

2007 Price Child Health and Welfare Journalism Award

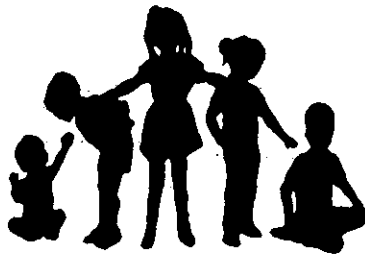
Third Place

The Press-Enterprise

"No Rescue"

written by Paige Austin

*an in-depth report on how social services agencies and others
failed to protect two young boys from being tortured
and eventually beaten to death*



THE PRESS-ENTERPRISE **PE**com

Maria De Varenne
Editor

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To the judges:

Staff writer Paige Austin has pursued the sad story of Ricky and Conrad Morales since the boys' deaths came to light in late 2005. She has visited with friends and relatives, reviewed public documents and interviewed public officials in California and Washington in her effort to bring to light what went wrong in the boys' lives.

"No Rescue," the latest installment in her coverage, is the result of her tenacious pursuit of public documents and agency accountability. To get the story, she had to overcome the resistance of a child-welfare department that did not want to give us documents and then produced an incomplete record, saying the other records didn't exist and, when we pressed, that they were lost. Finally, with the help of the newspaper's attorneys, we successfully pushed the agency to locate and provide the missing records.

The story shows how public agencies failed to protect Conrad and Ricky over years of contact with the boys' troubled family. Investigators contacted Paige Austin after the story ran, because it contained information that was new to them. Although investigators will not say the events are linked, the district attorney's office announced a few days later that the death penalty would be sought in the case against the boys' aunt.

Sincerely,



Maria De Varenne
Editor

NO RESCUE



SILVIA FLORES/THE PRESS-ENTERPRISE
Destinee Morales, 16, left, and Vanessa Gallardo, 23, mourn brothers Conrad, left in photo, and Ricky Morales in Gallardo's apartment when she lived in La Puente. Police say they believe the boys' uncle and aunt, who briefly lived in Corona, killed them.

Agencies investigating the welfare of Ricky and Conrad sometimes didn't follow policy or scrutinize allegations

Editor's note: Ricky Morales, 11, and Michael "Mikey" Vallejo-Seiber, 3, were tortured and beaten to death. The people who were supposed to care for them are charged with murder. Today, in the second of two parts, The Press-Enterprise examines the role of social service agencies and other authorities in protecting the boys.

BY PAIGE AUSTIN
THE PRESS-ENTERPRISE

Ricky Morales wore his red Power Rangers suit out to play even when it grew too tight. The would-be hero with deep-set dimples told people his mother would come for him after she got out of jail.

But she never did come for him.

By the time he died at age 11 in the custody of his aunt and uncle, Ricky was bone-thin.

His body was a map of bruises and scars, burn marks and cuts when he died in Corona on Christmas Day 2005. He died locked in a feces-strewn closet

while his aunt and uncle, Raul and Cathy Sarinana, entertained guests for dinner. The Sarinanas are in a Riverside County jail awaiting trial on murder charges.

Ricky was killed three months after social workers in Washington state, where the family had been living, cleared Raul Sarinana of child abuse allegations. When the letter arrived telling Raul he was not suspected of "negligent treatment or maltreatment," Ricky's 13-year-old brother, Conrad, was already dead, his body entombed in a concrete-filled trash can.

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ON THE WEB

■ Read Mikey's story and past stories about Ricky Morales and his brother Conrad. PE.com

IN MAIN NEWS

■ Questions and answers about how public agencies investigate child-abuse allegations. **A6**

LITTLE FOLLOW-UP



Raul Sarinana and his wife, Cathy, are accused of murder in the death of Ricky Morales in Riverside County. Authorities in Washington state say they plan to try the Sarinanas in Conrad's death, but they have not been charged. The Sarinanas have denied killing Ricky.

SILVIA FLORES/THE PRESS-ENTERPRISE

The Sarinanas have pleaded it guilty in Ricky's death. Prosecutors in Washington, where Conrad died, said they plan to charge the couple after their Riverside County trial.

