

# Officials Turn Blind Eye To Abuse, Lawsuit Claims

By Cheryl Romo

Daily Journal Staff Writer

It is nearly impossible to determine how many lawsuits MacLaren Children's Center is defending. And those in charge of defending them at the Los Angeles County counsel's office say they don't keep those kinds of statistics.

Those that can be found, however, give some indication of the conditions at

**'Already traumatized children move into institutional settings where they eat and sleep in large units, cannot maintain their possessions, are deprived of choice in food and clothing, and are exposed to children with serious emotional problems. The longer they stay in shelter[s] the more they learn to exhibit unacceptable behavior in order to get attention.'**

— Youth Law Center complaint against state of California

MacLaren and the legal risks faced by it and other shelters throughout California.

Unlicensed children's shelters recently were ordered to comply with state laws or risk being closed down.

The taxpayer action in San Francisco Superior Court was filed by attorneys with the Youth Law Center, a public-interest law firm in San Francisco.

They claimed that state officials routinely turned a blind eye to serious problems at unlicensed children's shelters. It focused on the shortcomings of facilities run by the counties of Humboldt, Los Angeles, Orange, Placer, San Diego, San Joaquin, Santa Clara and Sonoma.

The suit charged that the shelters were not equipped to provide crisis intervention to children who were victims of severe abuse and neglect and claimed that "this total disregard for the needs of children" had caused immediate trauma and long-lasting harm.

"Already traumatized children move into institutional settings where they eat and sleep in large units, cannot maintain their possessions, are deprived of choice in food and clothing, and are exposed to children with serious emotional problems," the complaint states. "The longer they stay in shelter[s] the more they learn to exhibit unacceptable behavior in order to get attention."

Monte came in for a particular drubbing in the complaint. MacLaren was faulted for overcrowding, lack of mental health treatment services, the staff's excessive use of physical restraint and violations of personal rights.

"Confinement at MacLaren subjects children to chaotic, violent and dangerous environment. Statistics for the first six months of 2000 show that police were called to MacLaren almost twice a day on average (39 calls in six months). Since January 2000, at least 53 children have been arrested at MacLaren," the complaint states.

The Youth Law Center also charged that the state Department of Social Services receives federal funds to support child-welfare services and that, by placing children in unlicensed county shelters, it is violating federal law. That practice violated the children's rights to due process and equal protection, the complaint claims.

On April 17, Judge David A. Garcia issued a decision in the case that could doom the shelters. Garcia ordered the county shelters to improve their facilities to comply with state licensing requirements or shut down.

Garcia's decision also ordered the California Department of Social Services to require that county shelter facilities be required to comply with state licensing requirements contained in the Community Care Facilities Act, Health and Safety Code, Section 1500, "within a reasonable time from the date of this Order."

The Community Care Facilities Act requires that facilities maintain the following standards:

- Not be overcrowded
- Routinely complete staff criminal record and child-abuse registry checks
- Provide training for staff so they are qualified to work with kids
- Strictly limit physical restraints and staff interventions to the most egregious situations
- Allow children to interact with the community and their families
- Separate vulnerable kids from youth that could pose a danger to them
- Provide infants and toddlers with special care consistent with their needs
- Establish regulations to ensure that all children have privacy and their personal rights are respected.

Los Angeles County officials are holding meetings with state officials to determine their next step in the lawsuit.

"It's up in the air and the state is trying to clarify to find out what the court order means," said MacLaren's director John Robbins, who said he doubts his facility's future is in jeopardy.

MacLaren also is being targeted with a class action by an attorney who already represents four children injured at MacLaren.

Sanford Jossen of Manhattan Beach is in the process of amending a lawsuit filed on behalf of a client whose arm was broken. He plans to refashion the suit as a class action seeking protection for all children at the shelter.

"What we are going to claim is that there is a pattern of conduct at MacLaren," Jossen said. "Even with a belligerent kid, when you restrain them, you shouldn't be breaking their arm. ... If these were isolated incidents, one would have a different view. But so many? There is something fundamentally wrong going on here."

All of Jossen's current cases were forwarded to him at random by the Los Angeles County Bar Association, which received them from the Los Angeles Juvenile Court. All the cases involve dependent kids whose last names are withheld:

■ Jazzmon, then 13, was "assaulted, restrained and battered" by three MacLaren employees, according to a lawsuit. The adults allegedly used such force on July 12, 1999, that they broke the child's arm. The incident, according to the complaint, was "willful, wanton and despicable" and Jazzmon suffered fear, physical and emotional discomfort, damage, pain, apprehension, psychological trauma, loss of dignity, nightmares and, worst, a loss of trust. *Jazzmon R. v. County of Los Angeles*, BC237613 (L.A. Super. Ct., filed Sept. 28, 2000).

■ Polaroid photographs show a pretty girl with a huge bruise on her cheek and a black eye. Melanie, 15, allegedly was assaulted and battered by several staff members while in residence at MacLaren Children's Center. Melanie's claim against the county, which recently was rejected, indicates she suffered contusions and abrasions to her face plus emotional distress.

■ Felicia, 16, allegedly was assaulted and battered by four MacLaren staff members in February 2000. The girl's claim for damages against the county indicates that staff told her to stop cursing; she claimed she wasn't cursing. When Felicia asked to use the restroom, she allegedly was slammed face first on the floor, and her front tooth was knocked out. She also suffered bruises and other injuries. The girl said the staff would not allow her to go to the infirmary afterward, even though she was spitting up blood. Felicia eventually was treated at USC Medical Center.

■ Ruben, age withheld, reportedly was tackled to the ground by two MacLaren employees while another staff member twisted the boy's arm behind his back. While Ruben was on the ground, he claimed someone kned him in the back. The boy was treated at a hospital and released. However, his injury worsened, and the next week Ruben's arm was placed in a cast.

Another bar panel member, Ron Eisman, a sole practitioner in Whittier, said he's had two recent excessive-force cases involving foster children whose arms were fractured at MacLaren. Kevin, 12, and Stuart, 13, (last names withheld) were injured during restraint procedures by shelter staff.

"These were just two young boys. And if you compare the size of the people who were restraining them, it was not equal," Eisman said.

Although Eisman would give no further details and cited confidentiality concerns, he said both incidents happened in late 1999 and recently were settled with the county for \$4,400 and \$4,000.

Robbins said each situation where a child is injured during a restraint procedure is fully investigated by an outside agency, generally law enforcement. Most situations, he said, involve a child attempting to harm himself or another.

Robbins said his staff always has acted appropriately.

"If I knew that this was [not] the case, I would be moving for termination," he said.

On the other side, Jossen and other attorneys who represent dependents of the juvenile court said they are beginning to wonder what's going on.

"By pure, random chance, I have received four cases, three of which involve females, of children who were injured at MacLaren over a relatively short period of time," Jossen said. "If parents were inflicting the injuries on their kids that they are doing at MacLaren, they would be removed for abuse and neglect."



HUGH WILLIAMS / Daily Journal

**ANDREW BRIDGE** — "MacLaren today is a very different facility. It's a de facto mental facility and the staff lacks the appropriate training to care for and protect these

children," says the Harvard Law School graduate who as a child spent six months at MacLaren Hall, as it was called then, before being placed in a foster home.

## Former Resident Recalls Trauma of MacLaren Days

If anyone captures the hope and the harm of MacLaren Children's Center, it is Andrew Bridge.

As a child, Bridge was taken from his mother and lived at MacLaren Hall (as it was called then) for six months until he was placed in a foster home. He was never returned to his mother and "no one adopted him."

"You were treated in every respect like you had entered the juvenile justice system," he said. "They took your possessions and catalogued them. You were given a standard-issue white T-shirt that said 'MACLAREN' on the back and you wore standard-issue jeans and white sneakers."

Now 37 and the chief executive officer and general counsel of the Alliance for Children's Rights, a public interest law firm, the graduate of Harvard Law School said, "There was no room or concern for individual identification or the trauma of having just left your parents for whatever reason."

Boys, ranging in age from preschool to 18, were sent to live in a large dormitory, while girls went to the another dormitory.

"Fights were common, as were AWOL attempts by kids trying to climb over the barbed wire. The punishment was swift and harsh and, at the time, every child was aware that for an infraction they could be subject to lockup," Bridge said.

Lockup was a windowless room with a mattress. Children, according to old news accounts, were routinely kept there for days at a time, sometimes in the dark.

Bridge, a first-grader at the time, said he found himself in the lockup shortly after he arrived at MacLaren.

"I was too shy to go out and play with the other kids. I wanted to sit on my bed," Bridge said. "If the room was intended to change a child's behavior, it certainly did that. From that point on, I wanted to go outside. It worked."

In hindsight, he said, putting a traumatized child in an isolation room is more psychologically damaging than physical violence. "There is no justification," he said.

Bridge also recalled how it felt to be taken to court in a Sheriff's Department bus with bars on the windows and where adult prisoners sat with little kids.

What particularly hurt the lonely boy was that no one would allow him to see his mother. "MacLaren was a place that ripped into a child's soul," he said.

Others remember how MacLaren Hall was then, too.

One of them, Fred Baker, 54, a former deputy probation officer, confirmed Bridge's recollections about the treatment of dependent kids. "They used to put the delinquent and the nondelinquent children all together," he said. "The nondelinquent children were treated almost like the probation kids."

In the late 1970s, the county began moving delinquents out of MacLaren Hall and the facility was refashioned as an emergency shelter. Many of the employees who worked for the Probation Department elected to remain on at the facility. They were allowed to do so, which allegedly created problems. A retired employee of the Department of Children and Family Services, who asked to remain unidentified, said the corporal punishment of children at MacLaren by former Probation Department employees became the norm. "Getting them not to use excessive force was difficult," she said. "Some lost their jobs because of it."

In the 1980s, the word "Hall" was dropped and the facility was renamed MacLaren Children's Center. In place of the old dorms, bungalows were built to house smaller numbers of children in age-appropriate rooms for them. In

things owe a special credit to United Friends of the Children (a volunteer group). They changed that place from what it was when I was a child there," Bridge said.

Over the years, Bridge has watched changes, as only someone who's lived

"MacLaren today is a very different facility. It's a de facto mental facility and the staff lacks the appropriate training to care for and protect these children," Bridge said. "Institutions like MacLaren do a poor job of ensuring the physical and emotional safety of children."

— Cheryl Rennie

# Judge Calls School's Services 'Inadequate'

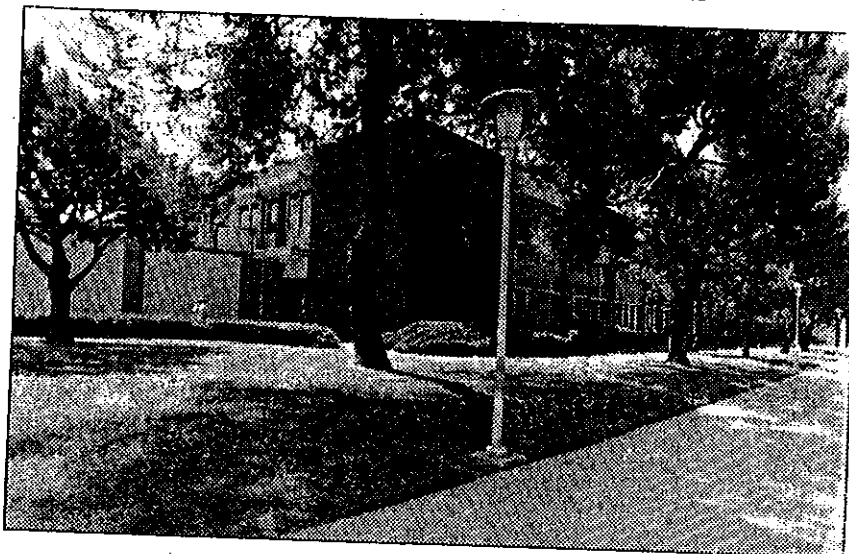
The senior boy's classroom at MacLaren School had the feel of any high school: rumpled kids, who looked like they'd rather be anywhere else, hunched over their desks reading and writing; bulletin boards full of prize papers; a frazzled teacher doing her best.

Yet the classroom housing 10th, 11th and 12th graders was occupied by as many adults as students. Among them were teacher's aides, volunteer foster grandparents and, in the back row, social workers who looked an awful lot like beefy prison guards.

The school offered a core curriculum (plus classes in anger management and drug awareness), diagnostic testing and a computer lab. Still, this was not your everyday school.

The atmosphere was sad. Most of the kids who attend school on the campus of MacLaren Children's Center in El Monte have survived abuse, abandonment or neglect. For the most part, the kids were removed from their families and homes for their safety and protection.

In addition to being emotionally vulnerable, the students often have serious mental health problems, physical handi-



HUGH WILLIAMS / Daily Journal

**SCHOOL DAZE** — The MacLaren Children's Center in El Monte has its own school on the grounds, but many question the adequacy and quality of its instruction. A county task force is currently overhauling school policies.

**'We have today more kids with emotional disturbances. The kids come to MacLaren by order of the court and we service whomever comes.'**

Larry Springer,  
Los Angeles County Office of Education

caps or learning disabilities. Some have all three. Unfortunately, the kids who stay on the longest at the county's only children's shelter are here because other facilities don't want, or have room for, them. They are considered too hard to handle.

Many feel MacLaren and its little school have become the last stop for teenagers before they are sent to juvenile hall, the California Youth Authority or a state mental hospital.

