

LOS ANGELES TIMES

L.A. County child abuse deaths rising; Confidential reports contradict previous information from the Children and Family Services agency.

October 19, 2010

BYLINE: Garrett Therolf

More children have died in each of the last two years from abuse or neglect after being under the eye of Los Angeles County's Department of Children and Family Services despite assurances by county officials that the problem was getting better, according to confidential county documents reviewed by The Times.

The number of deaths from abuse and neglect rose from 18 in 2008 to 26 in 2009, and 2010 so far is on track to be even worse, with 21 maltreatment fatalities in the first eight months of the year, according to the figures. The department publicly released some of the case files of child deaths Monday morning after repeated inquiries from The Times but has not yet released the overall statistics, which have been circulating among senior county officials.

The majority of the maltreatment fatalities occurred while county social workers were actively overseeing the child's welfare or just days or months after they had closed the case for the child, the records show.

The data represent the first time the public has gained access to the department's accounting of how many children in its care have died of maltreatment. The trend contradicts previous accounts the department had provided to other county officials.

As recently as August, department Director Trish Ploehn provided statistics to the Los Angeles County Commission for Children and Families showing that the number of maltreatment fatalities had dropped from 18 in 2009 to six in the first seven months of 2010. Her statement was provided to The Times in response to a California Public Records Act request. Ploehn declined repeated requests for an interview for this article.

One of the previously undisclosed child deaths was that of Miaamor Steen, a 5-year-old girl from Inglewood, who was found on Sept. 16 in the bathtub of an extended-stay motel, unconscious and not breathing, police said. The girl's mother, Jennine Steen, and her boyfriend, Solomon Walters, were arrested on murder charges.

Records indicate that the departments' child abuse hotline had received two calls about Mia. The most recent investigation was closed about a month before her death, with no finding of abuse. The girl's father, Donya Steen, said he made one of those calls after hearing that Mia was being beaten by her mother.

"Something has gone terribly, terribly haywire in the oversight of these children," said Supervisor Zev Yaroslavsky, a persistent critic of the department's handling of child deaths.

Yaroslavsky questioned whether the department's drive to reduce the number of children removed from their families and placed in foster care has led it to leave too many children in unsafe conditions.

The number of foster children has dropped from 52,000 in 1997 to 18,800 this year. During this period, the department has focused on keeping children with their parents by giving the adults drug treatment, parental training and other services.

The drive has been motivated by the belief that a child's welfare is best served by his or own family, even when that family is somewhat troubled. But the reduction of foster children is also a budgetary imperative.

Under an experimental federal and state program known as the Title IV-E waiver, Los Angeles County agreed to accept a fixed sum for foster care. If costs exceed that amount, the county must pay the difference. If the county spends less than the federal allotment, the county can use the leftover funds to pay for other programs designed to reduce child abuse and neglect.

Yaroslavsky said he agreed that children belong with their own families whenever possible but worried that the department has been so single-minded in its drive to reduce the number of foster children that social workers have been blinded to the fact that some parents are too dangerous to be left in control of children.

"The facts need to dictate how DCFS handles these marginalized children. Evidence can't be ignored because there is an orthodoxy that says kids need to be kept with their families," Yaroslavsky said.

Backers of the program have resisted suggestions that the drive to reduce foster care has contributed to a rise in abuse or neglect.

Oscar Ramirez, spokesman for the California Department of Social Services, said the state did not believe the IV-E waiver "has led to systemic instances of child maltreatment, but we remain committed to working with anyone who has concerns with the IV-E waiver and have a standing offer to meet to better understand those concerns as the state's implementation of this waiver continues."

Others who have studied the waiver program say that earlier indicators were already suggesting problems. Child safety indicators under the waiver have become "an area of concern," said Charlie Ferguson, a San Jose State University professor and the state's independent evaluator of the waiver program.

Ferguson said officials had studied data involving children who had not been removed from their homes after an allegation of child abuse had been substantiated. They found that those children experienced an increased rate of substantiated abuse within a year. The rate has increased by 19% since the Title IV-E waiver began in 2007, he said.

Ferguson's review does not include fatality data because he is reviewing only data that is comparable among all California's counties and with jurisdictions elsewhere in the country.

Carole Shauffer, executive director of the San Francisco-based Youth Law Center and one of the state's leading advocates for abused or neglected children, said she was hesitant to connect the waiver with the rise in child fatalities because she worried that too little information is available.

"What analysis has been done by the department?" she asked. "Have they really looked at this? Have they looked at the experience level of the social workers who handled these cases? If they are ignoring this type of analysis, they are foolish."

