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July 22, 2004

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5998 Alcala Park  
San Diego, CA 92110

Reference: Child Welfare Contest

Submission: "A Tiny Life Is Lost – The short, sad life of Angelo"

Dear Ms. Self:

The death of an 8-month-old child on Christmas Day, 2002, started out as a news story about a psychopathic father, but over time became the story of a failed county child welfare system. Unraveling this tale took 18 months of reporting and investigation by The San Mateo County Times, resulting in a 3-part series in June this year that packaged stories, editorials and photos.

The Times' investigative project revealed how Angelo Marinda was nearly beaten to death by his father when he was less than two weeks old, and then - through a set of bad judgments, systemic flaws and human failures - was returned to his father seven months later to finish the job. In addition, the project showed how a courageous judge was able to open up the system to scrutiny, and spotlighted the blatant attempts of child welfare agency bureaucrats to whitewash and cover-up agency failings.

Finally, the project showed how political leadership had failed in San Mateo County and what was needed if the system were to avoid letting children be abused or killed in the future. As a result of The Times' project, the San Mateo County Board of Supervisors acted in the matter for the first time as a group, an independent overseer of the agency was assigned to make sure the agency adhere to recommendations of a grand jury and a blue-ribbon panel, and open warfare among agents within the system finally started settling down.

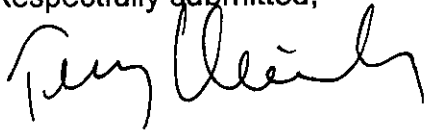
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Repercussions of the Marinda case include: changes in state regulations so that foster parents are more involved in custody decisions, changes assuring tighter oversight by the courts, and substantive changes in how the welfare system operates.

The Times is continuing to monitor this story.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Terry Winckler", written over the typed name.

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**MONDAY**  
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# San Mateo County Times



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The Peninsula's Hometown Newspaper

**PM**  
EDITION

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Failed by Family, Failed by Society

# A TINY LIFE IS LOST



Born April 17, 2002 — Died Dec. 26, 2002

## A FATHER'S HANDS TURN VIOLENT

Eight-month-old Angelo Marinda was killed by his father while under the supervision of San Mateo County's child welfare system.

# Care for a baby breaks down

By Emily Fancher and Amy Yarbrough  
STAFF WRITERS

The short, sad life of

## ANGELO

**THIS IS THE FIRST** part of a three-day series about Angelo Marinda, an 8-month-old ward of the San Mateo County child welfare system who was murdered by his father.

## WHAT'S TO COME

**TODAY:** Angelo Marinda's life and the events that led to his death.

**TUESDAY:** Civil war in the County's child welfare system

**WEDNESDAY:** Not a simple fix.

**INSIDE:** A Times editorial discusses changes in foster care since Angelo died. **News 9**

A timeline displays events in the brief life of Angelo. **News 11**

Shauna Mullins, a foster mother who cared for Angelo, has become an activist and advocate for the rights of foster families. **News 12**

**I**t was Christmas Eve morning 2002, but instead of hanging ornaments or humming holiday carols, Shauna Mullins was checking her foster son, Angelo Marinda, for scratches and bruises.

There was no cheer in her heart as she contemplated what she had to do later that day — hand over Angelo to his natural parents for an overnight Christmas visit.

In fact, Mullins was afraid.

With little but intuition to guide her, she felt it risky to let Angelo go home alone. What she didn't know is that in his eight months of life, Angelo had suffered more injuries than most football players suffer in their careers.

Someone in the Marinda household had been breaking Angelo's bones, twisting his limbs, bruising his skin. The abuse continued even after the County's child welfare system stepped in.

And now the County, which had sworn to protect Angelo, was about to hand him back to the people whose very presence made him scream with fright.

Mullins did her duty on Christmas Eve and gave up Angelo, but she couldn't give up worrying about him.

On Christmas Day, Mullins shared her forebodings with family members gathered for the holiday.

The day after Christmas, Mullins answered the phone ... and began screaming.

Please see **ANGELO**, News 11

## Trouble in the family

It couldn't have been long after Angelo drew his first breath on April 17, 2002, that someone began hurting him. At 12 days old he was in the hospital, brought there by his mother, Lady Rajan Diesta, with a swollen leg.

Doctors found broken ankles, broken ribs, broken legs and severe bruising. "This is 100 percent abuse," one doctor said, and authorities were called in.

Investigators knew that someone in Angelo's family was the culprit, but there were so many potential suspects: Aunts, uncles, grandparents and parents — a large, extended family common in the Filipino community in Daly City.

Both born in the Philippines, Lady and Ronnie Marinda met in the Bay Area through a Filipino dating service in 1999. Lady was a 17-year-old high school student. Ronnie, 21, was unemployed. Young and immature, they were not much more than children themselves.

Lady was drawn to the young man with dark, deep-set eyes and thick black hair. Other women clearly were attracted, too: Ronnie had a child with another woman when he was 17. He fled to the Philippines to escape her father's wrath.

Quiet and mysterious with an artistic side, Ronnie had trouble expressing himself in words, but Lady liked to talk. She was athletic and independent with long brown hair and olive skin.

Within a few months they drifted apart and began to date others, not knowing Lady was pregnant with Ashley, their first child.

This time, Ronnie didn't flee, even though Lady's family hated him. To them he was sullen and disrespectful, and he wasn't welcome at family gatherings. "He was a stranger to us," Lady's father Alejandro Diesta recalled. "It's not like when I was courting my wife. I had to talk with (her parents), laugh with them."

Just more than 15 months after Ashley's birth, Diesta drove Lady to the hospital, unaware that she was pregnant again. Lady had been too petrified to let him know.

Angelo was born, and the couple decided to live with Ronnie's family, squeezing into a three-bedroom house jammed with his relatives. Lady and Angelo slept on a bottom bunk, Ronnie's sister slept on the top bunk, and Ronnie and Ashley shared a mattress on the floor.

As for money, Ronnie could barely keep a job, except for a few months sorting mail from midnight to 6 a.m. With only Lady's paychecks from Safeway and then Toys 'R' Us, they were barely scraping by.

Week after week, Lady would ask Ronnie the same question: When are you going to find work?

## Angelo becomes a ward

Unable to figure out who among the cluster of relatives beat Angelo, Daly City police left him and Ashley in the care of San Mateo County's Children and Family Services agency. A division of the County's Human Services Agency, CFS had already placed Ashley in foster care by the time Angelo left the hospital and was placed in a foster family.

Now, the clock began ticking for CFS to figure out how to keep the children safe yet satisfy state pressure to reunite kids with their parents.

Typically, parents of children younger than 3 years have only six months to prove they are competent to care for their children. Fail and lose your kids forever.

But there is no less pressure on social workers. They are the ones who recommend whether families should be reunited. The state favors reunification, even as it insists on keeping children safe.

CFS social workers opted for reunification and received court approval to provide Lady and Ronnie with parenting classes and therapy. This happened in July 2002, which meant that everyone involved had only until January to make the plan work.

A young, relatively inexperienced social worker named Amy Huber was selected to oversee the par-

ents' progress. Known as a hardworking and compassionate person, Huber supervised three visits with the children and parents within the first few weeks and then saw them only briefly for the next two months.

But Huber apparently felt that Ronnie and Lady were making progress. On Oct. 17, she told County juvenile court chief Judge Marta Diaz that Angelo's parents were loving and attentive during supervised visits and desperately wanted their kids back.

Based on Huber's recommendation, Diaz, who had inherited the case from another judge, told the couple that Angelo would likely be home with them by January.

What Diaz never learned was that Ronnie and Lady had twice arrived late to visits and that they had argued at least once during a supervised visit. More importantly, Ashley had returned from visits with her parents with a swollen ankle and bruises. Moreover, at 1½ years old, she couldn't walk or talk and some of her teeth were broken and rotted.

Diaz decided Ashley could be sent home the next week, and gave Huber permission to let Angelo have visits alone with his parents.

It became the most haunting decision of Diaz's career.

early on

as badly injured as Angelo when he arrived May 28 with splints on his legs.

Millie, an imposing woman with a big heart — evident by dozens of photos of foster babies and children on her wall — cared for Angelo for six months. Generally, he was a good baby, who loved when her grandchildren pushed him around the house in his little plastic car.

But soon Millie sensed something was wrong with Angelo. He always came back wailing from visits with his parents.

To quiet him, she'd rock Angelo to sleep in a plush easy chair, wondering out loud, "Who did this to you? I just wish I knew who did this to you."

Nonetheless, by November Huber was allowing Angelo to visit his parents alone, even after Millie found mysterious scratches on Angelo's head after a visit. Huber assured Millie the baby was fine.