The law guarantees children an education commensurate with their abilities regardless of their emotional or physical handicaps. "We have today more kids with emotional disturbances," Larry Springer, the director of the Juvenile Court and Community Schools for the Los Angeles County Office of Education, said of students at MacLaren School. "The kids come to MacLaren by order of the court and we service whomever comes."

Because of the transient nature of a shelter school, the MacLaren curriculum

was designed based on 30 days of instruction. That goal has been ripped apart in recent years. "Youngsters stay at MacLaren longer than we would like," Springer said.

Yet for all the difficulties of running a year-round school where up to 75 percent of the students have special educational needs, Springer is proud that his school and its 11 teachers are accredited. Other faculty include a speech-language therapist, resource specialist, deaf/hard-of-hearing specialist, deaf/hard-of-hearing translator, adapted-physical-education specialist, two psychologists, behavior management assistants and instructional aides.

"The staff members we have are very dedicated and focused and they want to work with this population," he said.

Springer also is proud that eight students received their high school diplomas from MacLaren School last year and that one of them spoke at graduation. "When they get a diploma, where they might not have, it is a source of pride for all of us, particularly the teachers," he said.

Despite those signs of hope, many familiar with the school say it is failing the children it serves. Among them are:

- Los Angeles Juvenile Court Presiding Judge Terry Friedman, who has called the curriculum and services offered at the school "inadequate." Friedman recently singled out MacLaren School as perhaps the worst of the county-run Juvenile Court and Community Schools.

- Members of the county Commission on Children and Families, which provides oversight of MacLaren. They have zeroed in on high teacher turnover, which they describe as a serious problem.

- Public interest law firms, like Public Counsel and Mental Health Advocacy Services Inc. Among other things, they have questioned the quality of the diagnostic assessments offered to special-needs kids.

Springer, 50, has for the last six years headed the county office of education

division that runs all the county's schools at detention facilities and MacLaren. He believes some of the criticism results from outsiders who don't understand how a shelter school operates.

"I've come to the conclusion that these critics want the best for the children, for — and they're just doing [the criticizing] from their sphere of influence," he said. "After much reflection, that's where I am with the folks that criticize."

Concerns about the adequacy of education at MacLaren School led the county to hire Frederick J. Weintraub, an outside investigator, to study whether students were receiving legally mandated educational and behavioral assessments. Weintraub concluded that, in some cases, they were not.

Public interest law firms that specialize in protecting children, including Public Counsel and Mental Health Advocacy Services, disagreed with the Weintraub Report — particularly its conclusion that MacLaren School and other facilities run by the county office of education were exempt from special education laws that require schools to provide a wide range of options for kids, including placing them at outside schools.

As a result, the policies of MacLaren School — especially those governing the education of special-needs students with emotional disturbances — are being overhauled by a county task force chaired by Friedman.

"Primarily the changes have been in the area of interagency coordination," Springer said of the talks so far.

Asked what he would like to do to make MacLaren School a better place, Springer, an educator for nearly three decades, paused before saying, "It's hard not to think of the plight of these kids. If I had to wish, I would wish for a wholesome home for each and every one of these kids — a home with a mother and dad and everything they need."

# MacLaren Houses L.A.'s Abused, Abandoned and Neglected Minors

Continued from Page 1

stuffed animals on the pillows, were lined head-to-toe on both sides of a breezeway. The unused adjacent bedrooms were designed to accommodate two or three residents each.

The children, Robbins said, were subjected to this unusual living arrangement because some were self-destructive, violent and dangerous — and could harm the younger, more vulnerable girls. MacLaren officials put all the beds and their occupants in the breezeway so "four to five" professional staff members could observe them at all times.

Visiting a classroom at MacLaren School gave insight into another unusual arrangement. There were as many adults keeping tabs on kids in the senior boys' class as there were students. The atmosphere was overwhelming and, in its own way, sad. "How can you expect a kid to learn in such an environment?" Bridge asked.

Reports of such troubling scenarios led the Daily Journal to spend the last year seeking access to MacLaren and some of its children. I became interested after hearing reports from county and court officials that kids were being mistreated there. So, I filed a petition with the Los Angeles Juvenile Court last June and asked to speak privately with kids living at the facility. Within a month, Juvenile Court Presiding Judge Terry Friedman had granted our petition and suggested I be allowed to interview 10 of MacLaren's young residents. Unfortunately, it quickly became a test of faith whether I would ever be allowed to speak to the children even though, I was told, they had volunteered to speak to us.

Scheduled interviews with MacLaren kids were routinely canceled, and I was told that some kids had decided they did not want to talk to us. In the end, I was able to speak with three current and former residents.

One of those residents, Christina, 15, exemplified the new face of MacLaren. The longtime shelter resident overslept the morning of our interview. The tall, pretty young woman with neatly braided hair arrived wearing gray sweats and rubbing her eyes.

Christina was determined to speak to the outside world about conditions at the facility she has been in and out of so many times she couldn't remember details about the duration of her stays. She entered foster care at the age of 7, and said living in the system has been "rough" and unpleasant. MacLaren has been her worst experience.

"I don't like how the staff puts their hands on the kids," she said. "The staff is not supposed to put their hands on kids. ... But the staff grabs me and the other kids. They bend our wrist and put it way back here [gesturing to the center of her back]. That's how some of the kids get their arms broke."

Cautioned by her dependency court attorney to temper her remarks lest she face repercussions from MacLaren's staff, Christina lashed back: "I want them to know who I am."

Christina said she knew of at least two girls whose arms had been broken during restraints and, two years ago, she said her arm was nearly broken and a muscle was pulled out of place. "They are not supposed to restrain us like that," she said.

She also said she was concerned that drugs and alcohol are being smuggled onto the El Monte campus by some MacLaren residents. "They should send them to jail," she said. "The staff knows about it and sometimes they don't care. I don't know why."

Another problem was the food served at the facility. "It's horrible," she said. "I don't really know what they are doing to that food. I really don't eat it."

At the time of our interview, Christina, a bright student who likes to learn, said she was boycotting MacLaren's school. "I go when I feel like it. ... It doesn't

interest me," she said. "I just kick back and watch TV."

What brought a sparkle to this woman-child's sad eyes was when she talked about her grandfather, who visits every week, and her friends. One day she hopes to become a professional basketball player and said she's thinking about becoming a pediatrician as well.

Asked what she would change about MacLaren, she didn't pause. "I would stop letting the staff restrain the kids," she said.

MacLaren's history has been checked since the days it served as a juvenile hall for delinquent youth at the same time it housed abused kids.

Though the delinquency kids were moved to another facility in the late 1970s, the abused children who remained were not necessarily left better off. In the 1980s, the shelter's staff physically and emotionally mistreated children, according to numerous accounts. Following widely-publicized scandals, county employees were prosecuted and convicted of everything from molesting kids to drug dealing on the premises.

Recently, the specter of staff mistreatment of kids has re-emerged following documented injuries to children, ranging from broken bones to sprained limbs and blackened eyes. Some of these injuries have resulted in lawsuits being filed against the county on behalf of foster children.

Many feel the shelter's staff is improperly trained to deal with special-needs kids. Perhaps because of that, a Manhattan Beach lawyer is preparing a class action on behalf of all children at the shelter. Among the claims of the children he and other lawyers represent are broken arms and other injuries sustained during restraint procedures.

Ron Eisman, a Whittier attorney, recently settled claims brought by two boys who suffered fractured arms during restraining procedures by staff.

"I don't think they intentionally wanted to break their arms, they were just not trained in the proper procedures," Eisman said.

According to MacLaren's director, however, it is the children who lose control — not the adults.

"He or she may be assaulting another child or the staff. They have to be contained, and in that containment process is when a child can get hurt," he said. If a child is injured, Robbins said, an outside agency, generally law enforcement, is brought in to investigate. Although some disagree, Robbins said he is unaware of any situation where a MacLaren employee has deliberately or negligently injured a child.

Robbins must deal with other threats to the institutions and its residents, as well. A judge recently ordered MacLaren to meet the same state-licensing requirements as any other community care facility, including restrictions on overcrowding, special education, physical restraint and staff training. "MacLaren couldn't survive one day if it's forced to meet state code," said a leading child advocate who asked not to be identified.

Robbins, however, is not worried about MacLaren closing its doors: "I think that everybody believes there will be some licensing requirement. It's up in the air, and the state is trying to clarify to find out what the court order means," he said.

Putting aside the issues of state licensing and other lawsuits, there remains a huge problem: MacLaren no longer serves the purpose for which it was intended — a short-term emergency placement for at-risk kids. About that, everyone, including Robbins, agrees.

Instead, MacLaren has become a hard-edged limbo land for kids no one else seems to want.

"Shelter care facilities are an idea of the '70s that didn't work. They are a dumping ground for children," Bridge said. "They are where foster care dumps its children. And, rather than being a temporarily facility, which is what they were intended to be, kids grow up at

places like MacLaren, which is a travesty. How can a kid grow up in MacLaren and expect to survive on the streets of Los Angeles when they leave?"

The majority of the children at the shelter today have serious emotional problems, physical disabilities or both. The cost of housing a child at MacLaren is \$123,000 per year.

Child advocates say these kids are on a perpetual trampoline that bounces them between stints at MacLaren, psychiatric hospitals, foster homes and juvenile hall.

Manual, 17, arrived early for our interview. The serious young man waited patiently in MacLaren's lobby with a counselor from the private facility where he had recently been transferred. When Manual learned that his attorney and favorite social worker wouldn't be there to sit in on the interview (and had sent surrogates in their place), he seemed hurt and dejected.

That didn't stop him.

Since he was 9 years old, Manual has been in and out of the foster-care system. He's lived at MacLaren on three different occasions and, most recently, spent three months there before moving to a facility in Rosemead. MacLaren has been one of the only constants in his life.

"The first time I came here I thought I was in juvenile hall and I was going to get locked up. I saw the walls and everything. But it wasn't like that. I made friends," he said.

During his last stay, Manual ran away three times, always returning to his family's neighborhood in Highland Park. In truth, he said, his family rarely comes to see him. He went home anyway and generally got himself into some kind of unspecified trouble.

Asked what he would change about MacLaren, Manual said he would remodel the building. "I would make it more up to date," he said.

Like Christina, he also would change the quality of the food. "It's not that good. Sometimes the mayonnaise had green chunks in it. It was nasty," he said.

The worst thing at MacLaren, he said, was the school. "It needs a little bit more control. It's not that good. Kids need to get a little bit more help," he said.

Another problem was the kids. "Some of them are in gangs," he said. "They team up."

Manual admitted he was no stranger to trouble. "The [district attorney] was trying to put me away. I got angry. And he tried to put me away and tried to put me in [probation] camp," he said. "My attorney got me out and they had an open bed at Mac. So they brought me here. They saved me."

Although the youth admitted he'd had unpleasant encounters with some of MacLaren's staff because of his temper, he feels most of the adults who work at the shelter are "cool." Manual said that on his last birthday the staff gave him a Walkman and several stuffed animals. "All the staff are cool to me," he said. "If you show them respect, you get it back."

Other fond MacLaren memories had to do with friends, popcorn, snow cones, video games, field trips and playing basketball. But Manual, who wants to become a deputy sheriff, admitted he still has trouble controlling his temper.

"I get angry when people try to put consequences on me. But you have to accept the consequences or it gets worse and worse," he said.

Maggie Brandow, a staff attorney with Mental Health Advocacy Services Inc., said, "These are kids with serious psychiatric problems and they don't last long at MacLaren because it's a chaotic environment. They break down."

Brandow, whose expertise is in representing mentally ill children, said her clients are frequently hospitalized and then returned to the shelter. "The ambulances come to MacLaren and the kid takes his belongings in a trash bag," she said. She believes some of these hospitalizations are unnecessary.

Robbins said his staff errs on the side

seives or others. "It happens frequently," he said. "Their impulse control is out of control."

Other kids who act out are just as likely to find themselves leaving MacLaren in a squad car that transports them to juvenile hall. Mental health advocates contend shelter kids often are arrested for nothing more than manifesting the symptoms of their illnesses.

"Two of my clients, both girls — one is mentally retarded, the other mentally ill — were arrested in the last two weeks at MacLaren for assault," Brandow said. "I'd like to know who's making the decisions about whether these kids are criminals or mentally ill."

Robbins, however, maintained that "there are times when we have a child who assaults another child — and the child who is assaulted says, 'I want to press charges.' Law enforcement decides whether to take the child to juvenile hall. ... We also have children who assault staff."

Asked why these kids have so many problems, Robbins responded that he thinks it's part of the price society is paying for the excesses of the '70s and '80s.

"Drugs, clearly, and alcohol are two issues that are just tearing the guts out of every community in this country. Some kids are beyond repair because that kind of damage doesn't go away. We have increasing numbers of kids who are damaged because of the rampant use of drugs in all sectors of society," he said.

Robbins feels too many parents simply don't have time for their kids.

"In many ways, we are a less caring society. We don't care for each other as we used to," he said. "We have created a throwaway society where everything is disposable. I think that in some ways we've crossed over the line and our kids are disposable, our mates are disposable, everything is disposable."

Robbins has spent virtually his entire career helping children, beginning as a child welfare worker in San Diego in 1960. He has seen the changes among children — and institutions like the one he now runs. Robbins was hired two years ago, following a death at MacLaren that shook Los Angeles County to its core.