It's unknown how much analysis has been done, but there is some reason to believe that the department has not diligently collected the raw data needed for such evaluations.

The data on maltreatment fatalities were recently revised under the supervision of the county's Office of Independent Review. They are part of a larger group of fatalities tracked by the department, which includes children who died of causes other than abuse.

The county's record-keeping regarding the overall number of such fatalities has been flawed. Last month, for example, the county's records reviewed by The Times showed that 91 children tracked by the department had died, of a variety of causes, in 2003. This month, the department's records showed the 2003 fatality figure as 146.

The number is subject to further revision, county records showed.

At Los Angeles County Supervisor Mark Ridley-Thomas's urging, the Board of Supervisors ordered Ploehn this month to compile fatality statistics for the last 20 years.

The vote was 4 to 1, with Supervisor Don Knabe opposed.

To the extent that the department already has such information, it has been difficult for the public to obtain.

At Supervisor Gloria Molina's behest, the Board of Supervisors asked the county's Office of Independent Review to look at whether the department was following a state law that mandates the release of case files when a child dies of abuse or neglect.

Michael Gennaco, the office's chief attorney, found that the department inappropriately hid dozens of cases from public view.

Whether the failure to make the files public was intentional or not remains under review.

At the time, Ploehn said she was in full agreement with the report, but it took a month and a half before the department had a single case file ready for review.

In a written statement, Ploehn said, "although there has been a considerable workload associated with the release of these documents, we do acknowledge that the release of these files has taken longer than we had hoped -- and the public has consequently had to wait longer than it should."

Two senior department managers have alleged that the department deliberately concealed information, and Gennaco said he is investigating their claims.

Thus far, however, he has not verified an intent to hide, and he suggested that the workers responsible for public disclosure may have been unaware that state law mandated disclosure.

'Crisis' found at child abuse agency;

Four in 10 inquiries extend past the two-month deadline, an L.A. County report says.

November 12, 2010

BYLINE: Garrett Therolf

A persistent backlog of child abuse investigations in Los Angeles County has led to a "crisis," with four in 10 open inquiries stretching beyond the state's two-month deadline, according to the county chief executive's office.

In a further indication of the problems faced by the county's Department of Children and Family Services, Chief Executive William T Fujioka said in a report released this week that shifting workers to combat the delays "appears to be slowly creating a back-end crisis," depleting resources for other critical tasks. Among the duties handled by back-end workers in the department are foster care placements and home visits.

The assessment by the county chief executive's office is the most detailed analysis to date by county officials of the backlog of cases -- which involve more than 10,000 children, according to recent figures -- in the troubled department. The findings contradict department Director Trish Ploehn's statement earlier this year that the longer inquiries have resulted in higher-quality child abuse investigations. The report, distributed to county supervisors last month, was not released until The Times appealed to County Counsel Andrea Ordin.

"The county's high [child abuse investigations] backlog appears to be contributing to poor outcomes in the [child abuse investigations] unit," the chief executive's report said.

The 21-page report is intended to "set the stage" for an independent audit of the department that was ordered in August by the Los Angeles County Board of Supervisors, one of a number of pending requests by the board to better assess problems in the department.

Elizabeth Brennan, spokeswoman for Service Employees International Union Local 721, which represents the county's social workers, said in a recent interview that the sizable backlog in open cases was fueled in large part by what she called an "out-of-control policy machine." Among the department's 370 procedural guides, she said, 140 have been created or revised in the last year. The main procedural guide for child abuse investigations has been changed 39 times.

The union was one of the first entities to raise the alarm about the backlog in a March letter to Ploehn. At that time, cases involving more than 15,000 children had not been fully investigated within the 30-day deadline then in effect.

Since then, state officials, citing the county's efforts to improve standards by interviewing more witnesses, better reviewing the family's history with other county departments and requiring more managerial review, granted Los Angeles County a waiver of the 30-day deadline. Even with double the time allowed elsewhere in the state, the department has struggled to complete inquiries within 60 days, although the report calls current figures a "significant reduction" from a peak this summer.

Since 2007, children found by the department to be victims of abuse who were left in their homes have increasingly experienced abuse again within a year, according to a researcher hired by the state. The increase was 19%.

Additionally, more than 67 children have died of abuse or neglect since the beginning of 2008 after being referred to the department, according to county statistics. The rate of such deaths has increased over that period, and county officials have acknowledged that many involved case management errors.

Throughout the county, the 7,300-person department handles 170,000 child abuse hotline calls a year.