Millie tried to get Lady to confide who Angelo's attacker was, but Lady seemed to be in denial. As for Ronnie, he barely spoke and almost never made eye contact. He just didn't seem to know how to handle the kids.

In the third week of November, Angelo came back from a three-day visit with more serious scratches and bruises — and with a note from Ronnie: "I'm just writing to tell you about Angelo's cheek so you won't be worried."

Angelo had hit his head on a crib and fell on Legos, the note said.

Millie immediately reported the bruises to Huber's supervisor, and a doctor the next day advised that Angelo should not be left alone with his parents.

That was the last time Millie saw Angelo. For reasons that Millie never found out, Huber transferred Angelo to the care of Shauna Mullins on Nov. 21.

## A new family

A charming baby, "all grin," Angelo would gurgle and babble to get Mullins' daughters' attention. Ellie and Rachel could easily make him crack a smile, his chestnut eyes twinkling. He'd start kicking his skinny legs and waving his arms with glee. Small but muscular, he was soon crawling around the house and pulling himself up to stand on the furniture, delighted to be on his feet. Angelo loved to chew on the floppy ear of his yellow stuffed rabbit or he would drag the hapless toy around the house as he crawled.

Mullins called him her "handsome, sweet boy." He seemed to be settling into her San Mateo home — until his parental visits began.

Mullins was puzzled. Every time Angelo came back from seeing his parents, he screamed all night as though he were frightened of something.

"He wouldn't take a bottle, and he would act fearful," she said.

She told Huber the visits were a disaster, so she was floored when Huber decided Angelo still could spend two days alone with Ronnie and Lady at Christmas.

Didn't Huber see the pattern?

Huber said Angelo would likely be reunited with his parents in January and these visits would prepare him to go home for good. Plus, Huber was running out of time. She was going on vacation Dec. 20 for 10 days.

Bonardd, a family care worker who oversaw visits in December, was deeply disturbed by Angelo's reaction to his parents. He immediately panicked and cried hysterically when he saw his parents. She noticed that Ronnie didn't seem to bond with the baby. Worried, Bonardd told Huber that Ronnie should not be left home alone with Angelo.

Huber, uncertain about what to do, turned to Renee LaFarge for help.

LaFarge, who supervised the therapy for Angelo's family, spent an afternoon with the family and told Huber the same things others had: Ronnie was not connecting to his children. LaFarge insists that she never approved Angelo seeing his parents alone, but Huber later said that LaFarge did.

Huber and her supervisor believed that Angelo's injuries were a result of inadequate supervision, not impulsive rage, she would later say. Huber had reason to believe that Angelo should go back to his parents. At times, they had seemed loving and attentive, especially Lady. A psychiatric evaluation found that neither had a dangerous personality disorder. Doctors said that Angelo's bruises and scratches in November could have been accidental. Huber chalked up Ronnie's detachment as cultural: Women often take charge in Filipino families.

But, Huber gave Ronnie and Lady a stern warning: If Angelo comes back with one more unexplained injury, he's going up for adoption.

On Christmas Eve, Mullins turned Angelo over to his parents.

## Goodbye, Angelo

Late on Christmas night, Ronnie and Lady arrived at Seton Medical Center in Daly City in a taxi with Angelo. His lips and fingers were purple and he wasn't moving. Doctors immediately hooked him up to life support machines.

The next day, as Angelo lay in a coma, Daly City detectives went to Ronnie's house and woke him up.

"He fell," Ronnie said during interrogation at the police station.

"He didn't fall," said Detective Frank Mangan.

"I never shook him," Ronnie said to Detective David Boffi.

"Yes, you did," Boffi said.

"Accident or on purpose, it's your choice. We know what happened; the question is why? Be straight up. Be a man, and tell us what happened."

"I didn't do nothing to my baby," Ronnie said.

"You're in total darkness right now," Boffi said.

"All by yourself."

As detectives grilled Ronnie, doctors were losing the battle to save Angelo. The attack on him had been too vicious. It was as if he had been in a car wreck or fallen a long distance. Blood had seeped behind his eyes and filled his belly, and his skull was fractured.

Mullins, who had screamed with grief and anger at the telephone call that alerted her to Angelo's condition, arrived at the hospital to see him lying motionless, a tube down his throat, an I.V. in his arm, a machine breathing for him.

The only sounds were the beeps of a heart monitor and the sobs of Lady, who stood a few feet away.

At least Mullins got to say goodbye.

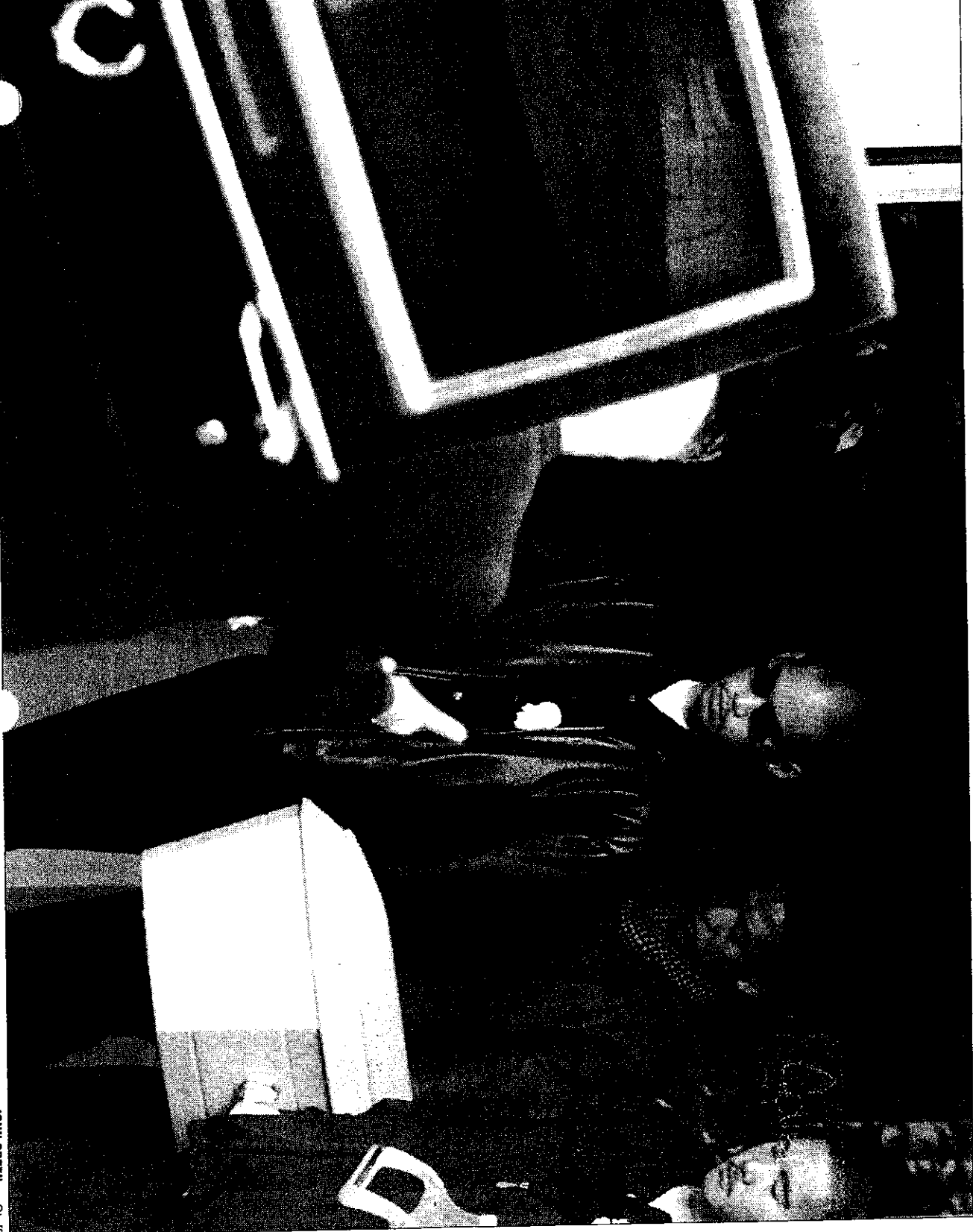
Staff writer Tim Hay contributed to this report.

The short, sad life of



# ANGELO

SAN MATEO COUNTY TIMES



JOHN GREEN — Staff

**HEAVY HEARTS AND A TINY BURDEN** — The casket of Angelo Marininda is carried Jan. 10, 2003, by members of his family.

# The genesis of a series

"The short, sad life of Angelo" is a series of stories and editorials that has been developing since the death of infant Angelo Marinda on Dec. 26, 2002. In March of this year, a two-reporter investigative team was assigned to explore the child welfare system in San Mateo County in the context of this tragedy and because of continuing critical complaints about the system. Times staff reporters Emily Fancher and Amy Yarbrough sifted through hundreds of pages of documents and interviewed dozens of witnesses in compiling these stories.