On Oct. 10, 1997, Jason Pokrzywinski, a mentally troubled 12-year-old, collapsed and died after inhaling fumes from a can of hair mousse. Jason had been in a series of psychiatric hospitals for treatment of inhalant abuse and depression before he was sent to the shelter. He was unsupervised at the time he sniffed the mousse. At the time, Jason was on "one-on-one" watch; all his activities were supposed to have been monitored by MacLaren's staff.

Jason's mother, Debbi Pokrzywinski, filed a lawsuit against the county in June 1998. She was represented by high-profile attorney Gloria Alred of Alred, Maroko & Goldberg who described the boy's death as a "human sacrifice" and a wake-up call for Los Angeles County.

"The death of a high-risk child at MacLaren under those conditions was a tragedy waiting to happen," Alred said. "Jason Pokrzywinski became the first child victim to lose his life there because the system, whose duty it was to protect him, failed instead to provide the supervision and care which could have saved his precious life."

The mother's lawsuit, which was subsequently settled, alleged negligence. She charged that high-risk children, some with serious mental illnesses, were being sent to live in a facility that was not designed for them and that failed to provide the therapy, treatments and/or supervision they needed. Pokrzywinski also charged that her son had been given prescription medications in excess of the dosage levels prescribed for him. *Pokrzywinski v. County of Los Angeles*, KC028421 (L.A. Super.

Jason died and everything was put on hold," Patricia Curry, a commissioner with the county Commission on Children and Families, said.

In short order, a management consultant was hired by the county to study what was going on at MacLaren, then under the control of the Department of Children and Family Services. Among other things, the consultant suggested the facility needed strong, centralized leadership. Thus began a major push to consolidate and coordinate services for kids at MacLaren.

From that point, county departments began to pool resources and revenue to operate MacLaren. This interagency group, which was in October 1998 dubbed the Interagency Children's Services Consortium, consisted of the directors of the departments of children and family services, mental health, health services, probation, education and the chief administrative office. At the time, the concept of agencies working together was hailed as a unique and grand experiment.

Once the ball was rolling, all the consortium needed was an administrator to run the day-to-day operation of the shelter. It was determined that this individual would be employed by the chief administrative office and would be accountable to the consortium.

Enter Robbins, who was then the administrator at San Diego County's children's shelter. Robbins said he applied for the job at the eleventh hour and was hired in June 1999. Widely admired for his management skills, observers say Robbins has an impossible job and too many county bosses to please.

As director, Robbins has introduced an array of programs and reorganized MacLaren's staff. New programs include a wraparound-services pilot project, an emergency mental health clinic, on-site conflict resolution, yoga classes and an independent-living program for older kids leaving foster care. "We're at the point of change now and we're going through the process of transition," Robbins told members of the county's Commission on Children and Families last October.

For all the reorganization and Robbins' skill, observers say the bottom line is that conditions for children living at MacLaren haven't really improved.

"Many of the problems are inherent in having a large institutional facility for children, particularly abused and neglected children," Friedman said. "It's far from a family setting and these are very often seriously damaged children with profound mental disorders, significant mental delays and serious behavioral challenges."

The underlying problem, Friedman said, is there are few placement facilities that will accept kids with behavior problems. "There is little, if any, treatment available at MacLaren. The educational program is unable to provide all of these children with the appropriate education they are entitled to."

Bridge agreed, saying MacLaren is part of a problem that is not unique to Los Angeles County. "It's a failure to provide mental-health services," he said. "We are witnessing a deterioration in these children's lives because of our failure to intervene in an effective way."

So far, Friedman said, the only change he's seen was the creation of the consortium. "It's a positive step," he said. "The agencies are working together and that's a big improvement. I think there's improvement on the service delivery side, but it has not borne fruit for the children who remain at MacLaren."

The consortium's goal, Robbins said, is to create something called an "integrated services model." What this means is unclear — and the failure to communicate likely rests with the consortium, which holds nonpublic meet-

ings of the county counsel's staff, who sat in during a recent interview with Robbins at MacLaren, called to correct the director. Consortium meetings of county department heads, she said, are "not open to the public."

Kids often say they think MacLaren looks like a prison.

"It's a version of a prison, a 'home' run like a quasi-reformatory," attorney Sanford Jossen, who represents children at MacLaren, said. "When I saw one of my clients, a 9-year-old retarded boy, I was blown away by where he lived. It was so clinical. ... As a civilized society we wouldn't tolerate this for our children. Aren't these our children?"

Though it's compared with a prison — and feels like one to many of the children who reside there — MacLaren actually is an unlocked facility and kids frequently run away.

If he could, Robbins said he would lock all the doors.

While the director acknowledged that MacLaren remains troubled, he believes things are in better shape than when he arrived. "Have we been able to develop better placements for the kids? No," Robbins said. "Is MacLaren a perfect place? No. Not yet."

Alred said the county has had sufficient time to do what's necessary to protect MacLaren's kids. "If they can not make children safe there, they should not accept children," she said. "We should not accept excuses. Politicians are responsible for whatever happens [at MacLaren], and they have to make a commitment to children in dollars."

Our last visit took place in Hacienda Heights. When we met him, Nicholas, 14, recently had left MacLaren and had moved to a residential group home. The first thing the lanky youth did to his new bedroom — which otherwise contained a pedestrian dresser, twin beds and a laundry basket filled to the brim with unfolded clothing — was to tape a copy of "Tiger Beat" on the wall.

The fanzine was clearly a precious possession, except that it wasn't exactly his. "I borrowed it from a girl," he said.

To break the ice, Nicholas, who hoped to become a singer in a rock band, took "Tiger Beat" off the wall. He sat on one of the twin beds with his visitor slowly sharing every one of the well-worn fanzine's pages. All the while he gave a running commentary on the lives, hairdos and musical skills of his favorite rock stars: No Sync, Backstreet Boys, Britney Spears, Hanson.

Blue eyes emanating an intense curiosity, Nicholas talked of his hopes of going to college. Most questions (unless they had to do with rock groups) were answered in simple phrases like "one month" or "one year." After each reply, his social worker shook her head to signal that Nicholas wasn't getting the answers right.

Put simply, Nicholas appeared to be developmentally delayed and had few recollections of life at MacLaren. He didn't know how long he lived there nor how long he'd been in foster care. He did remember that he liked some of the kids, and didn't like others, and he liked parties in the gym. Also, he enjoyed going to movies on weekends, and his favorite was "Space Cowboys." School was good, Nicholas said, and church was good because he could sing.

Best of all was when his family came. "My grandma and brother came to visit and take me out to lunch, sometimes, Denny's," he said, licking his lips.

Proud of what appeared to be a piece of jewelry on his black sweater, Nicholas took it off to give his visitor a closer look. It was a shiny gold pen with tiny angels on top. The future rock star leamed, "I bought it at the MacLaren store," he said.

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# Walls of Silence

May 27, 2001  
Cheryl Romo  
reporter  
L.A. Daily Journal  
Series

**LAST STOP** — Formerly known as MacLaren Hall, the MacLaren Children's Center in El Monte remains a place where troubled kids often are treated like prisoners and scant hope is given to their lives. In the words of its director, John Robbins, the center "has become the place of last resort."

RIGHT: WILLIAMS / FRANK, LEFT: HERRILL

## MacLaren Children's Center Has Become Hard-Edged Limboland for Kids No One Else Wants

By Cheryl Romo  
Daily Journal Staff Writer

In three decades, the memories have not faded. Andrew Bridge was 6 years old when police and social workers took him from his mother. An hour later, he was a prisoner behind the barbed wire, high walls and locked doors of MacLaren Hall. "It was a brutal place," he said. "A tough place."

### Special Report

Things have changed over the years. There's now a yoga class and an emergency mental health clinic instituted by a reform-minded director. The residents have changed, too.

"MacLaren has become the place of last resort," John Robbins, the director of what is today called MacLaren Children's Center, said. "Today, the population has become older, more damaged, more difficult — and that's where the long-term thing comes in."

Today, MacLaren remains a place where trou-

### Letter From the Editor

Today's special report on MacLaren Children's Center has been a year in the making. Our award-winning reporter, Cheryl Romo, spends most of her life talking to children and those who have the children's well-being in their hands.

More than a year ago, she began to wonder what was going on behind the walls of MacLaren after hearing reports of beatings and inadequate conditions for the 130 children there. At the same time, she knew a new leader with a strong reputation had been hired by the group charged with improving the institution in the wake of a child's death there.

Her reporting assignment seemed simple enough: Talk to children who are housed at MacLaren as well as others who have been.

Talk, as well, to John Robbins, the new director, members of the governing consortium and lawyers, judges and others involved in helping children. Then give our readers a status report on the lives of the kids whom Los Angeles County is charged with protecting. Juvenile Court Presiding Judge Terry Friedman

gave us permission to interview 10 children, and we were told all were volunteers who were eager, in fact, to have their stories told.

And then we fell into the rabbit hole. At every turn, it seemed, adults found reasons the children couldn't talk, ostensibly for their own protection. In particular, the LA County Counsel's Office repeatedly appeared to find ways to avoid our conversations with the children.

Seven of the 10 children never got to tell us about their experiences at MacLaren.

The County Counsel also denied us access to meetings of the consortium, keeping any meaningful oversight of this vital group out of the public eye.

The little bit we were able to glance at between the slats erected over the thoughts of children is haunting. Little beds in a breezeway, a Tiger

Beat on the wall, broken arms and battered souls.

It's hard to believe we can't do better.

Katrina M. Dewey  
Editor

bled kids often are treated like prisoners and scant hope is given to their lives. It no longer houses delinquents, but it is the only emergency shelter for abused, abandoned and neglected minors in Los Angeles County. Kids facing lesser challenges are immediately placed into foster homes.

After years of lawsuits and attempts at change, MacLaren today resembles the institution Bridge can't shake — with one major exception. Many of the children it houses are severely emotionally or mentally troubled.

"MacLaren was never intended to become what it is today, and that's a mental health facility. It's time for L.A. to recognize that," Bridge, now the chief executive officer and general counsel for the Alliance for Children's Rights, said.

About 130 kids, with an average age of 13, call this place and its military-style barracks home.

During a recent Daily Journal tour of the facility with Robbins, I saw one cottage for 11 girls — ranging from small children to developmentally delayed teen-agers. Nine little beds, most with

# Putting Kids in Adult Prisons Creates Problems

Although youth crime rates continue to drop nationally, the number of juveniles sent to adult prisons is on the rise. Experts attribute this change to tougher state laws aimed at cracking down on violent kids.

Much of this effort over the last decade has come in response to widely reported incidents of school violence, like the Columbine tragedy, and gang-related homicides.

But is adult prison the answer?

"All we are doing is creating monsters that we'll have to keep in one type of system or another for probably the rest of their lives," criminal justice professor Steve Smith stated in a report released by Ball State University, where he teaches, in Muncie, Ind.

Today, one in 10 juveniles in the United States — 10 percent of the 85,000 kids who are incarcerated — is confined in an adult prison. Girls are the fastest-growing population in both the juvenile and adult criminal justice systems.

The vast majority of kids confined to adult institutions are people of color. They are confined in facilities where they receive little or no rehabilitative services, according to a recent national study by the National Council of Juvenile and Family Court Judges.

The council's report urges the president and other federal government leaders to embark on a

campaign to change the public's perception that intervention and youth rehabilitation programs don't work.

In addition, the U.S. Department of Justice's Bureau of Justice Statistics estimates that 28 percent of violent female offenders are juveniles and three out of four of them committed simple assault.

Overall, four in 10 women who commit violence were perceived by the victim as being under the influence of alcohol and/or drugs at the time of the crime.

Nearly six of 10 incarcerated females also reported having been physically or sexually abused as a child.

A study by the American Bar Association indicates that kids in adult prison are more vulnerable to physical, psychological and sexual abuse by adult prisoners, and few adult facilities provide therapy, age-appropriate education or vocational training, decreasing the likelihood young inmates will be able to return successfully to society.

A number of state studies indicate that kids sent to adult prison are more likely to have higher recidivism rates than kids sent to juvenile facilities.

"They've learned how to survive in the jungle, and that is all they know," Smith said.

Meanwhile, the Juvenile Forensic Evaluation Resource Center in Virginia has released a study that says kids have difficulty accepting authoritarian relationships and are forced to become more violent in order to survive life in an adult prison.

"They are eight times more likely to commit suicide, 500 times more likely to be sexually assaulted, and 200 times more likely to be beaten by staff than are juveniles in juvenile facilities," the report states.

"It's crazy in here," said Zena Long, a 16-year-old doing time in an adult prison in California. "Juvenile hall was more structured."

On the flip side, an ongoing Illinois State University study indicates that kids aren't the only ones with adjustment problems. State correctional officials also are having a hard time trying to figure out how to deal with kids who don't respond like adults.

"Research suggests that young inmates in prison react psychologically to the prison context in a manner that is vastly different from adult inmates," Illinois State researcher Martha L. Henderson writes. "Despite such findings, more and more juvenile offenders are being waived over, or because of legislative mandates, sent to the adult system."

— Cheryl Romo



compared to her seven, for roughly the same crime she was convicted of in Los Angeles County. The girls stuck together because they have no one else to turn to.

"None of [us] here killed anybody, and none of us had been incarcerated before," Zena said. "Up to the day I was sentenced, I was convinced I was going home. I thought, you can't send me to an adult prison."