Michelle Dominguez of Lakewood said she was frustrated by the department's response when she called on behalf of her daughter's 12-year-old friend. Dominguez said she was stunned by the squalor she found in the girl's home when she dropped the girl off in September.

"I was in tears and ran out of there. I felt something walking up my legs. I was covered in roaches from my knees down," Dominguez said, recounting conditions also described by the girl's father, who lives elsewhere.

The girl's mother, Dominguez said, was a hoarder. The home was covered with trash, dog feces and pests. The kitchen had little food, and the girl and her three siblings appeared malnourished, she said.

When she called to report the case to the Department of Children and Family Services, Dominguez said, she learned that alleged abuse and neglect had already been reported by police on Sept. 8.

Two months later, Dominguez said the investigation remains open. Although her daughter's friend and another sibling have since gone to live with their father -- a decision unrelated to department action -- two other children remain in the home, Dominguez said.

Department officials did not respond to questions about the case and are barred by confidentiality laws from commenting on it. Ploehn also declined The Times' requests for an interview regarding the backlog.

Earlier this year, however, Ploehn said she needed additional personnel to resolve the backlog. More recently, her staff emphasized that although cases remain unresolved, social workers make first contact with the child's family within days of the hotline call and are required to pull the child out of situations as soon as they verify substantial danger.

But county officials also acknowledge that critical assessments following initial contact with the child might take weeks longer.

Evidence of abuse or neglect might diminish by the time social workers look for it. In Dominguez's case, she said she provided food and housing for her daughter's friend, and the girl gained more than a dozen pounds by the time social workers assessed her health.

Brennan, the SEIU spokeswoman, said the standards for investigation are applied unevenly in the department's 18 offices, and social workers on temporary assignment have little training in this type of work as they move from one office to the next in efforts to ease the backlog. The county chief executive's report found that the offices with the largest backlogs generally have the most inexperienced workers.

Fujioka, who oversees Ploehn, referred questions about the backlog to a deputy, Antonia Jimenez.

Jimenez said she was trying to develop a "sustainable" staffing plan that would address the issue. She also said some of the investigation standards imposed over the past year -- such as more interviews of key witnesses and managerial review -- might be "streamlined."

"Do you need all these safety enhancements for 100% of the cases or is there a way to triage them?" she asked.

The report, which Jimenez spearheaded, found some department policies "duplicative or contradictory," making it difficult for social workers to comply. The report also cited problems with newly implemented e-mail alerts designed to signal social workers when they have missed deadlines for visiting children and writing reports.

"The problem is that the social workers are receiving so many alerts that people start to ignore them," she said.

Middle managers spend too much time out of the office at community meetings, the report found. When they are in the office, much of their remaining energy is dedicated to dealing with problem employees requiring discipline, the report said.

The report did not directly assess the effectiveness of the department's senior management team.

Meanwhile, many of the actions ordered in recent months by the Board of Supervisors, which has ultimate responsibility for setting department policy, have been placed on hold.

Supervisor Zev Yaroslavsky, a persistent department critic, said the board has ordered seven studies of the department since August, "most of which have not been acted on."

Supervisor Michael D. Antonovich, a board member since 1980 who pushed for many of the studies, said: "You need a little historical reference point ... so you're going in the right direction and not repeating the failures of the past."

Antonovich said in a recent interview that he is waiting until an outside auditor reviews the department's management before deciding whether to continue his support of Ploehn.

The audit was ordered in August as an emergency measure, but so far, no one has been hired to do it.

Child welfare chief may be ousted; L.A. County officials plan to replace Ploehn after a series of errors in agency's oversight of abused children.

November 13, 2010

BYLINE: Garrett Therolf

Los Angeles County officials are planning to replace the embattled chief of the Department of Children and Family Services, according to high-level officials familiar with the matter, moving to address the problems of an agency they have declared to be in crisis.

Trish Ploehn, who has headed the department for four years, will probably be reassigned elsewhere in the county, according to the sources, who asked not to be identified because the move concerned a personnel decision that had not been made public. They said William T Fujioka, the county's chief executive, was expected to appoint an interim director to allow for a search for a permanent replacement.

As problems mounted, the Board of Supervisors increasingly criticized Ploehn's performance, and her relationship with some members privately frayed. In recent months, she hired an attorney to write a letter alleging that they had created a hostile work environment for her, according to a source familiar with the matter.

News that Ploehn's departure may be imminent came as top county leaders have acknowledged that the department is in crisis, with a massive backlog of open investigations into child-abuse allegations and a history of mistakes in the oversight of abused and neglected children that sometimes contributed to their injuries or deaths.