2002

**April 17:** Angelo Marinda is born.

**April 29:** Angelo is hospitalized for "100 percent abuse" with broken bones.

**May 1:** Angelo is referred to San Mateo County Children and Family Services (CFS).

**May 28:** Angelo put in foster care with Millie in East Palo Alto. His sister Ashley is already in foster care.



Angelo Marinda

**June 5:** Angelo starts supervised visits with parents.

**June 6:** Ashley returns bruised after visit with parents.

**Nov. 12:** Angelo returns from parents with scratches.

**Nov. 20:** Angelo returns from parents with scratches and bruises.

**Nov. 21:** Social worker Amy Huber takes Angelo to the hospital.

**Oct. 17:** Judge Marta Diaz takes over Marinda cases.

**Oct. 22:** Ashley reunified with parents.

**Dec. 6:** Care worker says Angelo is in "panic" when he sees his parents.

**Dec. 9:** Therapist says father is not bonding with Angelo.

**Dec. 12:** Huber warns parents she may put Angelo up for adoption.

**Dec. 19:** Care worker tells Huber that Ronnie should not be left alone with Angelo.



Judge Marta Diaz



Maureen Borland

parents for unsupervised visit.  
**Dec. 26:** Angelo is pronounced dead.  
**Dec. 27:** Maureen Borland, director of Human Services Agency (HSA), learns of Angelo's death.

2003

**Jan. 13:** CFS sends final administrative review to county counsel.

**Jan. 16:** Diaz orders the hearings and the files be opened to the press.

**Jan. 21 to Feb. 4:** Diaz conducts hearings.

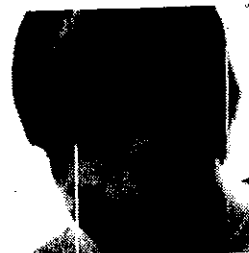
**April 4:** Diaz releases 54-page report criticizing HSA for inadequate oversight and a "cover-up."

**June 9:** San Mateo County grand jury reports a "deep distrust and serious lack of mutual respect" between HSA and the court and calls for independent oversight of HSA.

2004

**March 2:** Blue ribbon panel releases scathing report on HSA and its leadership.

**May 5:** The Board of Supervisors appoints Charlene Chase, an independent expert, to determine if the blue ribbon panel's suggestions have been implemented and if Borland needs to go.



Ronnie Marinda

**May 14:** Ronnie Marinda convicted of murder.

**June:** Chase scheduled to release her report



MATHEW SUMNER — Staff

**LOVE DOES NOT DIE** — More than a year after Angelo Marinda died, his foster sisters Rachel and Ellie Mullins keep a memorial to the slain child — his favorite stuffed rabbit and a photograph of him with the sisters.



# Foster mother is transformed by baby's death

■ Shauna Mullins wants foster parents to have a greater say in the fate of kids in their care

By Amy Yarbrough  
STAFF WRITER

SAN MATEO — When Shauna Mullins' foster son, Angelo Marinda, was taken from her arms and given to the man who would kill him, the experience transformed her from simply loving kids to defending them.

Marinda, an 8-month-old Daly City boy, died in December 2002 at the hands of his father. Mad and frustrated, Mullins turned activist, pushing for more rights for foster parents.

Now head of the Foster Parent Association of San Mateo County, Mullins is determined to give foster parents about as much say as judges and their legal options, and to improve communication in the County's child welfare system.

"I'm definitely on a mission right now," said the 33-year-old San Mateo resident, who had never been to an association meeting prior to Angelo's death. "I feel really strongly that in order to provide the best care for children in our system they need a voice . . . and that needs to be foster parents."

The group is creating a manual to help foster parents navigate the system and plans to lobby for an independent ombudsman to represent them. They are also drafting a foster

parents' bill of rights, which will be given to the Board of Supervisors.

A single mother with striking blue eyes and an almost Herculean amount of patience, Mullins seems made for her new role.

A self-professed "bossy kid," Mullins was herself raised by a single mother, who moved from San Francisco to Ketchikan, Alaska, when Mullins was 4, not wanting her to grow up in a big city.

Family was a priority in the sparsely populated island town, where it was common to go all through school with the same kids and safe enough to stay out until 11 p.m., playing baseball with friends.

Mullins knew early on she wanted to be around kids. During her high school years, she worked at a day care center.

After graduation, Mullins returned to California and eventually San Francisco, where she got a job working at a hospital with medically fragile and at-risk children.

It was there Mullins met Rachel, now 9, who was born with fetal alcohol syndrome. When the girl turned 2½ and it looked like she was too old to continue to live at the hospital, Mullins knew she wanted to become her foster mother.

"She was just really emotionally fragile at that point," Mullins said as she cooed to one of her day care children — and as two of her girls bopped around her house playing Harry Potter.



"That just seemed like the perfect transition for her."

But for Mullins it meant a huge lifestyle change and some serious obstacles. She was only 26 at the time and Rachel's social worker was against the idea.

Mullins went to court and fought for Rachel, even though she eventually had to quit her job at the hospital, because it was considered a conflict of interest. Rachel, who Mullins has since adopted, was placed with her a year later.

Mullins officially adopted her second daughter Ellie, 4, this year and is now in the process of adopting a third.

Both Ellie and Rachel became attached to Angelo, who was placed in Mullins' home the month before he was killed.

Rachel has asked her why Angelo had to visit his father.

Ellie would take Angelo's pajamas from the dresser and wrap them around her neck, as if hugging him. As for Mullins, she is reminded constantly of the baby — not only of his life, but how much her life has changed since his death.

Staff writer Amy Yarbrough covers police and public safety. She can be reached at (650) 348-4339 or [ayarbrough@sanmateocountytimes.com](mailto:ayarbrough@sanmateocountytimes.com).

# Opinion

**T**oday, in part one of a three-day series, the San Mateo County Times presents the story of Angelo Marinda's short, sad life — and murder — while under the protection of the San Mateo County child welfare system.

The story, told fully for the first time, reveals how Angelo was beaten nearly to death by his father when he was less than 2 weeks old, and how eight months later, the child welfare system handed Angelo back to his father, who promptly finished the job.

But this story goes far beyond a father's savagery and a system's fatal blunderings. It's about the many people who participated in the drama, and how they influenced

or were influenced by its events.

Aside from the father, who has been locked away, there are no real villains. Indeed, of the many hundreds who work within the child welfare system, most are unsung near-heroes for their quiet, caring labors on behalf of the fragile and weak. How they operate is orchestrated by the laws, rules, directives and culture of the agencies they work for.

It is at the top of those agencies — within the rules and among the administrators who direct the workers and set the tone of their workplace — that The Times found flaws that help explain how Angelo died and whether Angelos of the future may be saved.

One of the flaws spotlighted by today's story

has to do with the way foster parents were allowed to participate in protecting and caring for children at risk. Foster parents are those gifted souls who temporarily take on abused or abandoned children as their own while government agencies strive to figure out a permanent solution.

Shauna Mullins learned the hard way about flaws in the system. As Angelo's last foster parent, she should have known about his history. Yet, as she prepared Angelo for a Christmas visit with his parents in 2002, she had no clue that Angelo had been brutalized by his father almost from the day he was born. In fact, she didn't know he had been brutalized at all, because foster mothers weren't given access to the histories of the children they are paid to care for. They also weren't told or encouraged to take more active roles in how the system operates.

As a direct result of Angelo's case and one like it in Southern California, state law was changed to bring foster parents into the loop of decision making and to provide them with the information they need to properly care for their wards.

But at Christmastime in 2002, Mullins had nothing more than an intuitive sense of foreboding as she handed

**Aside from the father, who has been locked away, there are no real villains. Those who work within the child welfare system are unsung near-heroes for their caring labors on behalf of the fragile and weak.**

over Angelo to his parents — as directed by County child welfare authorities. She swore to herself that she would storm heaven and Earth if he came back with a single fingerprint on his body.

Angelo never came back.

The experience transformed Mullins from a cuddler of kids to their fierce protector and a political activist. She became president of the Foster Parent Association of San Mateo County with an agenda to fix what she sees as flaws in the child welfare system. We applaud and support her and her colleagues in the foster family world whose gift to the world is caring for its shucked off children.

We also applaud those virtually invisible social workers and other caring employees of a system overstressed with responsibility and understaffed with resources. And we have special praise for those who have used the Angelo tragedy to improve how the San Mateo County child welfare system operates.