The teenager has few visitors because her closest family is so far away. Her father and 20-year-old sister, Rochelle, a college student, try to visit once a month. Zena has not seen her mother at all.

The hardest part, she said, "is the unbearable feeling of loneliness that surrounds me each and every day."

Because Zena's bright and does well in school, teachers like her. This invariably leads to complaints from other inmates about "special treatment."

She has other problems, as well. Zena took an examination and qualified to become a prison clerical worker and then was told she was too young.

She completed requirements for a high-school equivalency diploma, and again she was told she was too young. She is taking college courses but will receive no credits for her work.

She stopped going into a community room to watch television because her presence creates disturbances with her guards and "it's just too much hassle."

Meanwhile, she's on a waiting list for a quilting class and spends her free time reading, whatever she's allowed to borrow from the prison library.

On this day, it's William J. Mitchell's "Primal Fear," a book about a young sociopath who murders the priest who molested him and then convinces his attorney he has multiple personalities.

Without the kindness of some teachers and prison officials, it could be worse. Zena hopes to become a journalist, and she excels in creative writing, math, art and history.

For months during our lengthy correspondence, she has shared essays and poems she's written. Her favorite essay is about a mother who leaves her baby on a doorstep because she no longer can care for the child. One of her poems is called "A Prisoner's Cry."

Although the acts that brought her to this place culminated in Zena's first criminal conviction, she admitted that her behavior was out of control before her arrest. She's grateful to have been stopped.

"I believe if I didn't get caught, I would be dead by now," she said.

Like most punk-proud kids, she likes to share the gory details about her past.

When she entered eighth grade, things began going haywire.

"I wasn't really going [to school], but I passed. It was my fault. I would do what I wanted to do," she said.

Attracted to older kids, Zena began experimenting with drugs that led to other kinds of trouble. When she was 14, she ran away from home and moved in with her boyfriend and his mother.

"I left in the middle of the night, and [my mother] didn't look for me," she said. "Then I had a nervous breakdown one day and moved in with a girlfriend. I got an infection, and they wouldn't treat me at the hospital without permission from my mother. She wouldn't come."

Her father rescued her and took his daughters

to Glendale. "My dad would drive me to school every morning, and I would go in one door and out the other. I would hang out with the big drug dealers in South Central. They would give me drugs. I was a wreck," she said.

Benjamin Long didn't know what to do. The family therapy wasn't helping, and sometimes his daughter didn't come home at night.

That's about the time Zena and her friend, both wired on speed, decided to steal their fathers' guns. Once they had accomplished their mission, they stuck the guns in a box and began hitchhiking to downtown Los Angeles to sell them.

Initially they were picked up by a man who offered to take them to a party, but when he began "acting weird," Zena said, the girls got out of the car.

They hitched another ride with a man. "He started messing with us, so we both took guns out of the box. We took his car and went to Alex's boyfriend's house. I drove. The guns weren't loaded," she said.

Once there, the girls did more drugs, and the next day while out driving the stolen vehicle, Zena noticed a police car following them.

Later that afternoon while the girls were sleeping, there was a loud "bang, bang, bang" on the front door and the sound of a helicopter overhead.

"The police said, 'We were about to shoot you,'" Zena recalled. "But they didn't because they said we were so small."

Although she believes she has "grown," she remains critical. What she would like most is to be able to talk to her juvenile hall therapist.

"There's no therapy. The only therapist here only wants to give you psychotropic meds. So, you're stuck here with no guidance, no one to talk to about your problems. All you know is what you knew before. Then they send you back out there and you're going to do what you did before because you don't know any different," she said.

Considering what she would say to people in the legal system, Zena paused.

"I don't think it's right," she said. "And I don't think it's justice, either. How can you send someone here, to prison, at 14? There is no moral guidance here. Do you expect them to grow up this way?"

The dreary fog hugging the roads outside this isolated prison in the outer reaches of nowhere means the school buses won't be bringing any kids until the winter's over. Under ordinary circumstances, at-risk kids would be sent here several times a month by judges from surrounding counties to be frightened by the cons.

"Straight Talk" is a voluntary program where the inmates, all convicted felons, talk about their crimes and share how losing your freedom and living behind bars feels. Zena likes to volunteer. As a minor, though, her participation is limited.

"They won't let me be officially part of the program, but I get to talk to the kids," she said.

Zena changed her posture as our visit came to a close. The guard led back a young woman who looked stiff, tough, wary.

In this place, crying is a sign of weakness. The woman-child is learning to survive.

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Courtesy of Benjamin Long

**MIXING APPLES WITH ORANGES** — "None of [us] here killed anybody, and none of us had been incarcerated before," Zena Long, here at 10, said about the background of the four teen-age girls serving sentences in adult prison in California after being tried as adults. Long, 16, received a seven-year term for carjacking and robbery.



Courtesy of Benjamin Long

**DASHED HOPES —** "Up to the day I was sentenced, I was convinced I was going home," Zena Long said. "I thought, 'You can't send me to an adult prison.'" Long, 16, right, an inmate at the women's prison in Stockton, receives a visit from her sister, Rochelle Long, 20, a college student.

In 1974, Congress passed a law that requires states not to mix adult and juvenile prisoners in the same facility or risk losing federal funding. The law forced the California Department of Corrections to make adjustments in its housing arrangements.

Department spokeswoman Margot Bach said that 88 boys older than 14 are incarcerated at the California Correctional Institution in Tehachapi under the Youthful Offenders Program (which juveniles become members of after being convicted and sent to adult prison).

Since April, she said, these kids have been kept segregated from the adult prison population and live in a retrofitted, enclosed facility within the prison compound, JUCS.

Girls are another matter.

Because adult prison has only four females, all live at the Northern California Women's Facility in Stockton. It has not been a happy arrangement.

Though prison management has been trying to get the kids moved somewhere else, the efforts have failed. Recently, however, Stockton officials have begun negotiating with the California Youth Authority's facility in Ventura, Bach said.

The goal is to send the girls there until they turn 18 and can be mainstreamed back into adult prison.

"This facility doesn't want us because it is against the law for us to be around adult felons," Zena said.

In the meantime, the girls live the life of untouchables. They live, work, eat and go to school with adult felons whom they must pretend not to see. Each time the juveniles speak or communicate in any way with the older women, they risk having 30 days added to their sentences.

"You do everything with them," Zena said, "but you can't talk to them."

To ensure the rules are not broken, each girl is assigned her own corrections officer, a shadow, who is with her 16 hours a day. One of Zena's personal officers, Ms. Turner, paces the visitor's center during our interview, keeping a watchful eye on her young charge.

The only time these kids are without a bodyguard is when they are locked in a small cell they share with another member of the Youthful Offenders Program.

Zena's roommate was her "crime partner" Alexandria, until she turned 18 and was mainstreamed into the general population. Now, Zena shares her cell with Kathy, a 16-year-old also convicted of carjacking in San Bernardino County.

It is a frustrating situation for Zena because Kathy received a lighter sentence, three years

# Woman-Child Lives in Fog-Shrouded Prison

Continued from Page 1

dom and not seeing my family," she says. Another difficulty is knowing where she fits in a place where she believes her personal rights are violated on a daily basis.

"I don't understand how they could sentence me as an adult and then treat me like a child," she says.

Zena was sentenced to seven years in adult prison for one count of felony carjacking and one count of robbery. She was 15 at the time. The sentence, handed down June 30, was part of a plea bargain with the Los Angeles district attorney's office.

Zena and her best friend, Alexandria, both reportedly high on methamphetamines, used unloaded guns stolen from their parents' homes to threaten a man who picked them up while hitchhiking. The man was unhurt, but the girls took his car. The next day, police captured Zena and Alexandria at the home of a friend. *People v. Long*, PA035100 (L.A. Super. Ct., filed Dec. 21, 1999).

It was Zena's first conviction.

"She had some juvenile problems, not major, but runaways and stuff like that. But nothing like she was accused of here," said attorney Newton Kricun, whom Zena's father, Benjamin Long, hired to defend her in adult court.

Long was unhappy with the public defender assigned to represent her. Kricun, citing confidentiality concerns, declined to discuss the case further.

Zena's prosecutor, Deputy District Attorney Joseph A. Weimortz Jr., did not return phone calls seeking comment for this article.

Zena and her older sister, Rochelle Long, were raised by their mother in Oklahoma. Their father, Benjamin, had custody of the girls during summer vacations.

In 1999, Zena was experiencing an adolescent crisis at her mother's home that included drug use and self-mutilation.

The concerned father brought both girls to Glendale to live with him just two months before Zena was arrested. Although they were involved in a family therapy program, Zena's behavior was out of control.

Once incarcerated, "she didn't stand a chance," her father said, against an aggressive prosecutor and an unsympathetic San Fernando criminal court judge.

Though Long, a salesman for a steel company in Vernon, couldn't afford a private attorney, he hired one because he thought it was the only thing he could do after Zena's public defender told him she was facing 30 years in prison.

The seven-year sentence Zena ultimately received shocked Benjamin.

"I understand that she had to be punished, but there needs to be a certain balance. There are reasons to give a child a second chance," Long said. "They are treating everything like Colum-

bine. And they have increased the likelihood of her becoming a liability to society for the rest of her life."

Before Zena was moved to the women's prison in Stockton, she spent a year at Nidorf Juvenile Hall in Sylmar while awaiting trial and sentencing.

Because a juvenile court judge had determined her fit for adult court and her appeal was denied, Zena spent most of her juvenile hall time in the Special Handling Unit, a form of solitary confinement. Once authorities judge a child fit for adult court, state law provides that he or she no longer can live with the other kids at juvenile hall.

The saving grace for Zena during this period was that she had regular contact with a therapist from the county's Department of Mental Health. "She was being helped," her father said.

A U.S. Department of Justice report last year found that 5 percent of all juvenile offenders in the nation are serving time in adult prisons. The report is considered the first comprehensive study of the situation.

In California, two consecutive governors have pushed for tougher laws on young lawbreakers, and California voters sent an unmistakable message to the courts last year when they overwhelmingly passed Proposition 21, which imposed stiffer sentences on kids.

In some cases, Proposition 21 also removed discretion from juvenile court judges and handed it over to prosecutors.

Many observers believed the law would result in more kids 14 and older — particularly those who have committed murder and rape — doing hard time in adult prisons operated by the Department of Corrections instead of being sent to juvenile facilities run by the California Youth Authority.

Child advocates warned that the passage of Proposition 21 would doom the rehabilitative aspects of the century-old juvenile justice system and that kids sent to adult prisons would end up being trained as hardened criminals.

What has happened is something else.

## A Prison's Cry

As dawn breaks through the master's chambers and kisses sweet-soft cheeks, In another world of distant matters the life of prison weeps.

The echo of fear proclaimed its name on the face of a cement wall. In hopes of living today as well, to help a soul not fall.

The morning's dew put to shame by the stomp of an inmate's foot. To replace the tears of pain for the life that justice took.

Fighting all the casualties, resisting all the pain, Living in a memory to feel the same.

As the touch of emptiness wiped its hand across a living face, To hurt the heart of a restless soul to help them hate this place.

A sunset casts upon a living yard to wink its last goodbye.

And Mother Nature rests her eyes to the sound of a prison's cry. — Zena Long, 16

# 'Untouchable' Girl Lives With Grown Inmates

## Plea Bargain as Adult Isolates Teen in Prison

By Cheryl Romo  
Daily Journal Staff Writer

**STOCKTON** — Dense tule fog obscures visibility along the back country farm roads 500 miles north of Los Angeles. This time of year, the spoon-thick white mist makes seeing other vehicles, stop signs or railroad crossings nearly impossible.

Enveloped in fog most of the winter, the Northern California Women's Facility, like a prison fortress in the Moors, is set back on one of these straight-edged, rural roads. If you don't know what you're looking for, you'll miss the place entirely. The medium-security prison, opened in July 1987, is home to more than 700 women.

It is also home to four underage girls with special status. Unlike boys in California, who have their own prison within an adult prison, these girls live like untouchables.

These four, part of what is called the Youth Offenders Program, are the only female offenders in California who have been tried and convicted as adults and are incarcerated in adult prison. They all live here.

The girls may not speak or interact with adult prisoners, even though they live among them, go to school with them, eat with them and participate in most of the same activities.

Surprisingly, we are told, none of the four, all younger than 18, is a murderer. They have committed serious crimes, however, like carjacking and robbery. We also are told they have never been incarcerated in a state facility before.

We arrive in Stockton following the path of a 16-year-old girl from Los Angeles County who arrived here in June.



Jan. 31, 2001

Cheryl Romo

reporter  
L.A. Daily Journal  
2 articles together

**TO BE OR NOT TO BE** — "The hardest part is the loss of freedom and not seeing my family," Zena Long, 16, said of her experience in the Northern California Women's Facility. Long is one of four underage girls who live there. Part of the Youth Offenders Program, they are the only female offenders

After six months of correspondence and telephone conversations regarding Zena Long, prison officials have granted our formal request for an interview.

We've been told to arrive during normal visiting hours with nothing other than identification, packaged tissues and dollar bills for use in vending machines.

No photography or recording equipment or writing materials were allowed. A

request to tour the area where juveniles are housed was denied.

After passing through security checkpoints, corrections officers allow us entry to the visitor's center where older female inmates sit at round tables talking to their families.