Ploehn, 56, joined the department in 1979 and has worked in most of the key sections, including as a youth counselor, adoption specialist and emancipation services worker. In 2003, she became deputy director, and in 2006, she became the first director to be selected from inside the department. She earned about \$260,000 last year, making her among the top 200 highest paid county officials.

With 170,000 child abuse hotline calls a year, and 7,300 employees, running the department is one of the most difficult management tasks in local government.

During her tenure, Ploehn has been credited with improving the stability of placements for the 30,000 children living, under the department's active supervision, with family members or in foster care. She also improved education opportunities for some of the foster children.

But aides to the county Board of Supervisors said support for Ploehn waned as mishandled cases came to light and two outside reports found shortcomings in the department's management.

Her tenure has coincided with a time of competing pressures. On one side, more public review of cases involving death or injury -- made possible under a new state disclosure law -- laid bare the inadequacy of the department's procedures. In order to limit decisions made with too little information, Ploehn worked to require social workers to conduct more interviews and review more databases before acting on child abuse claims.

But the move to improve the quality of investigations pressed against state deadlines for investigating tips, intended to ensure prompt action. Ploehn said she did not have enough social workers to conduct the additional work within state deadlines. Members of the Board of Supervisors dismissed those complaints, saying the work could be done more efficiently.

Donna Myrow, a member of the state's Blue Ribbon Commission on Children in Foster Care, said Ploehn has worked under a microscope in ways her predecessors did not because new disclosure laws have made it easier for the public to see the department's worst cases.

"The problems we are reading about are not new, they are just coming to the public's attention in ways they did not before," said Myrow, who publishes a newspaper written by foster youth.

Among the problems Ploehn faces are questions about her management of a controversial federal and state program known as the Title IV-E waiver. Under the program, county officials agreed to accept a fixed sum from the federal government for foster care. If costs exceed that amount, the county must pay the difference. If the county spends less than the federal allotment, the county can use the leftover funds to pay for other programs designed to reduce child abuse and neglect.

Since the program began in 2007, children who had been left in their own homes after the department found them to be victims of abuse were increasingly experiencing abuse again within a year, according to a researcher hired by the state. The increase was 19%.

In addition, at least 67 children have died of abuse or neglect since January 2008 after being referred to the department, according to county statistics.

The rate of such deaths has increased over that period, and county officials have acknowledged that many involved case management errors.

"I think Trish is incredibly smart and capable in an extremely difficult job," said Dr. Astrid Heger, who provides medical care to children under investigation by the department as the director of County-USC Medical Center's Violence Intervention Program. "When you have to work under a bureaucracy that puts so many demands on your skill set, it is hard to deliver in the way you might like."

Over time, Ploehn became less willing to answer questions, with some county supervisors complaining that they struggled to obtain information.

In August, the county's Office of Independent Review issued a report that said Ploehn's department had not fully complied with a 2007 state law requiring the release of numerous records in fatality cases.

Workers responsible for the disclosure were not communicating properly with other sections of the agency, the report found, and the breakdown had led to "a virtual paralysis of the statute's intent."

Fujioka's office issued a report to supervisors last month that said the department was in "crisis" as a result of the persistent backlog of open investigations into child-abuse allegations. Four in 10 open inquiries stretched beyond the state's two-month deadline, according to the most recent county statistics. The Times reported Friday on those findings, which were publicly released this week.

In a brief telephone conversation Friday, Ploehn declined to comment on whether county officials were planning to remove her as department head. She said she was unable to talk at the moment and would call back later.

Fujioka referred questions to a spokesman, Ryan Alsop, who said he had no knowledge of any impending moves at the department.

"All personnel matters, particularly the reassignment of a department head, is [Fujioka's] decision, and that decision has not been made," Alsop said.

County ousts child agency chief; Trish Ploehn had come under increasing pressure over the department's handling of abuse cases.

December 14, 2010

BYLINE: Garrett Therolf

Trish Ploehn, the embattled director of Los Angeles County's Department of Children and Family Services, was removed Monday and is expected to be replaced for now by a top county official who wrote a recent report which found the agency to be in "crisis."

Antonia Jimenez, a top aide to county Chief Executive William T. Fujioka, called for focused attention on reducing a backlog of child abuse investigations in the report, which was released last month. She also found numerous management deficiencies in the department, saying that the agency needed to improve its system for employee discipline and simplify directions given to workers.