But, as Tuesday's second story in this series will reveal, the system was, and may still be, crippled by a top-down cultural arrogance that contributed to Angelo's death and has helped keep agencies within the system at each other's throats ever since.

# Baby's death upends status quo



JOHN GREEN — Staff

**THE CATALYST** — Marta Diaz, presiding judge of the San Mateo County juvenile court, launched an open and aggressive investigation into the death of infant Angelo Marinda.

## Pursuit of blame creates schism in County

By Emily Fancher and Amy Yarbrough

STAFF WRITERS

**THIS IS THE SECOND** part of a three-day series about Angelo Marinda, an 8-month-old ward of the San Mateo County child welfare system who was murdered by his father.

**MONDAY:** Angelo's life and death.

**TODAY:** Civil war in the system.

**WEDNESDAY:** Not a simple fix.

**INSIDE:** Diaz talks about how the case has affected her. **News 5**

Family therapist says she was fired for telling the truth. **News 5**

A Times editorial examines the role Diaz played in affecting change in the system. **News 7**

**J**UDGE Marta Diaz can make attorneys and miscreants tremble when they stand before her, but she soothes children with candles, stuffed toys or a gallop on the hobby horse in front of her bench. Hardly bigger than a child herself at 5 feet tall, Diaz is ruler and cajoler of all within the San Mateo County juvenile court system, which she oversees.

At home in Foster City, though, she's simply a mom and a wife, whose love of the Old West is displayed in her living room via mounted longhorns, cowboy art and furniture that invites a visitor to take off the boots and set a spell.

It was from that room a few days after Christmas in 2002 that Diaz's husband called to her as she packed for a trip.

"I think you're going to want to see this," he said.

She hurried in to hear a televised news report about a child in San Mateo County's child welfare system who had been killed Dec. 26, 2002. She grabbed the phone and quickly confirmed the worst: The child was her ward, 8-month-old Angelo Marinda.

Please see **ANGELO**, News 4

# Responsibility for death is County's hot potato

## ► ANGELO, from News 1

Nausea and guilt overwhelmed Diaz and she began sobbing. Angelo was only 12 days old when — broken and battered by someone in his own family — he had come into the child welfare system for protection. Now he was dead, and Diaz peppered herself with questions: How had she failed the child? What had the system done wrong?

On the last question, Diaz was astonished to hear an answer from the head of the Children and Family Services agency:

"The system has not failed in this case," CFS chief Stuart Oppenheim said on TV.

The answer infuriated Diaz, who launched an investigation that would bring her court and family services parent department, the Human Services Agency, into open warfare. If Oppenheim's goal was to calm the gathering storm of controversy, he failed utterly, and in fact found himself caught in the tempest as Diaz focused on him and HSA's top leadership.

## Satanic verses

Oppenheim was the most loyal of soldiers in HSA, admired by many in the agency and community as a strong advocate for children who listened to workers' concerns. After tolling in the ranks since 1976 when he started as a social worker, Oppenheim had risen to become head of CFS, the child protection arm of HSA.

Before Marta Diaz took over the court system, Oppenheim enjoyed a close and casual relationship with Diaz's predecessor, Commissioner Patricia Bresee, who ran the court somewhat informally, allowing HSA workers easy access. CFS and the Bresee court were virtual colleagues.

The court-CFS collegiality ended abruptly with Angelo's death, as Diaz launched her mission to find out how the system failed and why people such as Oppenheim kept defending the agency against any inquisition.

Not that Diaz was the only one put off by Oppenheim's defensiveness. County Supervisor Mike Nevin wondered out loud in the press at the man's "cold" reaction.

Yet, Oppenheim didn't back off. As he and other CFS workers increasingly felt Diaz challenging them, they turned inward to each other for support and launched a resistance, echoed in e-mail exchanges.

"She (Diaz) is still a tear," Oppenheim warned CFS chums in a sarcastic e-mail. "Watch out!"

Dozens of e-mails about the judge started trading hands within HSA, climaxing in mid-January with the most venomous of all, authored by Oppenheim himself: Diaz is "the daughter of Satan, but without his personal sense of responsibility."

Civil war had broken out in the County child welfare system.

## A most unusual hearing

What had been simmering in private erupted in public Jan. 16 when Diaz took the extraordinary step of launching an investigation into Angelo's death and opening the proceedings to the press.

HSA fought to keep the press out through the County counsel, but lost to a battery of arguments posed by media lawyers to the sympathetic Diaz.

The judge knew that juvenile dependency cases are closed to protect young and innocent victims, but when a child dies, she would say, it's time to open the process and the case files so that the public agency may be examined and held accountable by the public.

The court door swung open to two weeks of publicized scrutiny of HSA, its workers and the court itself.

Witness after witness told Diaz they had noticed warning signs.

Many parental visits ended with Angelo sobbing uncontrollably. . . . Angelo panicked at the sight of his parents. . . . A doctor said he should not be left alone with his parents. . . . Angelo's father, Ronnie Martinda, barely interacted with his son. . . . Ronnie cried, but it appeared his tears were only for himself.

Most of these red flags had been communicated to Amy Huber, the social worker in charge of Angelo's case.

A revelation in the case came Diaz closed the hearings. On Jan. 16 she got a call from Renee LaFarge, who had supervised Angelo's family therapy. LaFarge said she had in proper sending Angelo home for an unsupervised visit with his parents as Huber had testified. She wanted to tell Diaz her side of the story.

Diaz was in her chambers when LaFarge handed her a written explanation of Angelo's family complete weeks before his death. Surrounded by attorneys involved in the case, she began to read through the document. About to burst into tears, she exhaled herself.

The next day in open court, LaFarge insisted that Angelo's death was avoidable.

## The battle begins

Oppenheim seemed defiant in his defense of HSA. Known as one of the best agencies in the state, HSA wasn't used to harsh criticism. Why was it being persecuted?

Huber had made the right choice sending Angelo home for Christmas, Oppenheim insisted.

He challenged Diaz's authority to hold the hearings, while Diaz challenged the accuracy of what he was telling her.

But it was the e-mail Oppenheim sent to his entire staff on Jan. 16 that drew the battle lines between the court and HSA. Oppenheim said opening the files was unprecedented in San Mateo County, and his agency was "terribly concerned about the violation of privacy."

"No act by an outside party will undermine our confidence in ourselves or one another," Oppenheim wrote.

Stunned at hearing her court described as an "outside party," Diaz reached over Oppenheim's head to the director of HSA, Maureen Borland. Hired by County Manager John Maltbie 11 years earlier to lead HSA, Borland oversaw 700 employees and various agencies dealing with diverse social issues ranging from job training to welfare. Regarded as a tough administrator not afraid to raise her voice, Borland kept a low profile.

Indeed, Borland had been as invisible as the County Board of Supervisors when it came to taking a public role in the Marinda controversy. Despite her public silence, she had directed Oppenheim's internal investigation of the case from behind the scenes.

Diaz wanted answers from Borland. Why did HSA not immediately obey the court's order to hand over all notes related to the case? Why did it deny it was conducting its own internal investigation?

Borland didn't know. "I was not aware of that," she told Diaz.

## The County's black eye

Openly critical of the agency during her hearings, Diaz was harsher still in the final analysis.

Her report on April 4 was like a black eye for the County. Some praised Diaz's courage, while others found that the report made the already tense relationship with the agency worse and deepened distrust.

The 54-page analysis explained how the system had failed Angelo —

from social workers to HSA management to her own negligence.

Social workers had not paid enough attention to the case, she said.

In addition, HSA management had challenged her authority to investigate, displaying an "institutional arrogance" that is not "merely offensive," but "dangerous."

"No public agency is or can be unaccountable," she wrote. "Nothing good comes of hiding things."

HSA staff refused to turn over documents and had conflicting stories, she found.

But she did not spare herself: "Ultimately, the responsibility for Angelo's death rests with the court. . . . I should have been far more vigilant in safeguarding my dependent child."

Her investigation was not meant to point fingers, she wrote, but to answer questions about what had happened to Angelo and why.

"If we analyze the mistakes we all share in this case and prevent future tragedies from occurring, then and only then can we ensure that Angelo did not die in vain. This is ultimately Angelo's legacy. I hope that we are each of us responsible enough to accept it."