We are shown to a segregated area to one side of the room away from the others. We request something to write with,

in California who have been tried and convicted as adults and are incarcerated in adult prison. The girls live like untouchables. They may not speak or interact with adult prisoners, even though they live among them, go to school with them, eat with them and participate in most of the same activities.

and a corrections officer brings us several sheets of blank paper and two pencils.

After 15 minutes, a wholesome-looking girl with deep dimples in her cheeks enters, accompanied by a corrections officer. Zena Long looks younger than 16 and, even though smiling, seems nervous. She is confused and misses home.

The hardest part is the loss of free-

Courtesy of Benjamin Long

## Foretelling Facts

The following chronology details events leading to the deaths of Breanna and Joan Richards.

**Feb. 17, 1999:** The children, Breanna and Joan Richards, are living in a car with their mother, LaShanda Joan Crozier, in what are described as "deplorable" conditions. They are taken from their parents' custody by the Department of Children and Family Services. Their presumed father's whereabouts are listed as "unknown."

**Feb. 22, 1999:** Seven-year old Breanna appears in court, as does her mother, paternal grandmother and paternal aunt. Both children are placed in the temporary foster home of Marlene Lemons. DCFS is ordered to begin offering reunification services to the parents. Father is listed as being in county jail. DCFS is ordered to prepare background reports on four other family members who have volunteered to take the children into their homes. The parents are allowed to have monitored visits with the children in a neutral setting. Juvenile Court Commissioner Stanley Genser presides.

**March 5, 1999:** Both children appear in court with their maternal great-aunt Marietta.

**March 25, 1999:** The parents do not appear at a court hearing. A paternal grandmother and paternal aunt are present.

**May 10, 1999:** The mother is present in court and the father, in custody in county jail, is brought to court. The children are ordered detained with their maternal great-aunt Marietta. It is announced that an attempt at mediation has failed.

**June 16, 1999:** The father, still in custody, contests the detention of children with their maternal great-aunt Marietta through his court-appointed attorney.

**June 26, 1999:** The mother testifies in court. No other information given.

**Sept. 14, 1999:** The father is released from county jail on probation, and the parents resume their relationship.

**Nov. 1, 1999:** The parents appear in court. Juvenile Court Commissioner Stanley Genser finds that there is "clear and convincing evidence" that there is a "substantial danger" to the children if they are allowed to remain in the custody of their parents, and the minors are declared dependents of the court. The parents are ordered into a reunification program supervised by DCFS that includes counseling for the mother.

**April 12, 2000:** Maternal great-aunt Marietta appeals to DCFS and the court not to return the children to their parents.

**May 1, 2000:** The parents appear in court.

**June 1, 2000:** Juvenile Court Referee Stephen Marpet orders that suitable placement (foster care) be terminated and orders that minors be placed in the home of their father under DCFS supervision.

**July 27, 2000:** DCFS reports that the parents are "not in compliance with the court's orders."

**Sept. 7, 2000:** The parents appear in court.

**Oct. 30, 2000:** The children and the parents appear in court.

**Dec. 20, 2000:** The children are murdered by their mother and she commits suicide.





HUGH WILLIAMS / Daily Journal

**IF ONLY** — "It shouldn't have happened. It could have been prevented. We called [the department] over and over again," the girls' paternal aunt, Michelle Spencer, left, said. "They would act like it was no big deal. They didn't care." Spencer said LaShanda Crozier kept her two daughters away from

their relatives, including Danielle Bryant, right. "We would give them toys, and she would break them," Spencer said. "Every time my brother wanted to bring the kids over to see the family, he said she would threaten suicide or something."

to pitch in."

Bryant also questioned why the child welfare system didn't take action sooner.

"My question is: 'If this [negative] information was available after the fact,

These children had a messed-up life. They didn't even know how to be a kid. They were always stressed out."

Unfortunately, the red flags were there throughout the brief lives of the two sisters.

A case in point was a department social worker's report submitted to the court June 8, 1999: "Minors' mother needs to establish herself as an autonomous person capable of taking responsibility for her own life before she could begin to be entrusted with the little children."

Another red flag noted repeatedly in court documents was that LaShanda Crozier had stopped seeing her court-ordered therapist in July 2000, one month after her children were returned to her, and had declined to make an appointment with another therapist.

But Richard-Lewis told social workers that his girlfriend was not complying with the court-orders because "she's sick a lot with asthma."

In addition, their criminal backgrounds to the contrary, the parents denied drug use and adamantly denied ever having

lived in a car.

The couple met in 1990 when Crozier, a high school drop-out, was 19.

"She came from a family of very strong women, and she appears intelligent," a social worker stated in court documents. "The mother departed from her family's middle-class lifestyle to follow the father and, on occasion, commit crimes with him, such as a robbery in 1991."

Spencer said Crozier needed help she didn't or wouldn't get.

"LaShanda always had a problem. She would act strange. She would wear Army fatigues like she was at war with the world," Spencer said. "One month before they died, I saw the three of them by my grandmother's house. They looked happy. They were running."

Breanna and Joan last appeared in dependency court with their parents Nov. 20. The family's next court date was May 21.

Like the first day back to school, that appearance will not be made.

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why wasn't it available before the fact?" she said.

Spencer said she finds it ironic that child welfare officials are now calling the family to offer help and support: "Now they want to help? They wouldn't call when they were alive. I am sick of them."

to court documents, that she "didn't like living in a car" and that her father hit police "because he didn't want to go to jail."

Meanwhile, Crozier, who claimed that spite motivated her mother-in-law to report the family was living in a car, seemed to blame most of her problems on others. To the end of her life, the young mother didn't understand why her relatives and child welfare authorities were bothering her and the children.

In February 1999, Breanna and Joan were placed in shelter care, designed for short-term emergency needs, in the Los Angeles foster home of Marlene Lemons and her husband, John. The couple said they were devastated to learn of the deaths of two children who changed their lives.

"The children themselves were difficult because of the situation they were coming from," Marlene Lemons recalled. "They were apprehensive about everything. It was like something was inbred in them ... Breanna would steal, and there was no need for it, [and] she was very protective of Joan."

Although the state-licensed foster parents had asked department social workers not to release their home address and telephone number to the girls' parents, they did.

Not long after, LaShanda Crozier allegedly began harassing and stalking the Lemons. She twice attempted to kidnap Breanna and Joan, said the foster mother, who thought Crozier "needed

to go through the heartbreak of caring for abused and neglected kids anymore. Marlene Lemons surrendered her foster care license, she said, because she was "disgusted" with a child welfare system that returned children to abusive parents and treated foster parents with contempt.

Family members of the slain children said this week they feel equally outraged.

"The system is set up to put families together, and this family should not have been put back together," said Brenda Crozier, Breanna and Joan's maternal grandmother. "I fought tooth and nail to keep those kids at my sister's [Snowden's] house. They wouldn't listen. My grandkids were caught in the middle of it."

The grandmother, who was making arrangements to bury her daughter, LaShanda, this Saturday, said it made no sense to her when the juvenile court returned Breanna and Joan to their parents, who were living in a "no nothing" home.

Earlier on the day of the double murder and suicide, LaShanda had managed to stave off her landlord's eviction attempt from the cramped apartment she shared with her children and long-time boyfriend, Davon Lamont Richard-Lewis, the presumed father of Breanna and Joan.

"They had nothing. [The department] is going to tell me the social worker was up on that? It takes six months to evict someone. There are too many unanswered questions," Brenda Crozier said angrily.

## **'I don't know what that judge was thinking of. To me, it was a bad call.'**

**A relative of Breanna and Joan Richards**

help mentally."

Then Crozier called the police and reported the couple had stolen her children.

But Marlene Lemons said she became so attached to Breanna and Joan that she couldn't get them out of her mind, even after they were moved to their aunt's home about a month later. Lemons regularly called to see how the girls were doing.

"I really liked these kids, and I was concerned about them," she said.

When the Lemons learned the girls had been returned to Crozier, they were aghast. They said it was the last straw.

"The woman was just sick. I could see it," Marlene Lemons said. "She was a danger to Breanna and Joan."

Members of the father's large, extended family were equally upset.

"It shouldn't have happened. It could have been prevented. We called [the department] over and over again," the girls' aunt, Michelle Spencer, said. "They would act like it was no big deal. They didn't care."

Sadly, department documents obtained by the Daily Journal indicate dozens of calls placed to the department hotline to report that the two girls allegedly were being neglected and abused while in the care of their parents. Many of the allegations that were investigated were found to be unsubstantiated.

Another aunt, Danielle Bryant, recalls that, when she and other family members went to the Juvenile Court in 1999 to seek custody of Breanna and Joan, they were turned down for reasons that never were communicated to them.

"Any one of us would have taken these kids in and cared for them," she said. "Their mother and dad were having a lot of problems. We wanted them to get back on their feet, [and] everybody was willing

# Files Document Dangers to Girls

Continued from Page 1

returned to the custody of their father by Juvenile Court Referee Stephen Marpet, who was sitting in for Commissioner Stanley Genser, the bench officer handling the children's case.

Marpet's June 1, 2000, order states that "mother may reside in the home with the father and minors on condition that mother comply with all court orders, to include continuing with individual counseling and to keep social worker apprised of her participation and progress. Additionally, mother is not to provide day care for the minors, and father is to arrange all day care for the minors."

For the most part, Crozier quickly broke most of the court's orders: She cared for the children and stopped going to counseling.

"I don't know what that judge was thinking of," one relative said. "To me, it was a bad call."

Breanna and Joan were moved from



Courtesy of Brenda Crozier

**CHILDHOOD PLEASURES** — Joan celebrates at a birthday party.

their aunt's home in the San Fernando Valley, where they had their own bedroom and were reportedly thriving, to a shabby, one-room efficiency apartment surrounded by barred windows and security gates. Social workers reported to the court they could not enter the apartment to visit the 7- and 5-year old girls.

In addition, the parents' residence had no telephone or stove — and "no nothing," according to the girls' maternal grandmother.

In July, Genser ordered the parents to provide social workers with keys to "any locked gates" at their residence; to install a telephone; to cooperate with social workers during home visits; to return the social workers' pages to the father within 30 minutes; for the mother to continue counseling; and for department social workers to make "surprise, unannounced home calls."

Most family members interviewed by the Daily Journal said they believed Crozier, who claimed to have been sexually abused by a male relative as a child, needed professional help for long-standing emotional problems and self-destructive behavior.

"She kept the kids isolated from us," paternal aunt Michelle Spencer said. "We would give them toys, and she would break them. Every time my brother wanted to bring the kids over to see the family, he said she would threaten suicide or something."

In February 1999, Breanna and Joan were removed from their parents' custody by the department. Both parents had extensive criminal histories and alleged substance abuse problems, and the children were discovered filthy and living in "deplorable" conditions without food, clothing, medical care or other necessities.

Breanna had not been enrolled in school, Joan, then only 3, had badly decayed teeth, and both children lacked social and language skills.

The girls had been living in a car for two years while their parents were reportedly on the run from child welfare officials and worried family members.

At the time the girls were taken into foster care, their father was in county jail for assaulting a police officer and "possession of a dangerous weapon."

# Everyone Seemed to Know Breanna and Joan Were in Danger, Except Those Charged With Guarding Them

11/5/01

By Cheryl Romo

Daily Journal Staff Writer

On Tuesday, Breanna and Joan Richards were going to return with all the other children to Menlo Avenue Elementary School.

They were happy there.

Breanna, a second-grader described as pretty and smart, and her sister, Joan, a quiet and cuddly kindergarten student, loved school. When they went on a scheduled school break Oct. 24, the little girls often pretended to be going to class each day.

They were always eager, a social worker reported in court documents related to their family's 2-year-old case in the Los Angeles Juvenile Court's dependency division, "to show off" their academic achievements.

They won't be able to do that anymore.

The Wednesday evening before Christmas, they were pushed to their deaths from the ninth floor of the County Courthouse by their mother.

Breanna and Joan were buried together last Saturday in Inglewood Cemetery.

Their mother, LaShanda Crozier, 27, was described by family members interviewed by the Daily Journal this week as an emotionally-troubled woman who previously had threatened suicide.

Crozier, who was unemployed and reportedly recently suffered a miscarriage, murdered her only daughters Dec. 20. Then she committed suicide by fol-



Courtesy of Brenda Crozier

**ONCE** — LaShanda Crozier holds her infant, Breanna, in happier days.

lowing them off the same downtown courthouse ledge.

A rule in life maintains that looking at a situation is easier with hindsight. Still, the parents' refusal to comply with court orders, plus repeated concerns expressed about the children's safety by Department of Children and Family Services social workers and family members, pose an obvious question.

Why were these two small children, who were reportedly safe and happy in

foster care, returned to their parents' custody just six months before they died?

Court records documenting the story of Breanna and Joan were examined by the Daily Journal with the permission of Presiding Judge Terry Friedman over the objections of nearly every other party in the case.

