557 convicts to live with foster kids in ‘13

By MATT STOUT and ERIN SMITH

The state’s embattled child welfare agency admitted there are at least 475 convicted criminals now living in foster homes that care for at-risk kids, according to stunning data for 2013 released to the Herald last night.

The DCF data for 2013 showed:

- In total, 557 waivers were granted to people with convictions ranging from misdemeanors to felonies to live in homes with foster children,
- Of those, 475 currently live with foster children, accounting for roughly 9 percent of the state’s total of 5,430 foster homes;
- Additionally, 77 people with arrest records, but no convictions, live in active foster homes; and
- Overall, DCF granted waivers to 690 of 610 people with rap sheets who applied last year, a more than 98 percent approval rate.

Among those given waivers, five people were personally approved by the commissioner and two other high-ranking DCF brass despite having rap sheets that fall on the agency’s most serious list of offenses, which includes murder, rape and indecent assault and battery on a child, among more than 30 other crimes.

One of those is an active foster home, and involves a man who committed crimes in his teens and close to a decade later was approved to be the foster father for his stepdaughter, according to DCF.

State officials did not say what crimes he or any of the others given waivers in 2013 had committed.

State Rep. David Linsky (D-Natick) — chairman of the House Committee on Post Audit and Oversight, which is investigating DCF policies and procedures — said he’ll wait to draw conclusions on the numbers when the department coughs up more details.

“I expect to go back to DCF and ask for more specific data,” he told the Herald last night.

A DCF official said 97 percent of all felony convictions took place more than a decade ago, and none have sex crimes.

“The department uses a standard, well-defined process outlined by regulations and law to review these cases,” DCF spokeswoman Cayenne Bhakti said.

“The safety of a child is DCF’s first priority when decisions are made about their placement, and the department promotes kinship placements where appropriate to keep families strong.”
The Department of Children and Families — already under fire from lawmakers — cleared the unnamed cons despite their checkered pasts.

DCF did not share the same data for previous years.

The department’s decision to release the report after the close of business on a Friday came after a Herald report this week showing criminals with convictions for more than 100 offenses, including drug trafficking, armed assault and inducing sex from a minor, could be cleared as foster parents.

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This story was first reported on bostonherald.com.
DCF teen missing when Olga Roche claims kids safe

By Erin Smith and Matt Stout
A Cape Cod foster child under DCF watch has been missing for more than six weeks — a startling development that contradicts last month’s testimony by agency boss Olga Roche that all 36,000 Bay State kids under the department’s care were safe and sound.

The boy, who turned 15 Tuesday, was reported missing from the Cape START program in Falmouth on Jan. 13 at 7 p.m., according to Falmouth police Lt. Sean Doyle.

As of last night, Falmouth police said the teen still was missing. The Herald is not naming the boy because he may be in danger.

Roche repeatedly promised lawmakers at a Jan. 23 hearing — 10 days after a contractor for the Department of Children and Families filed a missing person’s report on the missing teen — that no children in the agency’s care were unaccounted for.

The hearing came in the wake of the disappearance of 5-year-old Jeremiah Oliver of Fitchburg, who went missing for months before DCF noticed and is now presumed dead.

State Rep. David Linsky, chairman of the House Committee on Post Audit and Oversight, grilled Roche at the much-publicized panel, bluntly asking, “Can you give me and the other 6 million people of the commonwealth the assurance that you know that every single one of those 36,000 children in your care today are present, alive and healthy? Can you give me that assurance that there’s no other Jeremiah Oliver out there today?”

“Yes,” Roche testified, adding that social workers had visited all children ages 5 and under.

“You are 100 percent confident?” the Natick Democrat pressed.

“Yes, sir,” Roche replied.

Linsky told the Herald yesterday that Roche and DCF officials have not contacted him since last month’s public hearing to amend her testimony or report any children missing.

DCF officials refused to directly address several questions on the latest missing child case, and instead released a statement speaking generally on how DCF handles “runaway” cases. Roche, they contend, testified that there were no other missing kids
the same age as Jeremiah Oliver and didn’t intend for her statement to include older kids.

“The department actively searches in partnership with law enforcement until the adolescent is found,” DCF spokeswoman Cayenne Isaksen said.

“DCF also notifies the National Center for Missing & Exploited Children when necessary so they can assign a case manager.”

However, the Herald last night could not find a listing for the teen in the National Center for Missing & Exploited Children’s online database. There was a missing poster only for Oliver on the nationwide missing kids website.

A woman who answered the phone at Cape START and refused to give her name told a Herald reporter yesterday that any information the agency has about the missing teen is “confidential.”

Dan Zabriskie, an administrator at The Children's Study Home, a nonprofit DCF contractor that runs the Cape Cod residential home, also declined comment on the case, but said the Cape START home houses a maximum of 13 children, all in DCF custody.

The Springfield-based nonprofit reported taking in more than $5.2 million in state contracts and so-called “supports” last fiscal year.

It runs three residential group homes, including two others in Springfield, serving roughly 70 kids from ages 6 to 18 in total, according to its most recent nonprofit filing.

*If you know of a case of abuse in the foster care system, email your confidential tip to ChildrenInDanger@bostonherald.com and we’ll check it out. All tips will be sent only to the journalists covering the case. Confidentiality is guaranteed. We want to hear your story about the state’s embattled foster care system. If you’re not near a computer, call the newsroom at 617-619-6493 and leave a message.*
DCF TEEN MISSING WHEN
Therapist gets 10 years for indecent assault of boy

"A cruel and abusive man"

"I trusted a caregiver and thought she would be helping me. Instead, he was doing some
shameful things to me."