Whoever runs the agency will face difficult challenges: A backlog of investigations into abuse and neglect allegations remains dauntingly large. Crucial information about family history is still not readily available to most social workers in the field, and many county departments fail to share information in a timely manner, despite years of notice to the Board of Supervisors that lack of communication impedes good decision making.

"It seems unlikely that replacing the director, for the fifth time in 20 years, will solve the overwhelming problems faced by an overburdened and under-resourced system in an environment of increasing child poverty and record unemployment," said Leslie Heimov, director of the Children's Law Center of Los Angeles, the court-appointed counsel for 90% of children in the system.

The sentiment was echoed by Carole Shaufer, executive director of the San Francisco-based Youth Law Center and one of the state's leading advocates for abused or neglected children.

"It is more than the director, it's more than one policy, it's more than the pendulum that sways between detaining too many children or too few. It's about whether they can make individualized decisions and have the resources and the expertise to carry them out effectively. Los Angeles County too often goes back and forth between policy fads, and I don't like to do that when children's lives are at stake," she said.

Nonetheless, Ploehn's relationship with some of the county supervisors has frayed in recent months as problems mounted at the agency. Jimenez's report about management deficiencies at the agency portrayed a more dire situation than many county officials had assumed. It crystallized concerns among senior officials that Ploehn, who joined the department in 1979 and was the first director selected from inside its ranks, was not the right person to fix its current problems.

Fujioka is expected to recommend that Jimenez be appointed on an interim basis after removing Ploehn, a move that had been in the works for more than a month. Ploehn will be reassigned to a position in Fujioka's office handling administrative tasks unrelated to child welfare, and it was unclear if she would retain her \$260,000 annual compensation package, according to Fujioka's spokesman.

Jimenez will not have the benefit of significant child welfare experience. She came to Los Angeles County government only months ago after working as a senior manager at Deloitte, the management consulting firm, and in Massachusetts state government, including the governor's office, focusing mostly on healthcare issues.

Since arriving in L.A., however, she has gained officials' confidence for her management expertise and has been admired for her reputation as a turnaround expert. Behind the scenes, she has asked supervisors' aides to pull back from their involvement in the department's affairs to give her and the chief executive's staff the opportunity to take nearly singular ownership of the day-to-day efforts to correct the agency.

Officials close to the discussions said Fujioka initially balked at a recommendation from Supervisor Gloria Molina to choose Jimenez as the interim director because he felt he needed her in her current position. Ultimately, however, after looking at other internal candidates, he decided Jimenez was the best fit.

As Jimenez puts her plan into motion, supervisors are urging Fujioka to conduct a national search for a permanent director and replace additional key personnel.

"The county now has a unique opportunity to bring in new executive leadership and a strong executive management team to DCFS," Supervisor Zev Yaroslavsky said. "The department needs to put child safety, transparency and effective administration first."

The mission of the department's 7,300-member staff is to care for abused children and help reunite them with their families. From Chatsworth to Pomona and San Fernando to Long Beach, the department's investigators and social workers examine 160,000 child abuse allegations a year and supervise 32,000 children in the system, including 18,000 in foster care. They also arrange adoptions and offer drug and alcohol counseling for parents, treatment for young victims of sexual abuse and special medical services for seriously ill children.

More than 67 children have died of abuse or neglect since the beginning of 2008 after being referred to the department, according to county statistics. The rate of such deaths has increased over that period, and county officials have acknowledged that many of those deaths involved case-management errors.

In a defiant message to her staff, Ploehn said she was certain "our department is on the right track, irrespective of what is said by those who may be quick to offer criticism without fully understanding what we do."

She told employees that she remained "exceptionally proud of what we have accomplished together."

Child welfare leader quits; Interim county chief declined to go along with supervisors' changes for agency.

May 2, 2011

BYLINE: Garrett Therolf

It's an unpleasant rite of passage for top county bureaucrats: When something goes wrong, they are called before the Board of Supervisors for a public scolding.

Usually the unfortunate victim submits. But the case of Antonia Jimenez was different. Summoned before the board for tough questioning last month, the interim director of the Department of Children and Family Services was quietly defiant. She refused to go along with the board's reform plan and then resigned, going back to her previous county job and leaving the troubled children's agency without a leader.

Jimenez's decision intensified questions hovering over the children's agency -- which has been engulfed in crisis after its mishandling of cases contributed to fatalities -- and set off a new conflict between the county's elected leaders and its appointed bureaucrats. They, like Jimenez, work under the direction of county Chief Executive William T Fujioka.