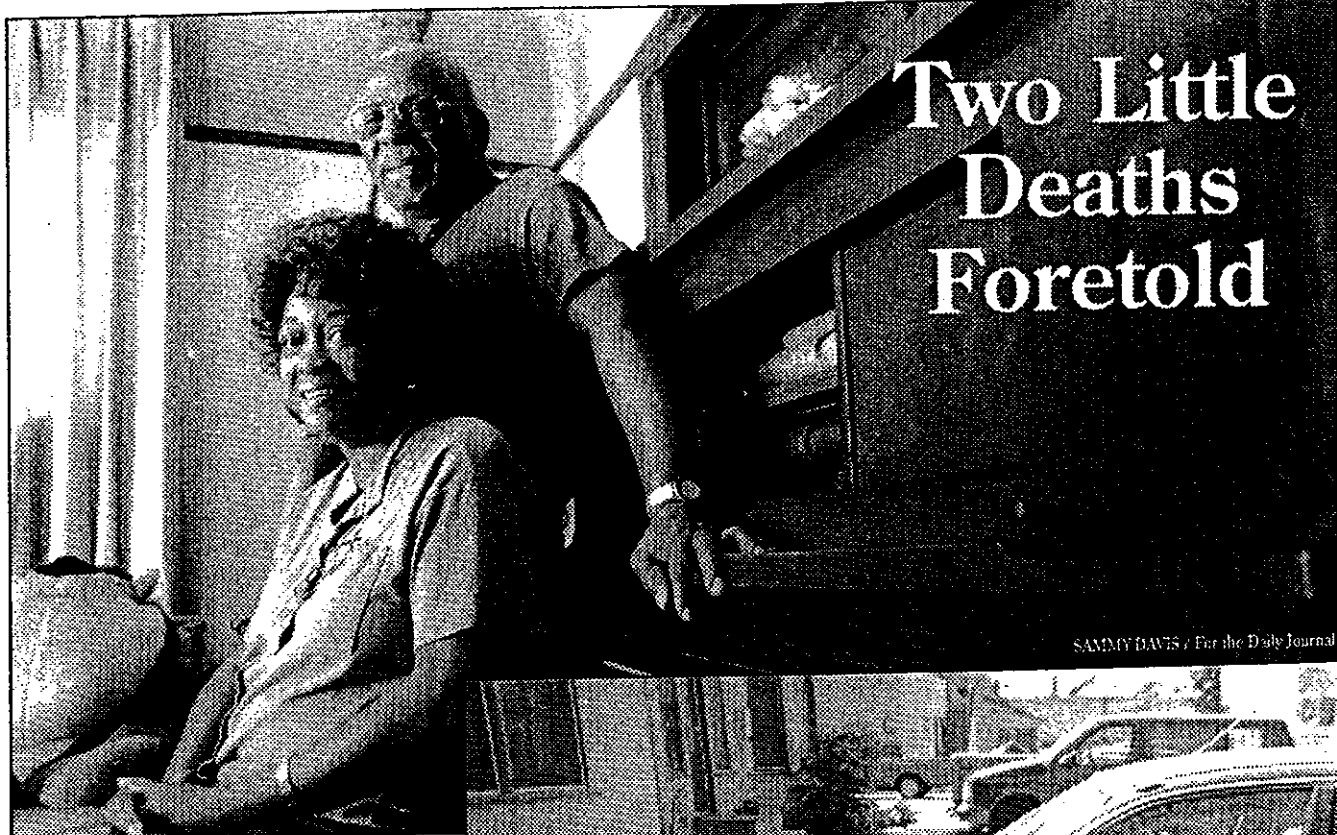
The records tell of hopes cut short and hint at a troubled and overwhelmed child welfare system — a system that some now say prematurely took two kids out of the safety of foster care with their great aunt, Marietta Snowden, and returned them to a life of turmoil.

Access to the family's court records sought by the Daily Journal was opposed formally by the Los Angeles Department of Children and Family Services and the presumed father of the girls and partially objected to by the children's attorneys with Dependency Court Legal Services. Crozier's court-appointed attorney, Robin Edmond, did not file an objection and didn't respond to requests for comment. *In re: Breanna R., CK36812.*

Breanna and Joan's parents were impoverished and had extensive criminal histories. They had been arrested and convicted of numerous crimes — some committed together, according to court documents viewed this week. The couple also was suspected of substance abuse, although both denied the allegation.

Last June, Breanna and Joan were

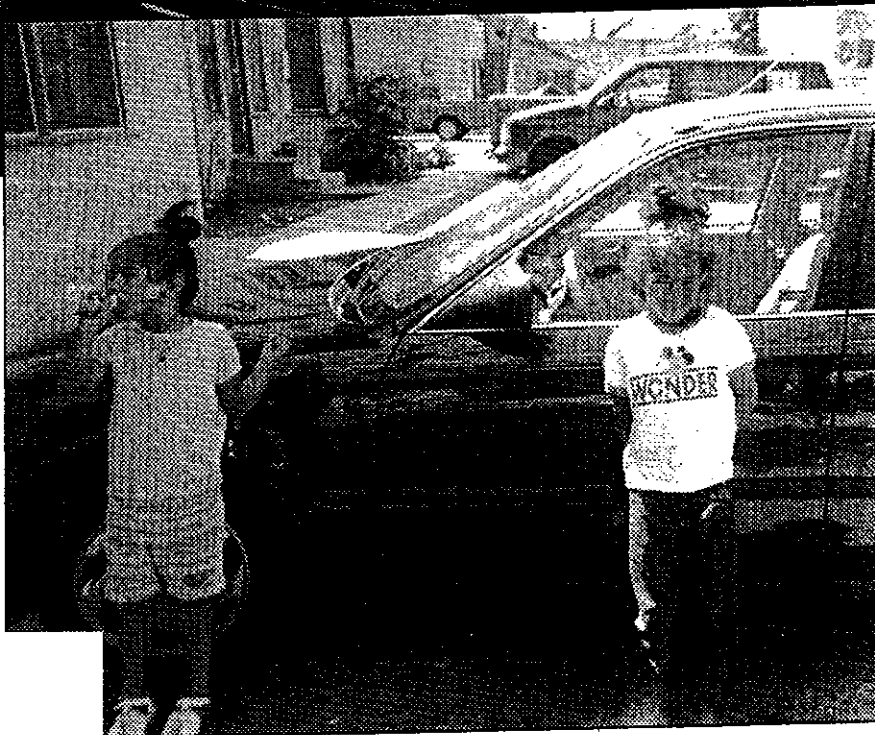
See Page 5 — FILES



# Two Little Deaths Foretold

SAMMY DAVIS / For the Daily Journal

**APPALLED** — "I really liked these kids, and I was concerned about them," Marlene Lemons, above left, said. "The woman was just sick. I could see it, She was a danger to Breanna and Joan." In February 1999, Marlene and her husband, John, above right, welcomed the two girls in their foster home. At right, Joan, left, and Breanna stand outdoors. Their mother, LaShanda Crozier, threw them from the ninth floor of the County Courthouse and jumped to her death.



Courtesy of Brenda Crozier

Jan. 5, 2001

Cheryl Romo  
Reporter  
L.A. Daily Journal  
article

## United Front

"I didn't know it was wrong to hit your children," Maria recently explained. "Nobody ever told me before. Now I know."

The Carrillos said they were told their children and nieces would be returned to

**'I used to say  
this was the best  
country in the  
world. I no longer  
say the best.'**

**Fidel Carrillo,  
Uncle**

them once they completed these requirements. So the entire family was shocked when their daughters were returned and Martha and Gerardo's were not.

"Why do they want our twins?" Maria asked.

The two nieces' extremely close and large, extended family — which includes grandparents, aunts, uncles and cousins in Southern California and in Mexico — didn't understand a bit of it. They put up a united front and thought that, surely, they could get this misunderstanding with the dependency court and the social services people worked out.

"They promised when we finished the program, they would return the kids back, and the two little girls might go to their grandmother. But then they went

somewhere else," Maria said. "The judge said, 'I don't want to see your face any longer.'"

The grandparents put their lives on hold and rushed up from Mexico to stay with the Carrillos.

"Everyone felt very bad, very upset. The grandmother was crying all day. The grandmother makes [Maria] feel responsible, blaming her for the problem," Fidel recalled.

Through a court-appointed attorney, the grandparents attempted to reassert their guardianship over Martha and Gerardo's girls. They filed a motion to have their two granddaughters placed in their custody and said they wanted to return with them to their home in Mexico.

Then social services, according to court documents, registered concern because officials of the agency said the sick child could not travel and might not receive proper care in Mexico.

**W**hen permitted by the court, family members visited the girls, who were living in separate foster homes, on a regular basis — with one exception, which the family didn't understand.

"1997 was the last visit they gave to my wife," Fidel said. "The court ordered visits, but social services say 'no.' I have visits."

The family began telling their court-appointed attorneys, they said, that if there was some problem with Maria and Fidel, other blood relatives would be



**UNCERTAIN FUTURES** — Since their parents' deaths from AIDS, Endira, left, and Yuridia have been declared

separate foster homes, have only supervised visits with their closest relatives and face adoption by separate



happy to take the girls, even adopt them if that was what the American court wanted.

To add to the confusion, the Spanish-speaking family with limited or no English skills said lawyers began to come and go, perhaps appearing for them just once. They didn't even know their names.

"We were unhappy with that," Maria said.

Although some attorneys were kind to them, and Spanish interpreters were made available, the family recalls hearing nothing in the courtroom other than what they described as "excuses and continuances."

The judge denied the Carrillos standing as de facto parents for their nieces, something they refer to as "taking our rights."

"Social services said nobody went to court to fight for these girls. It's not true," Fidel said.

Indeed, "We have proof," is an English phrase the entire family — regardless of the language barrier — seems to have mastered.

In 1998, the family received another blow. Social services began running newspaper ads that featured a photo of Martha and Gerardo's daughters and gave personal information about them. The advertisement asked the public to come forward either to adopt or provide foster care for the girls.

The dependency court also terminated the parental rights of the deceased parents and ruled that the grandparents were not the children's legal guardians under Mexican law because they had gone to an attorney and not to a Mexican family court for legal assistance.

The Mexican consul in Orange County, according to court documents, said that the California court had jurisdiction over the girls.

#### De Facto Parent

In the end, only the grandmother, Ana, was accepted as a de facto parent for Martha and Gerardo's children. And she was told, according to court documents, to move out of the Carrillos' home if she wanted to hold on to that status.

These decisions were appealed.

"The opinion of some of the lawyers was they didn't understand why the judge said 'no,'" Fidel explained.

In turn, the state appeals court reversed the juvenile court decision terminating parental rights and ordering that the orphaned girls be placed for adoption.

In no uncertain terms, it remanded the case to juvenile court for another hearing.

"It is ridiculous — and contrary to the self-evident intent of the statute — to let these girls languish in a series of foster homes where there is an extended family of relatives who are eager to have any kind of legal custody of them that they can obtain," Presiding Justice David Sills wrote. 68 Cal.App.4th 1301.

When the decision came back to the Orange County Juvenile Court, a new judge took over the case — and, essentially, made the same decision as the

first bench officer. On March 5, 1998, the parental rights of the minors' deceased parents again were terminated, and the girls were released for adoption.

On April 14, 1999, the California Supreme Court decertified the appeals court decision.

"It's no longer good law," Orange County Deputy County Counsel James C. Harmon said.

Harmon, who argued the case before the appeals court, said he could not discuss specifics of the case because of confidentiality provisions contained in the state's Welfare and Institutions Code. However, Harmon said the appeals court was wrong to rule that it was harder for a child with AIDS to be adopted.

"We presented evidence that she could be adopted," he said.

The girls' biological family had attorneys appointed for them "free of charge," he said, and the family is free to talk about the case.

"The social services agency and the juvenile court bent over backwards for this family, and the family's position was untenable. I feel very strongly about this. Justice was served in this case," Harmon said.

Since these court decisions, Martha's family has gone from private attorney to private attorney carrying heavy boxes of court documents they cannot read, hop-

ing that someone will help them. Inside some of the bound volumes are little scraps of paper that look like fortunes from a Chinese fortune cookie.

But looks can be deceiving. They contain a prayer in Spanish from the book of Psalms. Translated it reads, "I look to the trustworthy in the land to be my associates. He who walks the path of integrity, I he shall work for me."

No one has offered help.

"Nobody wants to take the case. We have no money," Fidel said.

Earlier this month, the family returned to the Orange County Juvenile Court for what they thought might be the last hearing for Martha and Gerardo's girls. On this day, Ana, the children's grandmother, looked tired and sad. Fidel again had taken time off from work.

Then the family learned from a clerk that the hearing was not being held. It was not the first time they had not been notified.

An angry Fidel reacted to the news by describing the juvenile court as a place where families and cases are "disappeared."

"See that man over there?" he said, pointing his finger. "He used to be my wife's attorney. Now he pretends he doesn't see us."

The man kept walking.

*Editor's Note: For the purpose of this article, the family's complex surnames have been simplified.*



**READY AND WILLING** — Fidel and Maria Carillo, above, stand before children's artwork in their Orange County home. When Maria's younger sister, Martha Rodriguez, right, and her husband, Gerardo, were dying of AIDS, each selected the Carillos to raise their daughters. That worked for two years, until Martha's younger child was diagnosed with AIDS and their older child consequently developed problems at school. These events led to involvement by authorities, as well as protracted court battles.



# Despite Large Family, Two Orphans Face Adoption

## Misunderstandings Multiply as Relatives, System Get Involved

Continued from Page 1

said. "It was horrible."

In a sad turn of events, two years later Martha and Gerardo's children, both Mexican nationals, would be declared dependents of the Orange County Juvenile Court. They would live in separate foster homes, and visits with their family would be monitored. In addition, the parental rights of the deceased parents would be stripped from their graves because the juvenile court ruled they had "abandoned" their daughters.

Today, even though the girls' blood relatives have begged representatives of the American legal system for their return and gone from attorney to attorney for help, the children are in the process of being adopted by different families.