## Critics level their guns

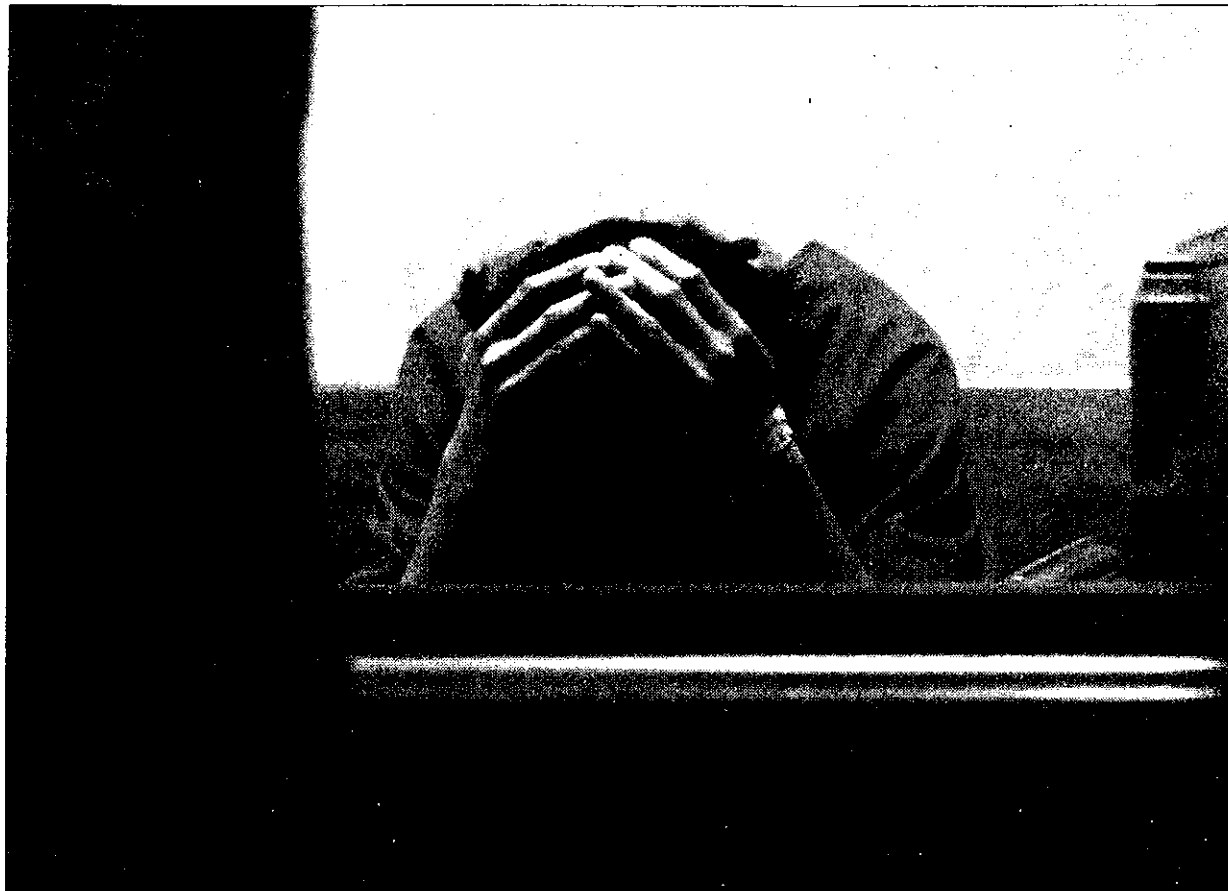
Others besides Diaz were disturbed by Angelo's death and felt the system needed to be re-examined.

County Supervisor Mike Nevin expressed his outrage to The Times a few days after Angelo's death: "There's no question that we need to review the process, and I want assurance now more than ever that when it comes to children, we give our absolute best."

Yet, of all the County supervisors, only Nevin actively became involved in reform. As a political body, the board of supervisors never took on the problem. They left it to County Manager John Maltbie.

Maltbie said he was appalled when he learned the facts of the case. Within a day or two of the start of Diaz's hearings, Maltbie called Mark Forcum, presiding judge of the County superior court, with an idea. Why not set up an independent panel of experts to look at the child welfare system and recommend improvements?

Forcum agreed and suggested a colleague of his — Judge George Miram, who had worked closely with CFS when he was an attorney in the County counsel's office — to sit on the



JOHN GREEN — Staff

**THE AGONY OF DEFEAT** — Ronnie Marinda holds his head in San Mateo County Superior Court during his January 2003 arraignment on charges of murdering his son, Angelo.

## Caring for Angelo

Many public agencies were connected to the welfare of 8-month-old Angelo Marinda before he was murdered.



U.S. Dept. of Health  
and Human services  
Administration for  
Children and Families



Calif. Dept. of Social  
Services  
CDSS

Calif. Superior Court System



San Mateo County  
Superior Court

Juvenile Court

San Mateo County Board of  
Supervisors



County  
Counsel  
County Manager

Human Services Agency

Children and Family Services

Foster Parents Social Workers



Angelo Marinda



Daly  
City  
Police

Staff

panel with the four people Maltbie had chosen.

This blue-ribbon panel would spend the next 10 months probing the inner workings of CFS and the juvenile court.

During the panel's investigation, two events brought even more attention to the embattled agency: a County grand jury report and the death of yet another child under HSA's protection.

The civil grand jury had been looking at the agency even before Angelo's death, and in June 2003 reported that the juvenile court and CFS were virtual enemies, that social workers suffered from low morale and that the agency needed independent oversight. It offered a variety of recommendations for changes throughout the child welfare system.

Then in July, 18-month-old Billy Joe Crawford — an HSA ward — was beaten to death, allegedly by his mother's boyfriend. What made this distinctly different from the Angelo case is that Billy Joe and his family had moved to San Francisco and were about to be transferred to that city's child welfare system. There was one striking similarity, however: In both cases, HSA immediately denied any culpability or failing.

## The harshest criticism

The blue-ribbon panel's report finally was released on March 2 this year — with withering criticisms of HSA.

The report accused HSA of trying to protect its image at the expense of children, denounced the agency's antagonistic relationship with the court and aimed scathing criticism at HSA leadership under Borland, describing "brittle intolerance for differences of opinion."

Obviously under pressure, Oppenheim retired at about the same time the blue-ribbon report came out, leading many to believe he was the fall guy for the department.

Without Oppenheim, Borland took on a more obvious role in the controversy, appearing later in March at a press conference called by Nevin to appease critics who feared the blue-ribbon report would not be taken seriously.

The press conference backfired, however, as Nevin announced that Borland had been given the role of assessor of her own agency's shortcomings. The apparent conflict of interest provoked a barrage of pointed questioning. But what most inflamed critics was the scorn Borland showed for the report's criticisms. She dismissed one of the recommendations as "a straw man." When asked about a crisis of leadership, she said, "I don't know where that came from."

Stung by press criticism, Nevin agreed to hire an independent child welfare expert to assess whether the problems of HSA were being addressed. The expert, Charlene Chase, former head of Santa Barbara County's social services agency, gave the board of supervisors her interim report this week.

## Postscript

Angelo would have been just over 2 years old on May 14 this year — the day his father was convicted of killing him.

The family of Angelo's mother, Lady Rajan Diesta, said it never formed an opinion about Ronnie's guilt or innocence, focusing instead on Lady's remaining child, Ashley, now 7 years old. An active, cheerful child, Ashley was reunited this month with her mother.

Alejandro Diesta, Lady's father, said he looks forward to making the family whole again.

"We love her so much, and I'm just happy the major problems have passed," he said.

# The genesis of a series

"The short, sad life of Angelo" is a series of stories and editorials that has been developing since the death of infant Angelo Marinda on Dec. 26, 2002. In March of this year, a two-reporter investigative team was assigned to explore the child welfare system in San Mateo County in the context of this tragedy and because of continuing critical complaints about the system. Times staff reporters Emily Fancher and Amy Yarbrough sifted through hundreds of pages of documents and interviewed dozens of witnesses in compiling these stories.

2002

April 17: Angelo Marinda is born.

April 29: Angelo is hospitalized for "100 percent abuse" with broken bones.

May 1: Angelo is referred to San Mateo County Children and Family Services (CFS).

May 28: Angelo put in foster care with Millie in East Palo Alto. His sister Ashley is already in foster care.



JOHN GREEN — Staff

**A FAMILY'S ANGUISH** — Members of Ronnie Marinda's family watch in court as he is arraigned on murder charges in January 2003.



Angelo Marinda

June 5: Angelo starts supervised visits with parents.

June 6: Ashley returns bruised after visit with parents.

Nov. 12: Angelo returns from parents with scratches.

Nov. 20: Angelo returns from parents with scratches and bruises.

Nov. 21: Social worker Amy Huber takes Angelo to the hospital.

Oct. 17: Judge Marta Diaz takes over Marinda cases.