In Washington, child protective services dismissed without investigation at least three reports of neglect, drugs and abuse — physical, sexual and emotional — in the Sarinana home. None of the allegations warranted investigations or home visits, officials decided.

In the final months of the boys' lives, authorities in Los Angeles County as well as Washington received reports of abuse. However, investigations were superficial, warning signs were not heeded and basic protective procedures were not followed, according to records and interviews with relatives, social service officials and child-welfare experts.

Officials with the Washington state Department of Social and Health Services and the Los Angeles County Department of Children and Family Services have reviewed their handling of the case and concluded that they did everything they are required to do.

The Los Angeles County Child Death Review Team, which studies child deaths to better protect children, also reviewed the county's handling of the case, said Cassandra Turner, the team's leader.

"Nothing had been done wrong," she said.

Not every child can be saved, even when social workers do everything in their power to protect them, said Turner.

"We are put in a position where we are damned if we do and damned if we don't," she said. "We have to respect the rights of the family while helping them through very dark waters."

In Washington state, Lewis County Child Protective Services Supervisor Juli Stewart said her social workers also did nothing they should have.

But a California legislator familiar with the case said the lack of intervention was indefensible.

"That's atrocious," said California State Assembly Majority Leader Karen Bass, who chairs the Select Committee on Foster Care. "I don't see how they can defend that."

The deaths of Ricky and Conrad reflect the problems with child protective services, Bass said. While it's not helpful to attack social services after every tragedy, it also does no good to defend substandard work, she said.

"I think it would have been more honest to say, 'The social workers needed to do better,'" she said.

Social workers throughout the state are overburdened with heavy caseloads, and child protective agencies are often put on the defensive, she said. But cases like this scream out for improvements, she said.

Stu Riskin, a spokesman for the Los Angeles County agency, said no policy violations or systemic problems were exposed in this case.

The boys' deaths have not triggered changes in the system.

'THE DOPE HOUSE'

The brothers were born into danger.

"The first time I saw them was during a drug raid," said West Covina police Detective Dan Nalian. "In the middle of it, (their mother) was sitting on the couch breast-feeding one of them. My partner and I knew it then. These kids never had a chance."

Ricky and Conrad were the youngest of six children. The two oldest siblings died of sudden infant death syndrome, family members said. The boys lived in West Covina with two sisters and their parents, Rosa and Conrad Morales.

"Our house was the dope house, and everyone knew it," said sister Vanessa Gallardo, 23, of Baldwin Park.

"I hated it so much. I always cried, and all the police knew me as the crybaby," she said. Police told her and other children in the family they would grow up to be troubled like her parents, she said.

"That's why I tried so hard to be different, to show my brothers and sister another way of life. ... I used to dream I would get a job and my own place so my brothers and sister could come live with me."

Gallardo earned a technical degree and works in a pharmacy but was never able to adopt her brothers.

Conrad was 1 when social services first entered his life. His arm broke in a fall from a second-story window on the same day his 4-year-old sister ingested PCP and had to be hospitalized. The children were placed in foster care for months before returning to their mother.

Over the years, Los Angeles County social workers would investigate at least five more allegations of abuse or neglect involving the children and various relatives.

The family was well known to local police, said Nalian, who made multiple drug raids at the home where the children lived during the '90s.

According to court records, the children repeatedly were traumatized by exposure to drug deals and SWAT team raids when officers blasted locks and broke down doors.

"These people should never have these children," Nalian and his partner wrote to a judge overseeing custody of the young boys. "The only hope is to remove these children from this environment."

When child protective services intervened, Rosa Morales took classes and submitted to drug tests to get her children back. She gave up her boys for the last time in 2004, when her parole for a drug violation was revoked.

She left Conrad and Ricky with her mom in La Puente. But within a few months, Morales let Conrad move to Washington to live with her brother and sister-in-law.

'A SAFE HOME'

It was then, around Halloween 2004, when Ricky acted out in school. The 10-year-old wrote "Die, Ricky, die" on his arm.