"I used to say this was the best country in the world," Fidel said. "I no longer say the best."

### Decertified Decision

What happened to this Latino family was described in a now-decertified state Court of Appeal decision as "ridiculous."

In Mexico, a poor country where church and state are closely linked, a family unit is considered sacred. Because much of the citizenry is illiterate — and illiterate people generally don't leave behind legal documents indicating who they prefer to be the guardian of their children — Mexico has adopted a less formal system than the one the United States uses. "Patria potestad" is the doctrine used to indicate which family members will take parental control over orphaned children.

Under patria potestad, paternal grandparents have first call on what to do with orphaned offspring. But Gerardo's mother was dead, his father is an invalid, and the paternal family wanted to respect the dead couple's wishes.

Maternal grandparents have the second call. In this case, Martha's parents, Salvador Cobian, a migrant worker, and his wife, Ana, a homemaker, already were caring for other grandchildren in their simple home. The Cobians agreed that the dead couple's daughters should go to the United States to live with the Carrillos, where they would have a chance for a better life.

Two months after their parents' deaths, the babies were taken to Orange County. For nearly two years, all went well. The girls bonded with their cousins like sisters, they called their aunt and uncle "Momma" and "Poppa," and they enjoyed big family picnics and church outings.

Then tragedy struck again. The youngest child became ill, and the subsequent diagnosis was AIDS. The worried Carrillos, who considered their nieces their own ("our twins," Maria said wistfully), obtained and paid for the child's regular medical treatments. In Mexico, the Cobians rushed to an attorney to obtain a legal document they understood would give legal guardianship and custody of their granddaughters to the Carrillos.

In February 1997, the little girl was hospitalized. Concern about the baby's health ripped open the family's unhealed wounds after the losses of Martha and Gerardo and put a tremendous strain on

everyone involved. At the same time, the Carrillos' oldest daughter, who was in first grade, began acting out.

"The little one was in the hospital," Fidel said.

"We were going to the hospital every day," Maria added.

On March 13, 1997, while Fidel was at work, the real trouble began. The 6-year-old flat-out refused, her mother recalled,

to go to school.

"She would not go to school one day, and my wife hit her. The school found a mark," Fidel said.

That day, the police and social services came to the Carrillos' Santa Ana home. They arrested and jailed Maria.

They took the couple's three children and their oldest niece to Orangewood Children's Home, the county's only shelter for minors. They put a hold on the hospitalized child so that she could not be moved.

Maria was criminally charged with "willful child cruelty" for hitting her daughter with a jar of cold cream. She was convicted and placed on probation. In addition, social services filed a dependency petition in the juvenile court charging Maria with child abuse and Fidel with failing to protect his oldest daughter from the alleged abuse. It was, according to court documents, their first encounter with social services or the law. *In re matter Yuridia, J434968; In re matter of Endira, J434969.*

Fidel, an auto mechanic, and Maria, a homemaker, were ordered by the dependency court into counseling. They took classes in things like parenting and anger management. Both completed all their court-ordered assignments.

Nov. 27, 2000

Cheryl Romo

reporter

L.A. Daily Journal  
article

(not to be considered  
as part of Access to  
Justice series)

# System Puts Orphans From Large Family Up for Adoption

By Cheryl Romo  
Daily Journal Staff Writer

Martha Rodriguez, 28, returned to her parents' home in Degollado, Jalisco, Mexico, with her two baby girls.

She had come home to die.

Martha, a homemaker, lingered for nearly two months while her grief-stricken parents and other family members watched over the dying woman and her babies. Her last wish before she succumbed to AIDS in September 1995 was that her daughters be raised by her family.

Seventeen days later, Martha's husband, Mariachi musician Gerardo Rodriguez, 38, also died

of AIDS in Mexico. Gerardo's dying wish also was that the couple's two children be raised by his wife's family. He specifically asked that they be sent to the Orange County home of Maria Carrillo, his wife's older sister, and her husband, Fidel.

"The family was very destroyed after this," Maria

See Page 8 — DESPITE



HUGH WILLIAMS / Daily Journal

**RESTRUCTURED** — Star View attorney Linda Randlett Kollar said she feels the facility, which has a long and troubled

history, has turned the corner. "I have watched Star View grow and I've seen tremendous growth," she said.

# Once-Jewel Star View Faces Criticism

By Cheryl Romo  
Daily Journal Staff Writer

Star View Adolescent Center, a private facility run by the county's Department of Children and Family Services and the Department of Mental Health, is home to about 50 foster children.

It is licensed and monitored by the state Department of Social Services and, during its four years in operation, has been the subject of much controversy.

The blue-and-white building, once a private mental hospital, is located on a quiet residential street near the Del Amo Fashion Center in Torrance. Most of the teenagers living here, said Star View executive director Kent Dunlap during a tour of the facility, are from abusive homes.

These children all have histories of abuse," he said.

But a significant number of Star View's residents, he added, have been in foster care most of their lives. They are kids who have been bounced around from one placement to another, and, on average, each child has been through 11 foster placements and may have spent time in mental hospitals before they arrive at this high-level psychiatric facility.

By way of example, Dunlap said, "We have a girl here who was a trash-Dumpster child."

Although he admitted there is no hard scientific data to support his theory, Dunlap believes that many of these kids were born of drug-abusing mothers and are part of the so-called "crack generation."

Rather than being violent toward others, he said, they tend to be self-destructive and verbally abusive.

Star View, the first facility in the state to combine a mental hospital and a group home, has 40 group home residents and

a hospital unit with 16 beds. At present, the facility has applied with the state to become a "lock-down group home," meaning the children will not be able to leave the premises without authorization. Runaway kids, Dunlap added in explanation, have been a significant problem for the facility and a source of irritation in the community.

Group home kids, whose rooms tend to be decorated with cheery posters on the walls, are permitted to go on field trips and community outings once they have earned what is called a "safety badge." These kids also have access to a swimming pool, playground and lounge (called the "Honors Room"). They attend a small, special-education school on the premises called South Bay High School that is operated by the Torrance Unified School District.

During an inspection of Star View's hospital wing, however, it came across as anything but kid-friendly.

For example, a girl was heard screaming and a closer inspection revealed she was in a locked room with a small window in the door and carpeting on the walls and floor. It was described as "a quiet room," one of a number seen throughout the facility. The girl, who appeared to be about 14, was lying face down on a narrow, flat bed on a raised platform with an overhead spotlight shining directly down on her.

The child was bound by what are commonly called "five-point restraints" — meaning that she was spread-eagled with her hands and feet bound by leather straps to each corner of the bed. She had another, heavier strap affixed across the small of her back so that her movements were completely restricted. Dunlap said such treatment is unfortunate but necessary to control behavior considered unacceptable.

A state Department of Social Services investigation that same year focused on numerous allegations of physical abuse and personal rights violations. The state concluded, according to documents obtained by the Daily Journal, that most of the allegations were substantiated.

In response, Star View terminated some of its employees, restructured the organization and has remained constantly in operation. The facility's attorney, Linda Bookman, said she feels it has turned the corner. "I have watched Star View grow and I've seen tremendous growth," she said. "It really provides a critical need for these children."

The main thing now, Dunlap said, is for the community to accept that Star View is here to stay. In Torrance, an affluent community in the South Bay, one of the great-est hurdles has been to get residents to accept that kids with mental health problems need a place to call home too.

ceptable. "She won't be in there long," he assured, adding that this facility treats its patients more humanely than most state mental hospitals.

But Star View, once touted as the jewel of the foster care system, has had more than its share of problems and there has been continuing criticism of the facility.

Anita Bock, director of the Department of Children and Family Services, recently said that Star View is a facility "with a long and troubled history" that is working through problems.

According to documents obtained by the Daily Journal, there have been numerous allegations over the years that children have been mistreated by Star View's staff. In 1997, Department of Children and Family Services placed Star View on "do not refer" status.

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boy's older siblings. Removing Marshall from the family home was viewed at the time as a "preventative" step.

But this information comes from his civil attorney Paula Greenspan and aging court documents because Marshall can't remember living with his mom, didn't know his dad and life before foster care is a blank.

"I don't know why they put me in foster care," he said.

Although court documents also indicate an intent to maintain relationships between Marshall and his siblings, who spent time in foster care as well, somehow that never happened.

The boy grew up alone and lonely.

Over the course of 18 years, Marshall drifted through foster home after foster home. As he grew older, he was placed in group homes and other facilities for kids with special needs. There was one foster family where he felt loved for a time.

"We used to go on vacations. And then the money was cut off, [and he was moved elsewhere]. So it wasn't about love. It was the money," he said.

In some placements, Marshall claimed to have been physically and emotionally mistreated. He said he witnessed other kids neglected and abused as well and recounted the story of a "foster sister" who told him she was being raped by her male caretaker. After talking to Marshall about it, the girl ran away. When things get really bad in a foster home, he explained, "kids run away." If they get caught, they are sent to another foster home.

In 1997, Marshall voluntarily agreed to enter Star View, a facility for kids with mental health or emotional problems. By all accounts, he was doing exceptionally well there until the day he met Efrain Villarreal. Telling this part of the story was difficult for the proud youth, who easily could discuss his favorite television program ("The Practice") or his hopes for the future ("own a go-cart racetrack").

What happened May 15, 1998, changed his life and continues to haunt his dreams.

"He touched me," was as much as the indignant youth could say.

Sadly, it was to have been a special day for another reason.

"I was having a great day. One of my friends was graduating [from Star View], and I was happy for her," he said. "We were having a ceremony, and her parents

were coming in, and I was helping set up stuff."

Then Star View officials informed him that an investigator had come to talk to him about an alleged sexual encounter Marshall had with a girl, something Paula Greenspan, who sat in on the interview with Marshall, added was a "false accusation."

Marshall said he was directed to the conference room, where Villarreal awaited him. With the door locked from the outside by a Star View employee, the state investigator ordered the foster youth to draw a picture of his penis and then told him to partially disrobe. The older man also partially disrobed.

"I'm thinking, 'Does he have a right to do this? What's going on?'" Marshall recalled.

What might seem a puzzling response on the part of the teen-ager was understandable, Greenspan added, because the foster youth had been raised in a system that never had informed him he had any rights or that he could question those in authority.

She said information uncovered to date indicates Marshall had been beaten by foster care providers, he'd seen other children physically and sexually abused, and he bears visible scars from being stabbed with a knife and burned with a cigarette in 1996 by three boys in a group home. He said he was never told what happened to the kids who attacked him, and Greenspan said there is no record that any tort attorney was ever appointed to handle that case, either.

"That's what's so ironic in Marshall's case. They took him from his mother and put him in a system that has been abusing him for 18 years," she said. "Foster care equals abuse for 90 percent of the kids."

In a letter to the county when it rejected Marshall's initial claim, the Greenspans asked, "Please explain how it is that a child in foster care under the supervision of the Los Angeles County Department of Child[ren] and Family Services would ever learn that he had any legal remedies against the county of Los Angeles? Are you suggesting that his county-employed social worker or county-employed therapist should have advised him to initiate legal action against their employer?"

A mental health professional who knew and liked Marshall ("He was doing so

well," the man said.) was at Star View the day the boy was assaulted. He told the Daily Journal the abuse never should have occurred. The professional, who asked to remain unidentified, said sending a child into a room alone with Villarreal broke every rule in the book.

"Someone from the Star View staff should have been in that room," he said.

The boy's lawsuit states that "DCFS' failure to control the quality of services rendered by Star View permitted the interrogation of plaintiff in an inappropriate room, without a staff member present and with locked doors all of which legally caused the sexual abuse of the plaintiff."

Experts say child sexual abusers commonly attempt to make their young victim feel responsible or guilty. When Villarreal completed the sexual act, he apparently followed the time-worn script.

Marshall said the older man merely said to him, "I don't have to put this in my report. This is just between me and you."

But the foster child was hurt and frightened and immediately told his Star View therapist what had happened: "I asked her if somebody from the state of California came in and messed around with me, does he have the right to do this?"

Although the boy was not believed initially, the Torrance Police Department was called in, and an investigation discovered that the state worker had left evidence of the assault on one of the conference room's blue chairs. Villarreal denied the allegation, but when the DNA results proved a match, he eventually confessed.

"I thought he was an ordinary social worker. I thought he was there to protect me," Marshall said repeatedly, as though he still could not believe what had transpired.

The youth said he no longer trusts some adults.

"I don't trust male authority figures anymore," he said. "I don't even feel comfortable around my teachers."

Documents obtained by the Daily Journal indicate Marshall recently has attempted to harm himself, and some people predict he could be a danger to others as well.

"He needs help," Greenspan said.

But Marshall, who recently graduated from high school and has enrolled in community college, summed up his feelings about foster care in two words: "It sucks."

"Kids don't think the police will believe them," he said. "Kids get punished [by killing staff] for reporting abuse."

But a semen stain left on a chair in Star View's conference room tied Villarreal to the crime. Los Angeles Deputy District Attorney Alex Karkanen successfully prosecuted the state worker last year.

"This boy was in a very weak position, and Villarreal was a sexual predator," he said. *People v. Villarreal*, BA177887.

Had it not been for a member of the legal community who became upset by what he perceived as the child welfare system's further mistreatment of the youth, Marshall's case likely would have been swept under the rug. However, the individual, who asked not to be identified, contacted private lawyers and asked them to see if anything could be done to protect the youth, who is about to be emancipated "from the foster care system."