Oct. 22: Ashley reunified with parents.

Dec. 6: Care worker says Angelo is in "panic" when he sees his parents.

Dec. 9: Therapist says father is not bonding with Angelo.

Dec. 12: Huber warns parents she may put Angelo up for adoption.

Dec. 19: Care worker tells Huber that Ronnie should not be left alone with Angelo.



Judge Marta Diaz

Dec. 24: Angelo taken to parents for unsupervised visit.

Dec. 26: Angelo is pronounced dead.

Dec. 27: Maureen Borland, director of Human Services Agency (HSA), learns of Angelo's death.



Maureen Borland

2003

Jan. 13: CFS sends final administrative review to county counsel.

Jan. 16: Diaz orders the hearings and the files be opened to the press.

Jan. 21 to Feb. 4: Diaz conducts hearings.

April 4: Diaz releases 54-page report criticizing HSA for inadequate oversight and a "cover-up."

June 9: San Mateo County grand jury reports a "deep distrust and serious lack of mutual respect" between HSA and the court and calls for independent oversight of HSA.

2004

March 2: Blue ribbon panel releases scathing report on HSA and its leadership.

May 5: The Board of Supervisors appoints Charlene Chase, an independent expert, to determine if the blue ribbon panel's suggestions have been implemented and if Borland needs to go.



Ronnie Marinda

May 14: Ronnie Marinda convicted of murder.

June: Chase scheduled to release her report

The short, sad life of



ANGELO

SAN MATEO COUNTY TIMES

# Judge Marta Diaz takes cases home — and to

ost, if not all, are  
mely sad,' she says

ily Fancher

WRITER

ER cases follow her home. Judge Marta Diaz sometimes dreams of them. tries to distract herself with writing, running every day obbling up novels in the ggs. But sometimes big works.

e's charged with altering protecting and punishing county's most vulnerable en. For dependency she must keep battered neglected kids safe from abusers. For delinquency , she must discipline kids can't seem to follow the

ll of the cases are ex- ly difficult and most, if ll, are extremely sad." Diaz s hard to shake them off e end of the day."

the case that most haunts s that of 8-month-old An- Martina, who was shaken ath by his father over chmas 2002.

was my negligence that al- i... this tragedy to en," she said recently. I had been doing my job



JOHN GREEN — Staff

**SEARCHING FOR ANSWERS** — Judge Marta Diaz ponders a reporter's question at her Foster City home.

correctly and monitoring that (child welfare) department in a very aggressive way... I don't think this would have happened."

Diaz's decision to open the hearings and case files to the

press angered some in the County who felt betrayed and exposed.

But she became a hero to others.

Marta Gomes, who was practicing immigration law at

"She took responsibility instead of sweeping it under the rug, and that made her a standout."

Gomes said Diaz is straightforward and doesn't mince words.

Others have found Diaz, a small woman with a sharp voice, to be a commanding if not intimidating presence in the courtroom.

Diaz never pictured herself speaking from the bench. She thought she'd be standing in front of a classroom teaching "Don Quixote."

A San Mateo native, she graduated from Hillsdale High before attending college in Mexico and returning to the Bay Area to get a law degree from UC Berkeley.

After law school, she spent 13 years as a prosecutor, four in juvenile court.

She found the work so compelling that she quit the district attorney's office to become a private defender for the juvenile court.

When a friend suggested she become a judge in 1996, she laughed at the idea.

But in 1997, she was appointed to the superior court bench and by 2000 was overseeing the juvenile court.

Over the years, she has noticed that the cases in juvenile



# heart

court have become more difficult and complex than they used to be.

Families deal with drugs and alcohol abuse, domestic violence, poverty, and psychological and health problems.

"The problems seem insurmountable," she said.

Despite all the upheaval over the past 18 months since Angelo's death, Diaz believes the child welfare system is on the right track to change.

"We need closure," she said, "and we need to recognize this is an incredible opportunity to do what we do in a very different way. To do it in a much more effective, humane and compassionate way. Everybody is working for the same agenda and that agenda can only be the safeguarding and protection of children and helping families. In that order."

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# Family therapist files lawsuit over her firing

By Emily Fancher

STAFF WRITER

FOR more than a decade, Renee LaFarge worked with troubled families at the Family Services Agency where she felt respected and supported by her boss and colleagues. She absolutely loved the work, trying to make homes safe for children.

She never considered herself a whistleblower.

But all that changed in January 2003 when she realized that a judge investigating the death of 8-month old Angelo Marinda had not been given all the facts.

"I felt sick that this had happened on my watch," said LaFarge, 60, who had supervised Angelo's family therapy. Angelo, a ward of the County, was killed by his father over Christmas 2002.

She spoke out and as a result lost her job at FSA, according to a lawsuit she filed

in San Mateo County Superior Court last year.

FSA is a nonprofit group that contracts with San Mateo County's Human Services Agency.

LaFarge had told Judge Marta Diaz that a social worker gave the judge false information and that Angelo's death was preventable.

Called a "whistleblower" by her boss, LaFarge was accused of causing the strained relationship that developed between the agencies and was told she would be blamed if FSA's contract with HSA wasn't renewed, according to the suit.

Lori Wishard, LaFarge's former boss, declined to discuss the case, but said her agency had acted properly.

After testifying, LaFarge found her work environment increasingly hostile.

But determined to make children in the system safer, she created the Angelo Marinda Infant Risk Assessment tool and told her supervisors that she was handing it out to colleagues and the press.

In the introduction to the document, she wrote that Angelo's death had been preventable.

The tool is a written evaluation that helps social workers analyze the risk of returning a child to an abusive family.

On June 9, LaFarge was fired for giving out the tool without agency approval, according to her termination letter.

Wishard wrote that the tool contained LaFarge's "personal criticisms (or opinions) that were not representative of the Agency's opinions" and that her "public statements put the Agency at risk."

LaFarge, now in private practice, said she hopes her lawsuit will expose the flaws in the child welfare system, such as the lack of accountability and the us-versus-them mentality.

She feels that FSA wanted the truth sacrificed for the sake of loyalty.

"I don't feel I was heard and would be heard in any other way," she said of her decision to file the lawsuit.

"It's not about the money and not about revenge."



JOHN GREEN — Staff

**RENEE'S WORLD** — Renee LaFarge, who supervised therapy for Angelo Marinda's family, believes she was fired for being a "whistleblower" in the aftermath of Angelo's murder.

# HSA is steadily improving

■ Report finds there have been positive changes since baby's death

By Tim Hay

STAFF WRITER

REDWOOD CITY — The San Mateo County Human Services Agency has been faulted for misdirecting its resources, being hostile to criticism and failing to communicate with other agencies that help children.

But those problems are steadily being fixed, an outside expert who has studied the agency for the past five weeks, says in a report to the County Board of Supervisors.

"The highly charged atmosphere of the last 18 months has overshadowed the many positive changes that have come about as a result of the painful loss of baby Angelo. There isn't a countywide understanding of the 'big picture' of the (child-welfare system) changes," wrote Charlene Chase, a former social-services director for Santa Barbara County who studied HSA at the behest of County officials.

Her report, officially released today, is the latest in a series of studies that have come out since 8-month old Angelo Marinda was killed by his father on Dec. 26, 2002.

Angelo was a dependent of the County with a history of being abused, yet was allowed home alone with his parents. Angelo's father, Ronnie Marinda, was convicted last month of murdering the child.

Since Angelo's death, several investigations were commissioned to find out how the system failed him. In March, a blue-ribbon panel selected by

Please see **HSA**, News 5

## Expert finds that HSA has been steadily improving as of late

► **HSA**, from News 1

the County manager and presiding judge found glaring problems throughout the system, and recommended far-reaching changes.

Chase was brought in to keep tabs on how these changes are being implemented, and her review so far is positive, although she didn't directly address major criticism of HSA leadership.

According to the report, Human Services added two supervisors to its child-welfare division to oversee social workers' caseloads.

HSA also narrowed the job duties of its director of Children and Family Services, relieving him of overseeing other social services work.

These are major steps toward putting the protection of children first, Chase said.

The blue-ribbon panel cited a communication breakdown between HSA and the courts. Chase said major strides have been

made in this area.

"There's a lot of increased communication going on," she said Monday.

"I think they are working at rebuilding a stronger working relationship and rebuilding trust."

There are formal meetings between the agencies every two months, and a number of informal, roundtable sessions are in the works.

HSA and juvenile court officials are working together productively to minimize the amount of time that social workers have to spend in court rather than in the field.

Chase also commended HSA Director Maureen Borland for opening the agency up for inspection, but said the ultimate test of her leadership will be her response to a follow-up report due out in mid-July.