"I know that many days will be hard, and that I will never fully get over the despicable things he
did to me. Today's trial will face this awful truth in my past and I will try to stay in control of my feel-
ing of hurt, anger, sadness, and betrayal."

"This man is a cruel abuser who needs to be kept from other children so they will never
have to experience the torture he perpetrated on me. If I was
so tame I would give him no less
than 25 years."

ROCHE CLAIMS KIDS SAFE
Keeping commiss just outrageous

SEND US YOUR TIPS

In the first phase of the poloci's investigation into
the abuse of children, a records search
of Roches' property revealed that
the abuse had been going on for at least 20
years. The records showed that Roches,
who is also a member of the City Council,
was involved in the abuse of a number
of children. The search also revealed
that Roches had been using his posi-
tion to cover up the abuse.

A cruel and abusive man

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than 25 years."

"I am doing this for the good of all the
children who will be saved by this trial."

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children who will be saved by this trial."

"I am doing this for the good of all the
children who will be saved by this trial."
GELZINIS: He was lost to the people who were supposed to love him ... and to the people who were paid by the state to watch over him.

HE DIDN'T DESERVE THIS

Sandria Oliver, the uncle of Jeremiah Oliver, 5, who has been missing since September, is comforted by searcher Miguel Melisas yesterday in Fitchburg.

Child advocate: Discovery could force out DCF chief

By MATT STOUT
The jarring roadside discovery of a body believed to be Jeremiah Oliver — the Fitchburg boy who went missing under the state’s watch — could be the tipping point in calls for the ouster of embattled DCF chief Olga Roche, a child advocate warned yesterday.

“We went from DCF losing a little boy to now we know this little boy was most likely murdered under their watch,” Laurie Myers, founder of the child and victim advocacy agency Community Voices, said of Jeremiah, who hadn’t been seen since September and had been feared dead.

“If that’s what they need to take this seriously, now they have it. Now she needs to step down,” Myers said, referring to Roche. “If there was ever any question about how serious this case was, now they know. Now they have the body.”

Gov. Deval Patrick has stood by Roche, tapped to the lead the agency last year, amid waves of criticism, and even disclosed in February he rejected an offer from her to step down.

In a statement yesterday, Patrick didn’t address whether the discovery would prompt more fallout at the agency, where a social worker and two supervisors have been fired in the wake of the case.

He also noted the body has yet to be positively identified by the state medical examiner’s office.

“What we know right now is that a young child has died, and that his body has been disposed of in a heartless way,” Patrick said. “As we await news about the child’s identity, as governor and as a parent, I feel a deep sadness.”

A Department of Children and Families spokeswoman said Roche was unavailable for an interview and referred reporters to Patrick’s statement.

Jetta Bernier of Massachusetts Citizens for Children said of DCF, “They’ve got the governor calling the Child Welfare League of America in to do an investigation. They have legislators grilling the commissioner, they have the press highlighting problems. Let’s face it: I don’t think the department could be dealing with any more pressure. I think it confirms how at-risk these children are, living in these dysfunctional homes.”

State Rep. Hank Naughton, a Clinton Democrat who was among the more than two dozen lawmakers to sign a letter calling for Roche’s resignation in February, said he is waiting for authorities to confirm the identity of the body. “I don’t think today’s the day for finger-pointing and incrimination,” Naughton said. “Today’s the day to say a prayer.”

State Rep. David Linsky, who’s led a House probe of DCF, said it’s up to the governor whether to make a change in light of what he called a “tragedy of unspeakable proportions.”
“What’s clear is that there will be new people in charge throughout the executive branch next January, one way or another,” Linsky said. “I’m more concerned with making sure the systems are in place, no matter who the commissioner is.”
No ‘timeline’ for Olga Roche’s departure

Thursday, May 1, 2014

By MATT STOUT

Former state child welfare chief Olga Roche will pull her $137,700-a-year commissioner’s salary as an adviser to the embattled agency, but state officials yesterday didn’t specify for how long she’s sticking around after she resigned amid a crisis of public confidence in the department.

Health and Human Services spokesman Alec Loftus said in a statement last night that Roche will be advising the Department of Children and Families “on a number of policy issues” at her current salary.

It follows the announcement on Tuesday that Roche had stepped down under intense public pressure for a change following the recent deaths of two infants under DCF’s watch, and the discovery of the body of
another child who fell through the agency’s cracks, Jeremiah Oliver, a Fitchburg 5-year-old who had been missing since September.

But the statement didn’t put a time frame on her new role, as Erin Deveney, an attorney and veteran RMV official who joined DCF at the end of March, settles in as interim commissioner.

“There clearly should be some timeline established,” House Minority Leader Brad Jones (R-North Reading) said earlier yesterday. “There should be some specificity ... because her ultimately leaving the agency is part of addressing some of the issues — certainly not all of the issues — but it’s part of changing the perception of the agency.”

In a message to DCF staff, Roche said she’s always “endeavored to put the interests and well-being of the children and families we serve ahead of my own.

“It is critical that the focus on this agency no longer be directed at me as its Commissioner, but on the work you do every day in the field and at Central Office to better the lives of the thousands of kids in our care,” she wrote.

Earlier yesterday, Gov. Deval Patrick told reporters he didn’t know how long Roche would serve as an adviser, and defended keeping her for the experience and policy knowledge she brings after 30-plus years in child welfare services.

“I don’t want her to leave right away,” Patrick said, according to a transcript provided by his office, though he emphasized that Roche has “stepped down from the leadership role.”

“She has a lot of wisdom, she’s in the middle of working — helping us work through some of the reforms we’ve been doing,” he said, “so it’s a little abrupt and unhelpful to DCF to simply cut that cord.”