A few days after Jimenez quit, three supervisors proposed stripping Fujioka's office of day-to-day authority over the children's services agency, as well as the L.A. County Probation Department.

If the move is confirmed, Fujioka would find his power diminished by the supervisors for the first time since they hired him in 2007, and the supervisors would take management of children's services.

The proposal was tentatively welcomed by some children's advocates. "I don't think DCFS could get any worse than it was under Fujioka," said Jo Kaplan, the former longtime leader of a court-appointed firm representing foster children.

But Jimenez, who declined a request for comment, told supervisors at the April 19 board meeting that they were impeding efforts to fix problems at the agency.

In particular, she faulted them for not sharing internal reports on cases of children who died of abuse and neglect despite having had contact with social workers.

Such reports, completed by a special unit of lawyers in the county, are subject to confidentiality rules so strict that not even the head of the children's agency is allowed to keep copies.

Jimenez argued that this made it difficult for her to correct problems. But the supervisors said the rules were necessary to keep the reports out of the hands of the growing number of lawyers suing the county over children's cases.

The two sides traded arguments at the April 19 board meeting. Supervisors sought to use the public venue to pressure Jimenez into obedience, as they have done with other managers: One health director collapsed under their questioning in the mid-1990s and had to be hospitalized.

But Jimenez, who arrived at the county's Hall of Administration last year after compiling a sterling resume in Massachusetts state government, showed little emotion.

When the board voted to order her to sign a document codifying the strict confidentiality rules for child death reports, she refused. She later moved back to a low-profile assignment in Fujioka's office. Fujioka declined to comment.

Supervisors afterward criticized her actions. Supervisor Zev Yaroslavsky said she had made a "mountain out of a molehill." Supervisor Gloria Molina said she was "disappointed in her." Supervisor Michael D. Antonovich demanded Jimenez's resignation from any county employment and labeled her refusal to sign the reform plan "an act of insubordination."

"I don't believe," he said, that "bureaucrats should stand in the way of elected officials doing their jobs."

But some observers said they sympathized with Jimenez's stand. "The supervisors can be very hands-on -- exhaustively and annoyingly so," said Michael Nash, the presiding judge of children's court, who has good relations with the board. "If her own assessment was that 'Hey, this isn't for me; I'm going to hand it off,' then good for her for speaking up."

People close to Jimenez said that in addition to her concerns about confidentiality rules, she was put off by the board's interference in seemingly minute managerial decisions.

A proposal involving just a few dozen new workers in a \$1.7-billion department was stalled by weeks of review by the board's aides.

Contractors who provided faulty services to children who later died sometimes received blistering phone calls from Supervisor Molina, who bypassed the department's official channels.

Jimenez left the children's agency without accomplishing her goal of eliminating a backlog of thousands of unfinished investigations. Many key efforts to reform the department's training programs, to fix computer systems and to mend other trouble spots have barely begun.

The department's chief deputy, Jackie Contreras, has been elevated to interim director, but the supervisors have signaled that she is not a candidate to lead the department permanently. A four-month search for a permanent director yielded just one candidate, and he opted to take another job.

Supervisors said they don't yet know how they will find the next director. "I think those details are still being worked out," Antonovich said.

***County CEO stripped of two agencies;
Supervisors take direct oversight of the troubled probation and child protection departments.***

May 18, 2011

BYLINE: Garrett Therolf

Los Angeles County supervisors took the unusual step Tuesday of curtailing the power of their chief executive, William T Fujioka, who has struggled to overcome breakdowns in child protective services that contributed to tragic instances of harm and even death for youths.

Supervisors Michael D. Antonovich, Gloria Molina and Zev Yaroslavsky voted to place the Department of Children and Family Services, as well as the troubled Probation Department, under direct oversight of the county board. Supervisors Don Knabe and Mark Ridley-Thomas opposed the move.

Tuesday's actions put board members at the helm of chronically hard-to-manage agencies and reignited a larger debate about how best to organize the nation's largest local government. Just four years ago, Fujioka was hired and given an expanded budget and increased administrative powers, ostensibly so that supervisors could focus on big picture concerns.

But recently supervisors have complained that the chief executive has used his office to hinder their ability to correct problems in the two departments by tightly controlling the flow of information to board members. They also accused Fujioka of refusing to follow their orders. "We can't let bureaucrats get in the way of us doing our job," Antonovich said.

Fujioka defended his record in a statement to The Times, saying that his office improved the quality of services and never prevented the release of information to the board.

"Ask a fair sampling of department heads," Fujioka said. "Most have said we have greatly improved the communication, collaboration and efficacy of the organization, which for decades operated in silos."