That report will deal with the agency's system of "regionalization," under which social workers in the field are given more independence from the central HSA

office.

Chase told The Times she will interview social workers and supervisors for the second report, but focused on talking to leadership for her first report.

The blue-ribbon panel called regionalization a failure, saying it led to communication failures between social workers, foster parents, the courts and other players.

Borland has defended the regionalized system.

Chase said Borland's reaction to the report on regionalization will show how committed she is to reforming the agency.

"This is considered an opportunity and a test of the commitment and capacity of the director to embrace mandates for change from both within and outside HSA," Chase said.

Or, as County Supervisor Mike Nevin put it, "This will make her or break her."

Staff writer Tim Hay can be reached at (650) 306-2428.

## OUR OPINION

# Judge forces system to open up

**T**HE death of Angelo Marinda might have been mourned as just another unavoidable tragedy if one angry judge hadn't kicked open the door of the San Mateo County child welfare system to let the public and press get a good whiff of sour doings.

In early 2003, as leaders within the Human Services Agency rejected blame in Angelo's death and fought efforts for a public accounting, Judge Marta Diaz ordered them to take the witness stand in her own investigation to find out how the system failed Angelo.

While Diaz played a culpable role in that failure, she had the guts to face up to her shortfalls as other major players initially sought to protect themselves or their agencies.

Instead of launching an open assessment, the system erupted into open warfare as Diaz pressed hard and HSA circled its wagons. But soon she was backed up by a grand jury report and finally by a blue-ribbon panel's withering criticisms of HSA and the system in general.

It didn't help that the San Mateo County Board of Supervisors — as a group — abandoned its leadership role by doing nothing for more than a year after Angelo's death. Only Supervisor Mike Nevin talked about the issue publicly. Without their direction, County Manager John Maltbie proceeded on his own course of action, enlisting Superior Court Chief Judge Mark Forcum to help form a blue-ribbon committee to investigate the child welfare system. We can't

help thinking the panel's findings — a scathing assessment of HSA — shocked Maltbie, especially the group's strong words for the agency's leadership.

Without mentioning HSA's chief, Maureen Borland, by name, the panel singled out the agency's leadership for being arrogant, not listening to critical advice and creating a culture answerable to itself. In the cloister of their private meetings, panel members talked of a coverup by HSA and agreed that the agency would be better off without Borland, whom Maltbie had hired years before and who, like Maltbie, is close to retirement. Maltbie has refused to discuss Borland's future.

As evidence mounted against the way HSA was being run, so too did skepticism that any changes would actually occur. With critics muttering whitewash, Nevin called a press conference to allay their concerns. The tactic backfired as Nevin announced that Borland would be in charge of handling critiques about her agency.

Talk about conflict of interest.

To his credit, Nevin switched gears and convinced his fellow supervisors to take a stand in the matter for the first time by hiring private consultant Charlene Chase to oversee the change process. Chase released her first report this week, praising partners in the child welfare system for making progress.

As for leadership, Chase said, time and actions will tell. Or as Nevin put it — Borland is on probation.

# San Mateo County Times

PM EDITION

WEDNESDAY  
June 16, 2004

The Peninsula's Hometown Newspaper

50 cents

## Death gives birth to changes in child welfare



The story, sad life of  
**ANGELO**

**THIS IS THE THIRD** part of a three-day series about Angelo Marinda, an 8-month-old ward of the San Mateo County child welfare system who was murdered by his father.

**MONDAY:** Angelo's life and death.  
**TUESDAY:** Civil War in the system.  
**TODAY:** Not a simple fix.

**INSIDE:** Social workers endure much on society's front lines. **News 9**

A highlights box explains reports on the child welfare system and what's been done to fix it. **News 9**

An editorial by The Times offers criticisms and suggests changes for the child welfare system. **News 11**

**T**he tumult that made enemies of so-called partners within San Mateo County's child welfare system is clearly easing 18 months after the murder of a child entrusted to the system.

It is equally clear that significant adjustments have been made within the system — including a new state law and numerous changes in County policies — to prevent another tragedy.

The process of achieving those changes, however, has been feud-ridden and painful for the many police officers, judges, politicians, social workers, administrators, foster parents and attorneys caught in it.

And while some changes are at hand, significant questions, qualms and problems are yet to be resolved. The San Mateo County Times has found through months of investigating issues linked to Angelo Marinda's death. Key issues are as follows:

► Open warfare between the County juvenile court and the County Human Services Agency has simmered down recently, but suspicions keep the agencies in polite estrangement.

► Foster parents are struggling to find a new voice in a system, which they once felt shut them out.

► HSA's reaction in the aftermath of Angelo's death led many inside and outside the system to criticize the agency's lack of openness and accountability.

► Many still question whether HSA leadership, which oversees Child and Family Services, can make the needed changes to reform and heal the child welfare system.

► CFS management has been restructured and the agency has changed the way it makes decisions about children's cases.

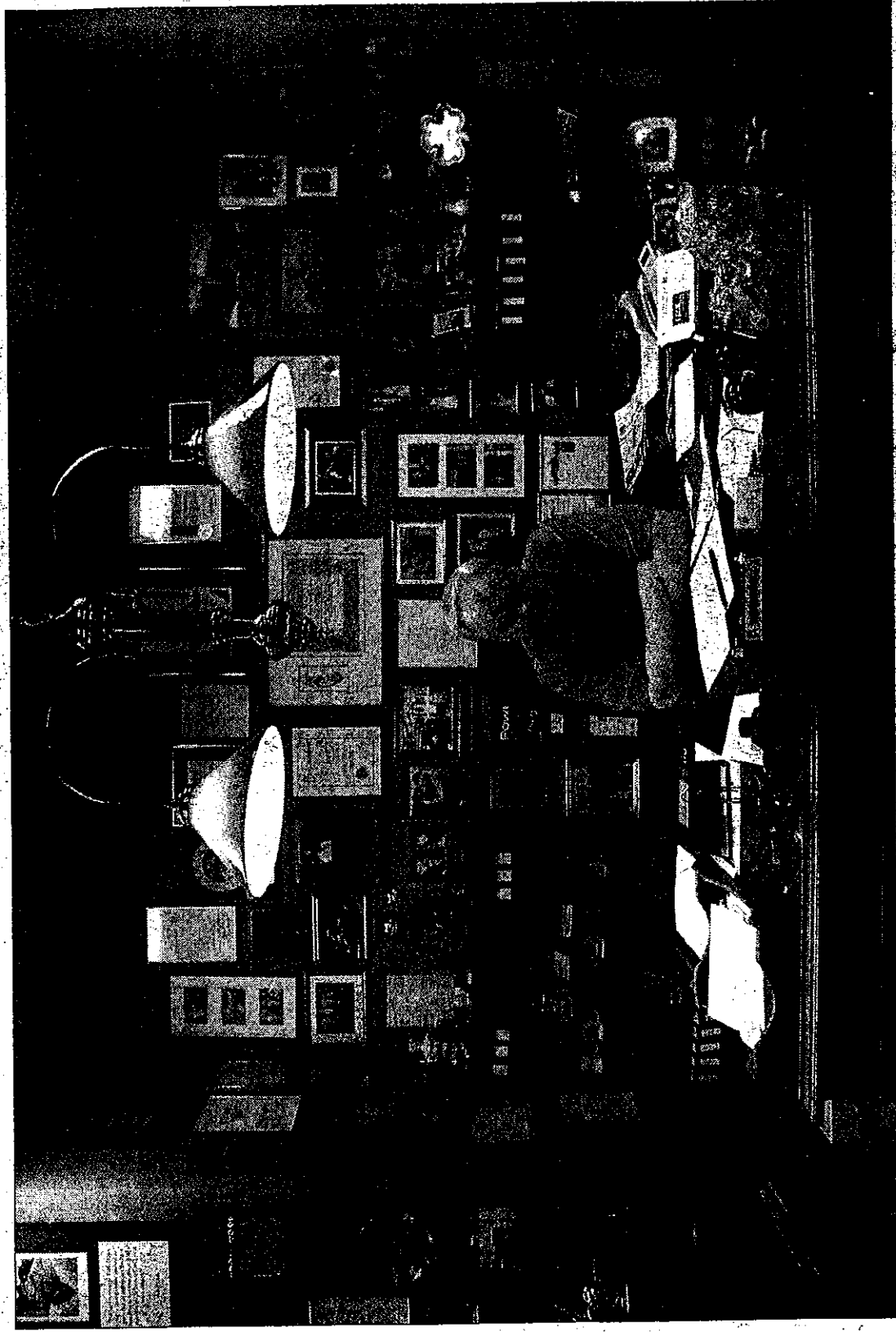
Following three reports on the child welfare system's failings, the San Mateo

Please see **ANGELO**, News 9

"(Change) doesn't happen overnight... We're still in the process of doing that two years later."