"You just don't know what is going on at my house," he told a teacher. "My life is not worth living."

Fearing that he was suicidal, authorities admitted Ricky to a psychiatric hospital. Los Angeles County Department of Children and Family Services social worker Elia Godinez began investigating allegations that his grandmother beat Ricky and

Conrad.

In a report to her boss, Godinez wrote that she substantiated the abuse allegations.

Ricky's maternal grandmother, Estella Sarinana, denies hitting her grandchildren.

By then, Rosa Morales was out of jail, but she couldn't support Ricky.

The social worker gave her an ultimatum, Morales said. "She said, 'Conrad seems to be doing fine in Washington, so why don't you send Ricky to Washington, too? You've got one week to send him to Washington or I'm going back to court, and your kids are going back into foster care.'"

Morales sent Ricky to his Uncle Raul.

Through a county spokesman, Godinez declined to be interviewed for this story.

A follow-up plan devised by Godinez's supervisors directed her to call social services in Washington to make sure Ricky received therapy and to make sure the boys were living in a safe home. She also was supposed to interview Conrad by phone at his school so he could talk freely about conditions in the home. That never happened, according to Los Angeles County records.

In a report to her boss, Godinez wrote that she contacted child protective services in Washington to "ensure their safety." She noted the first name of the person she spoke to.

Washington social service officials said they have no record of such a call, and no one there checked on the boys.

In closing her case, Godinez wrote that the boys had been removed from the abuse and that their mother had made living arrangements for her children and would provide "a safe home" with their uncle.

But Raul Sarinana was a

felony drug offender who later told police he took medication for anger management and was plagued by voices. If Godinez had taken her abuse findings to a judge to have the boys made wards of the court, the felony conviction would have disqualified Sarinana as a guardian under California law.

CRACKS IN THE SYSTEM

An outside expert who reviewed the case for The Press-Enterprise said the system failed the boys because social workers didn't follow basic policies standard among child protective agencies nationwide.

Division 31 of California's Child Welfare Services Manual lists detailed policies to make sure children are safe when a parent voluntarily removes them from an abusive situation. In such cases where abuse is substantiated, social workers are required to establish a written agreement with the parent and a case plan for ongoing protection of the children.

Child protective services is then responsible for assessing the suitability of the voluntary guardian and the safety of the home and for conducting follow-up visits to make sure the children remain safe. When the children are sent out of state, as in Ricky's case, child protective services workers are supposed to first approve their placement and develop a written contract with out-of-state social workers to continue to monitor the children's safety. It is the California social worker's responsibility to provide a follow-up plan and make sure the out-of-state social worker follows it.

Riskin, the Los Angeles County child protective services spokesman, and representatives of other child protective agencies said it is standard for social workers to take abuse findings to court. The judge can require oversight including background checks on guardians and regular follow-up visits.

Godinez never took her abuse findings to court, nor did she carry out the voluntary placement process. Because Ricky's case was never officially opened in court, the state's policies didn't apply, Riskin said.

With the boys removed from the house, it wasn't necessary to open a court case, Riskin said. "We can't open a case if the child is not here. ... (Morales) was still their mother and responsible for where they were placed."

However, the social worker still had the same responsibility to protect the children with or without a court case, said Bobby Parnell, a retired social worker of 20 years. Now he works with Justice For Children, a national nonprofit group that represents children in civil suits and works toward child protective reform.

The social worker could have done a background check on the Sarinanas and arranged for a home visit and monthly follow-ups, Parnell said.

"You've already discovered that the mother's decision to place the kids with the grandmother was inappropriate, so you have to scrutinize her second choice — the uncle," he said.

"With an open investigation, they may not have been able to stop the mother from sending (Ricky) to his uncle. However, they did have an obligation to make sure the child was safe with whomever she placed him," he said.

"If you don't follow up, how do you know the child hasn't been sold into slavery or sent to axe murderers or the exact type of situation these kids ended up in? It's not just policy, it's common sense."

In Riverside County, physical abuse findings are automatically taken to court, said Jennie Pettet, the county's deputy director of children's services.