Knabe and Ridley-Thomas echoed his remarks, saying the move would muddle lines of authority and slow decision-making. "I'm not yet convinced that replacing one boss with five bosses is better," Knabe said.

The children and family services agency, which administers foster care, and the Probation Department, which handles juvenile delinquents, have both been plagued by problems during Fujioka's tenure.

Many of the issues at the Probation Department predate Fujioka's hiring, and the agency has been under the oversight of the U.S. Department of Justice for many years because of civil rights violations. But the supervisors say little progress has been made in addressing those concerns in recent years and the department is now threatened by a possible federal takeover.

Problems at the children and family agency surfaced more recently following disclosures in The Times that children died of mistreatment despite having come under the attention of county social workers. Some progress has been made in correcting systematic breakdowns that contributed to the fatalities. And social workers praised Fujioka again Tuesday for hastening improvements since the ouster of director Trish Ploehn last year.

But other problems -- including a backlog of child abuse investigations that once included more than 14,000 children -- erupted under his watch.

Fujioka said both troubled agencies "have begun to turn around -- we put the right people and implementation plans in place -- but institutional change of that magnitude takes a long time, even when everybody recognizes the urgency and what's at stake."

As chief executive, Fujioka was given millions of dollars to hire experts to directly supervise department heads. His staff overflowed from the large seventh floor executive suite at the county Hall of Administration. At one point, some supervisors intended to give Fujioka even more power, including asking voters to change the county's charter so the chief executive could hire and fire department heads.

Antonovich argued against the new bureaucratic layer from the start. He said it added too little value and would likely become an impediment to progress. That view gradually gained board support.

A 2008 study also helped erode enthusiasm for a more powerful chief executive to manage sprawling county agencies. The study said that some staffers reported spending a lot of time in meetings, but that it was hard to break through bureaucratic layers and bring important issues to top decision-makers.

With the board now beginning to roll back the chief executive model, Antonovich said he wants to cut Fujioka's staff. "Yes, that issue is coming very shortly," he said. "There have to be reductions."

Child dies after being sent from foster care to her parents, renewing questions about L.A. County's troubled children's services agency

Toddler Tori Sandoval was released from foster care to her biological parents and died months later, her body bruised. Police and county social workers say the parents are suspects.

By Garrett Therolf, Times Staff Writer

June 6, 2011

The two-page letter landed in the judge's chambers at the Los Angeles County Children's Court last fall, registering "grave concern" for the well-being of 17-month-old Vycorya Sandoval.

Linda Kontis, co-founder of a foster family agency that contracted with the county to provide care to the girl, complained that the court system hadn't properly considered the risks of returning the saucer-eyed toddler known as Tori to her long-troubled biological parents.

Months after the letter was written, Tori was dead. Healing bruises covered her body, according to a court document that children's services officials filed. A rib was fractured. Blood tests suggested she died thirsty and hungry. For six hours, doctors tried to save her after she was rushed to an emergency room.

No charges have been filed, but police and county social workers say the parents are suspects in the investigation of Tori's death on April 24. She had turned 2 the month before.

Her case has sent fresh shock waves through the county's child protection bureaucracy, still struggling to implement reforms after more than 70 maltreatment deaths over the last three years of children who had been under the system's supervision.

Investigators are awaiting a final autopsy report, and details of Tori's life and health have not been disclosed. But Kontis' letter has called into question whether the court system and the Department of Children and Family Services did all they could to safeguard the girl. Kontis declined to comment.

Kontis' letter was one of two warnings officials received about Tori's welfare in the months before she died, according to sources familiar with the case. A friend of Tori's former foster parents, Jennifer Nichols, said the couple phoned in a report to the children services department after hearing from the girl's relatives that Tori's condition was worsening.

Elise Esparza, a friend of Tori's relatives, said she barely recognized the once-boisterous girl when she saw her the month before she died. "She was very pale looking and gaunt in the face. I said, 'Something is wrong.'" After Tori's death, Esparza said she was present when the girl's mother described Tori pulling out her own hair and pinching herself.

Despite concerns among those who knew Tori, the court and the county left the girl with her parents, who lived in a Pomona apartment before their daughter died. Social worker visits were ordered, but interviews and records indicate that during the period she was with her parents, Tori's weight dropped from the 50th percentile to below the fifth percentile for children her age.

Jackie Contreras, the county's interim children's services director, said one department worker has been placed on desk duty because of possible lapses in monitoring Tori. Confidentiality rules bar her from discussing the case, she said.