County Supervisor Mike Nevín

# Infant's death exposed cracks in system FIXING THE FISSURES



JOHN GREEN — Staff

## SUPERVISOR GRABS THE REINS

San Mateo County Supervisor Mike Nevin is the only County supervisor to take an active role in issues involving the County's child welfare system and a child killed while in the care of the system.

## changes in child welfare

### ► ANGELO, from News 1

County Board of Supervisors appointed consultant Charlene Chase to evaluate its progress.

But Mike Nevin, who is the only County supervisor to take an active role in the matter, thinks more time is needed for change. "That doesn't happen overnight. . . We're still in the process of doing that two years later," he said.

### Structural changes

Considered one of the top child protective services agencies in California, CFS did not have the necessary safety to protect Angelo from his father. Previous reports and critics have concluded.

"The system didn't work properly," said Juris Dumpis, Angelo's lawyer. "We can't put the blame on any one entity; a whole bunch of things broke down in the case."

Key to Angelo's death was a systemic flaw that let a social worker and supervisor make momentous decisions about the child's relationship to his abusive parent. Changes since then have resulted in a team decision-making process, allowing social workers and supervisors to consult with birth families and other colleagues about a case.

In addition, the juvenile court now approves when a child can go home on an unsupervised visit, whereas, in Angelo's case, that decision was made by a social worker and supervisor.

Fulfilling one recommendation, the agency was given a dedicated director, Mark Lane, who oversees only child welfare and no longer manages other social service programs.

### The court and HSA

The rancorous relationship between CFS and the court has evolved into a truce marked by cautious optimism.

When Judge Marta Diaz opened Angelo's case files and hearings to the press and issued her scathing report in



**MARK FORCUM**

The superior court judge helped create the blue-ribbon panel investigating the child welfare system in San Mateo County.



**MARK LANE**

The new director of Children and Family Services.



**GEORGE MIRAM**

The superior court judge is one of five people appointed to the blue-ribbon panel to investigate the County's child welfare system.

2003, CFS/HSA and the court instantly became foes. A grand jury report said the relationship "suffers from deep distrust and a serious lack of mutual respect."

Regular meetings between the courts and CFS have helped open communication and restore trust.

Despite improvement in the relationship, some social workers want clearer direction from the court. Diaz said she is pleased that social workers have begun including more information, even differing opinions, in court reports. This helps Diaz make more informed decisions.

"The notion finally sunk in that the judge is wearing the whistle," Diaz said. "The judge calls the balls and strikes and the judge is the decision maker."

Judge George Miram, who sat on a

blue ribbon panel that studied the child welfare system, agreed it's important that the agency recognize the court's authority: "The court has to have a role where it's the ultimate determiner of what occurs. . . It's there in part as a check on the agency's power."

### Foster parents

After Angelo's death, foster parents complained about being treated like "glorified babysitters" who had little input in children's cases.

Today, they're working to get more respect, but they feel there's a long way to go. They want to create a handbook about legal rights and services because they feel the agency provides inadequate training.

# County social workers still feeling the sting of baby Angelo's death

By Amy Yarbrough  
and Emily Fancher  
STAFF WRITERS

Drug addiction. Sexual abuse. Depression. Kids raised in filth.

Each day, social workers with San Mateo County's Children and Family Services help families "living on the fault line."

Paid little, they juggle enormous responsibility, tons of paperwork and dozens of cases, many involving kids who are placed outside the County. At night, they obsess. During the day, they learn to prepare for anything.

And social workers are still feeling the fallout from the death of 8-month-old foster child Angelo Marinda, who died Dec. 26, 2002 — killed by his father. Some of the blame was cast on his social worker, Amy Huber, who was accused of mishandling of the case. But many social workers feel it could have just as easily happened to them.

"There but by the grace of God, it could have been my case," said social worker Priscilla Johnstone, who has 17 years' experience and works in CFS' investigations unit.

"A lot of people felt isolated after the Marinda case," she said. "There's a lot of concern about risks."

A social worker's first job has always been to keep kids safe, according to Erika Roman and Karla Rugama, social workers who help families through the reunification process.

Their other duties can range from going out and getting



RON LEWIS — STAFF

**EVERYDAY HEROES** — Erika Roman (left) and Karla Rugama are social workers with the County's Children and Family Services.



children into therapy or day care to arranging dentist visits or seeing that kids get to visit their parents. On some days, their goal is to find charities to provide food and clothing for a family. On others, they may have to leave the Bay Area and drive most of the day just to visit one child.

"It seems as though the cases are getting more intense, more involved with less resources," said Roman, who says the increasing number of immigrants in the County has meant more families forced to live in difficult situations.

Neglect is ever-present, Johnstone said, from not feeding to not nurturing a child. One home she visited had rugs so embedded with animal feces, her feet stuck to the floor. Another child missed 40 days of classes because the parent couldn't get the child to school.

"It is very difficult because you probably see the worst of the worst, the people most of our society doesn't want to talk about," said Rugama, who has been with the agency for six years.

Veteran social workers like Rugama handle about 25 cases

at any given time. Pay for new social workers is about \$45,000 a year. Turnover is high because of the stress.

"There are certain things that we think are going to be best for the family, and we're faced with a brick wall in the agency," said Rugama, who feels optimistic about the agency's new director and some recent changes to the system. "I think a lot of social workers, the ones that have been here for a long time, feel burnt out."

Adding to the pressure of the job, social workers must use every avenue to try to reunite children with their families. What the public doesn't necessarily understand is that often kids want to be with their families, even if they are abused.

Since Angelo's death, morale among social workers has suffered even further, as pointed out in reports by a grand jury and a blue-ribbon panel. Angelo's case reinforced how hard it is to care for abused kids.

"I think it's really in your face that this could happen to anyone and that's devastating," Roman said. "All the responsibility falls on you... Imagine taking that home."

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# Time will tell if HSA is committed to change

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**W**ith peace breaking out within the embattled San Mateo County child welfare system, it is clear that positive change has taken place since the death of 8-month-old Angelo Marinda at the hands of his father.

But, as outside consultant Charlene Chase so aptly reported this week, only time will tell if the leadership of the Human Services Agency is truly committed to the task of fundamental change that three different investigations said must occur to prevent more such tragedies.

There is no question that the system — meaning the juvenile court and HSA — broke down and needed fixing, as a Times investigative report over the last three days showed in great detail.

The most obvious flaw is how a single social worker was put in the position of making key decisions that ultimately allowed Angelo's killer to prevail. The system failed to provide adequate backup to that worker. Since then, changes have been made to create team decision making on major matters. And, a juvenile court judge now is the only person who may decide whether parents can have unsupervised visits with battered children.

It is also obvious that foster parents were given little background about their foster children, and had little say in what happened to them. A state law and some changes in county policies now open up the system to these people who are on the front line in protecting children from life's perils.

If any of these new procedures had been in place before Christmas 2002, Angelo Marinda might be living today.

What's shocking to consider, though, is how HSA leaders at first denied that changes were even necessary. They insisted that they hadn't failed Angelo and the system was fine. If juvenile court Judge Marta Diaz hadn't force fed truth down the throats of HSA leaders — with the assistance of a press invited in by her to explore the controversy — it is likely that the substantive policy changes we now are seeing would not have happened.

In the end, guts and openness are why the child welfare system in San Mateo County is becoming better than before Angelo died. But pride and hubris may yet derail the process.

Critics of the system — including a blue-ribbon panel of distinguished citizens — were adamant that the top leadership of HSA had created a system answerable to itself and not to the public, a system that intimidated its own workers to the point they feared offering a different opinion, a system that treated foster parents like second-class citizens, an agency that pridefully annointed itself as beyond reproach. And that's only what the panel said on the record.

Off the record — which is the only way most of the panel members would speak — the criticism was harsher yet, especially with regard to HSA chief Maureen Borland. That most panel members wouldn't speak on the record — even when they saw their own report jeopardized by a possible county whitewash — is puzzling and perhaps speaks more than we know about the unseeable influences that really govern the county.

On the record and out front — not pulling strings in private — is where we want to see our governmental leaders, whether guiding our public safety agencies or broadly leading through political process. It is the dominant lesson of this entire painful process — a process that handled openly might have made us all feel proud about who is serving us, rather than suspicious of how we are being served.

The process of change has merely begun, although consultant Chase, hired at the behest of critics, writes of positive signs in her first report. What she writes about in future reports is in the hands of a few. We'll be watching over her shoulder.