Because of this intervention, Marshall is represented by the husband-and-wife team of Paula C. and Arthur Greenspan of the Law Offices of Greenspan & Greenspan in Beverly Hills. Co-counsel is Steven J. Brady of San Rafael. After a claim on Marshall's behalf was rejected by the county, the attorneys filed a civil lawsuit in July 1999 against Villarreal, the state, Los Angeles County and Star View, a private care provider that contracts with the county. *Marshall v. Villarreal*, BC2122299.

The foster youth's attorneys have charged in court documents that Villarreal had "been arrested, charged and convicted of other sexual crimes" before the abuse of Marshall and "had a propensity towards abusing his position of authority and trust with the minors with whom he was entrusted."

The lawsuit further alleges that the

state employee should have been prohibited from working with children and charges that Villarreal's job with the Department of Social Services' Community Care Licensing division in Culver City allowed him unfettered contact "with out other adult supervision" with numerous foster children at facilities throughout Los Angeles County.

At the time of Marshall's placement and the later molestation, Star View was Children and Family Services for not protecting the legal and human rights of children residing there. It also was under investigation by the state Department of Social Services, according to documents obtained by the Daily Journal, because of alleged personal rights violations, the physical abuse of children by staff, lack of adequate staff supervision and using a psychotropic medication "to punish clients to the point of passing out." Ironically, Villarreal was one of the state's chief investigators.

Although Los Angeles Superior Court Judge David Horowitz has sealed the civil case, according to documents obtained by the Daily Journal, the state's attorneys contend the Department of Social Services is not legally responsible. The state has appealed the judge's decision to allow Marshall to present a claim that is beyond the normal statute of limitations. Oral arguments in *State of California v. Superior Court (Marshall M.)*, B138545 (Super. Ct. No. BC2122299), were scheduled for Friday but were postponed suddenly this week. Arguments were rescheduled for Sept. 22.

State Deputy Attorney General Carol A. Z. Boyd said she could not discuss the case because of the lower court's sealing order. In addition, Los Angeles Principal County Counsel Roger H. Granbo said it is the county's policy not to comment on pending litigation.

In Horowitz's July 29, 1999, decision to allow Marshall's late claim, the judge discussed "the unique circumstances of this case" and cited the state's refusal to "cooperate in any way" with the boy's attorneys. He said the county, as Marshall's legal guardian, did not inform the boy of his legal rights with the state on which he was dependent.

Attempts to reach Villarreal, who reportedly is representing himself, were unsuccessful. But it was learned that he has filed a general denial of all of the allegations made in the civil lawsuit. Star View has reportedly denied liability. Its attorney, Linda Randlett Kollar of Hooper, Lundy & Bookman Inc. said she would like to comment on the case but is prohibited from doing so because of the sealing order imposed by Horowitz.

Marshall, who just celebrated his 20th birthday, is in foster care. He lives in a group home in Pomona and probably soon will leave the system that has fed, clothed and housed him for 18 years. The foster youth, who has a penchant for shiny silver jewelry, said he's fearful of what the outside world may hold for him.

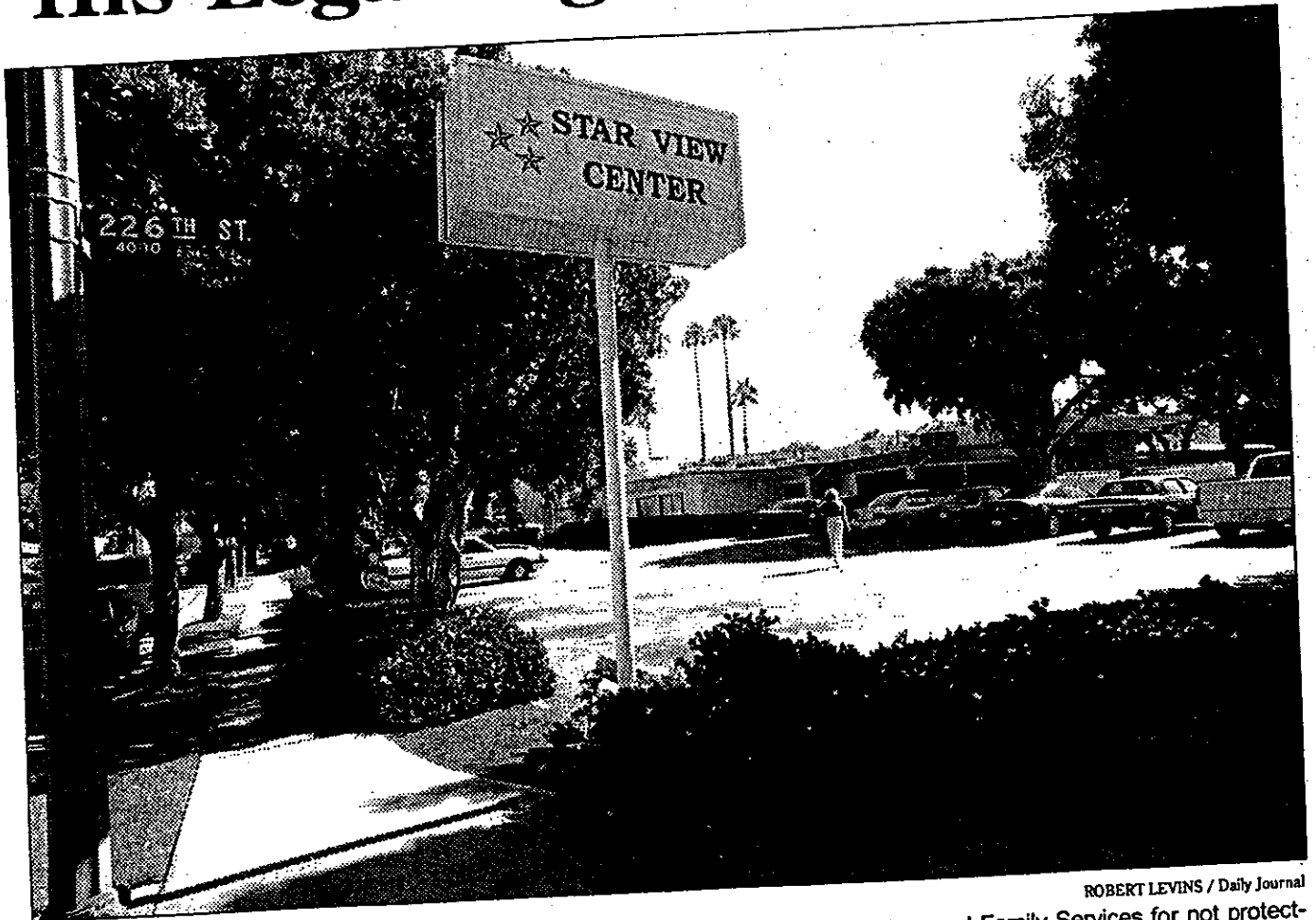
The youth said he agreed to be interviewed because he hoped it would help other foster kids who may be afraid to stand up for themselves. Eventually, he said, he hopes to own a business and earn enough money to help kids in the system.

"I want to do something for foster kids. I want to do something that somebody hasn't done for me," he said.

Life began without much promise. The boy entered long-term foster care in Los Angeles County as a toddler because his family was deemed unstable. His biological mother, reported to have a history of drug and alcohol problems, allegedly had abused and neglected the

LOS ANGELES DAILY JOURNAL

# County Didn't Inform Youth of His Legal Rights, Judge Says



ROBERT LEVINS / Daily Journal

**UNDER FIRE** — At the time of Marshall's placement and the later molestation, Star View was on "do not refer" status by

Department of Children and Family Services for not protecting the legal and human rights of children residing there.

# Through the Cracks

## Molested Foster Youth's Case Raises Questions About System's Failure to Protect

By Cheryl Romo  
Daily Journal Staff Writer

The nightmare is always the same. The 17-year-old is alone, walking down the empty hallway of Star View Adolescent Center in Torrance. Only the door to the conference room is open — and he knows, even though he wants to get away, that he must walk through that door.

Once inside the room, the youth also knows the same stranger will be there, waiting for him.

"There's nothing I can do," Marshall (whose last name is being withheld) said of the recurring dream and the actual sexual abuse he experienced at the hands of a state child protective worker May 15, 1998.

The facts are not in dispute.

In the aftermath of Marshall's molestation, Efrain Villarreal III, 45, a California Department of Social Services licensing analyst, lost his state job, pleaded guilty to criminal charges of sexual battery by restraint, was sentenced to 180 days in county jail and placed on probation for three years. In addition, Villarreal is a convicted felon required to register as a sex offender under Penal Code Section 290.

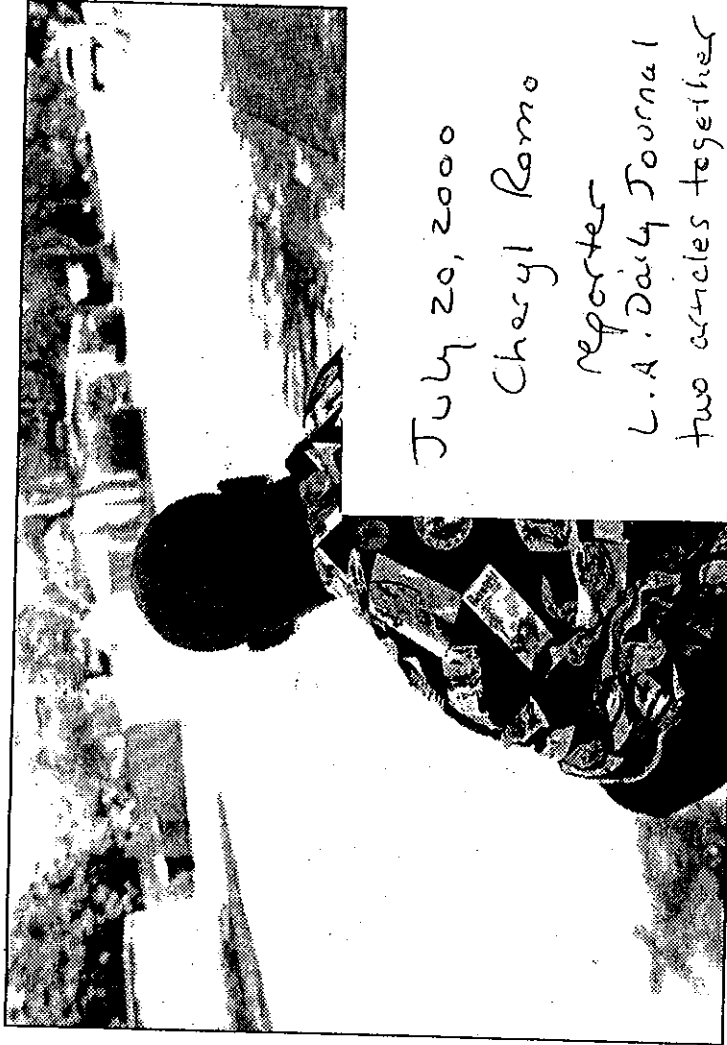
But the case continues to reverberate, raising significant questions about whether the child welfare system failed to protect and tend to the needs of one of its vulnerable children as surely as malfunctioning biological parents fail the offspring who are taken from them and placed in foster care.

Although Marshall, a legal orphan who has been in foster care since age 2, did not testify at Villarreal's criminal trial, he did write a letter to the judge describing how "this man" came to Star View and violated him.

"He used his authority to commit this crime," Marshall wrote. "Your honor he came in my home and hurt me. ... So I'm asking you, your honor, [to] do the right thing, not just for me but for the other kids he violated [who] don't come forward."

Marshall, a slightly built young man with sad eyes, was never reunited with his biological family or adopted. Those who know him describe a "sweet kid" with "severe learning disabilities" who is popular with his peers. Since his molestation, however, the youth's behavior reportedly has deteriorated. The words most often used to describe him today are depressed, paranoid, angry and self-destructive.

No child abuse report was made on the boy's behalf by the Los Angeles Department of Children and Family Services. No petition was filed with the Los Angeles Juvenile Court by the boy's dependency court-appointed attorney asking that tort counsel



July 20, 2000

Cheryl Romo

Reporter

L.A. Daily Journal

two articles together

**UNPROTECTED** — Marshall, a foster youth molested by a state child protective worker, felt hurt that no one initially believed his story. "Kids don't think the police will believe them," he said. "Kids get punished [by facility staff] for reporting abuse."

be appointed for him.

"I don't understand. The kid should not be falling through the cracks like this," said Virginia G. Weisz, directing attorney for children's rights at Public Counsel Law Center, which works in cooperation with the Juvenile Court and the Los Angeles County Bar Association to protect the legal rights of foster children who are injured or abused while in the system.

"All children are represented by attorneys, and attorneys are required by statute to report any abuse. The [Department of Children and Family

Services] is required to notify the attorney and the court," Weisz said. "The dependency court has worked very hard to protect these children."

Marshall's court-appointed attorney, Judith Antelman, did not return telephone calls seeking comment for this article.

What was hurtful for the victim in this case is that initially no one believed his story. Marshall said during an interview with the Daily Journal that he wasn't surprised.

ROBERT LEVINS / Daily Journal



ROBERT LEVINS / Daily Journal

**DETECTORS** — Husband-and-wife team C. and Arthur Greenspan, who are representing Marshall, charge in court documents the molester "had a propensity towards taking his position of authority and trust with minors with whom he was entrusted."