County officials have labored to correct recurring, systemic problems in child protective services. Last

year, frustrated county supervisors complained of slow progress before the former children's services director, Trish Ploehn, was ousted.

The county has touted its success in cutting foster care rolls by nearly two-thirds since 1997, to fewer than 20,000 children. Nearly nine of 10 children returned to their parents do not have a substantiated maltreatment incident in the first year. But critics point out that the rate of unsuccessful reunifications has nearly doubled as the county has allowed increasingly troubled families to reunify.

And three years ago a state Blue Ribbon Commission on Children in Foster Care reported that court hearings for foster children average just 10 to 15 minutes, providing children no meaningful voice. The panel's recommendations to reduce court caseloads have been stalled by budget problems.

Kontis wrote that hasty reunification efforts and a poorly conducted court hearing in September potentially put Tori at risk.

"I know that reunification is primary and always work toward that goal. However, there are cases where common sense must prevail and history is relevant," said Kontis' letter, which was written shortly after the September hearing. A copy was obtained by The Times.

Michael Nash, the presiding judge in Los Angeles Juvenile Court who supervises the commissioner who handled Tori's case, said he received and answered Kontis' letter. But the correspondence is confidential because of state rules, he said.

Tori was removed from her parents after her birth and joined eight older siblings in foster care, according to the letter sent by Kontis, who had access to extensive files on Tori. The family has had 11 referrals to child protective services for alleged domestic violence, child abuse and other issues, according to other sources with access to the family's files.

Jennifer Dalhover, Tori's 35-year-old mother, could not be reached for comment. An attorney representing Joseph Sandoval, 20, Tori's father, who was arrested on a probation charge after the girl's death, did not respond to messages.

The couple had a tempestuous relationship that included allegations of domestic violence and sexual abuse committed by Dalhover against Sandoval when he was a minor, according to Kontis' letter to the court. More recently, Dalhover obtained a restraining order against Sandoval, citing domestic violence, Kontis wrote.

Several months before winning custody of Tori, Dalhover and Sandoval dropped out of contact with county social workers and discontinued court-mandated programs meant to prepare them to reunify with the girl, according to Kontis' account.

In June, they resurfaced in a Pasadena homeless shelter with a newborn child and restarted their efforts to regain their daughter, Kontis wrote. Seventy-seven days later, with their parenting programs still unfinished, they appeared at the September court hearing asking to reunite with Tori, according to Kontis' letter.

"I ... have been in many children's courtrooms over the last 20 years, and I have never seen any conducted in the manner in which I witnessed that day," Kontis wrote to the court.

The hearing was closed to the public and the transcript is sealed, as is customary in juvenile cases. State legislation that would open such hearings has been placed on hold until next year, partly because of

opposition from the union representing many county social workers. Kontis was among those who attended Tori's hearing.

According to Kontis' letter, the court commissioner who approved the reunification, Marilyn Mackel, "dominated her courtroom with intimidation and anger, to the point that the attorneys present barely spoke above a whisper with simple answers," Kontis wrote.

The commissioner appeared distracted when one of Tori's siblings spoke, and "reams of concerns and pages of documentation" were not acknowledged, Kontis wrote. Tori's court-appointed attorney, Robert Vasquez, told Kontis that "the history of the family does not matter, the goal is to reunify," she wrote.

Mackel did not respond to an email message or calls to her chambers and the court press office or an interview request left at her home. Leslie Starr Heimov, Vasquez's supervisor at the Children's Law Center of Los Angeles, which represented Tori, said that she was stunned by Kontis' letter and that it mischaracterized Vasquez's analysis of the case. She said Vasquez had discussed Tori's case with Kontis for 30 minutes in the hallway outside the court hearing and had explained why he felt she would be returning to a safe home.

"At the time she was sent home, was there evidence to suggest that she was being hurt by her parents or that she would not be safe in their care?" Heimov asked. "If not, then the law says that she should be returned."

Heimov echoed staffers at the Edelman Children's Court in Monterey Park, where Tori's case was heard, who said Mackel and Vasquez have reputations for being conscientious. Mackel is said to delve deeply into children's histories for her cases, and Vasquez frequently arrives shortly after dawn to prepare his arguments.

After she was returned to her parents, Tori remained under the oversight of the Department of Children and Family Services until she died and should have received frequent visits from county social workers.

Internal affairs investigators at the children's service agency are looking into whether those mandated assessments were conducted and, if they were, what social workers observed. Meanwhile, Dalhover, according to interviews with county officials and friends of the family, recently became pregnant with her 11th child.

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