"If the kids were living with the grandmother, and we substantiated physical abuse in the home of the grandmother, we would have removed the kids from the custody of the mother," Pettet said. "You can't just assume the next place she sends them will be any safer."

Riverside protocol also requires regular follow-up visits to ensure the children's safety in their new home, along with proof of medical care and school enrollment, Pettet added. Any notification to social workers in another state would have been made in writing, she said.

LOST TRACK OF CONRAD



SILVIA FLORES/THE PRESS-ENTERPRISE
Vanessa Gallardo, right, says she and Destinee grew up in a "dope house." She suspected Ricky and Conrad were being abused in Washington. "I tried to get help, but no one would do anything," she said.



Spokesmen for child protective agencies said they did everything they were suppose to do in investigating the welfare of Conrad, left, and Ricky.

'CASE CLOSED'

Even before Ricky was sent to Washington, records show that officials there received reports of emotional abuse and neglect in the home where the Sarinanas lived with their two young children and Conrad.

In the months after Ricky arrived, neighbors, police, the boys' sister in California and a therapist working with Cathy Sarinana reported domestic violence, drug use and physical

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and sexual abuse.

Ricky was never enrolled in school in Washington, and few in the community even knew of him.

Friends and neighbors noticed Conrad wearing make-up to hide black eyes and bruises. Conrad told a girl in his seventh-grade class that his aunt and uncle were hitting him and that his uncle was cutting him and molesting him.

Washington social workers did not investigate a neighbor's report of neglect and emotional abuse in January 2005. They did not open an investigation again a month later when a sheriff's deputy relayed more abuse allegations.

The boys' sister, Gallardo, had called from California to report drug use and physical abuse to deputies based on strange phone calls she was receiving from Raul Sarinana and Conrad.

The report was second-hand, and a call to a counselor at Conrad's school revealed no evidence of abuse, said Stewart, the child-protective supervisor in Lewis County, Wash. That wasn't enough to warrant investigation, she said.

A counselor working with Cathy Sarinana called Lewis County's child protective services in July 2005 to report that, according to the Sarinanas, Conrad had molested Ricky. The couple told the counselor they sent Conrad back to California.

The department assumed Ricky was no longer in danger because Conrad was gone.

"When you've got a professional in the home working with the family, there is less of a safety concern," Stewart said. "The other big thing was that Conrad was no longer there."

Police believe Conrad was never sent away.

According to Corona police, Raul Sarinana later confessed that he beat Conrad severely on Aug. 22 and placed the boy in the bunk bed he shared with Ricky. By morning, Conrad was dead.

Three days later, Cathy Sarinana called the county about an at-risk youth program for her out-of-control nephew Conrad. In response, a Lewis County social worker interviewed the family for the first time.

Unable to reach them at home, social worker Bob Cordell interviewed the family in the parking lot of an am/pm minimart on Aug. 30.

The Sarinanas told Cordell they sent Conrad to relatives. Cordell's written report doesn't indicate he made an effort to confirm the boy's whereabouts.

When the social worker asked about the earlier report of sexual abuse by Conrad, Cathy Sarinana recanted.

"Some of this seems suspicious, but the CPS issue is still unfounded," Cordell wrote in his report. "Case Closed."

He never pulled Ricky aside to talk about the alleged abuse without the Sarinanas listening.

While it is policy and generally "good practice" to take

those steps, it's not always possible, said Kathleen Spears, Lewis County's CPS spokeswoman.

The social worker simply wasn't in a position to interview Ricky alone or track down Conrad, said Spears. The family said they were moving to California, and this seemed like his last chance to interview them, she said.

Cordell's supervisor did not allow him to be interviewed for this story.

Even though Conrad had been accused of molesting Ricky, the department sent a letter Sept. 2 clearing Raul Sarinana of abuse allegations. When one child molests another, it can be a sign that a sexually abusive adult is in the picture, Spears said. The social worker cleared Raul Sarinana because the Sarinanas had recanted their claims of sexual abuse in the home, she said.

The family reported Conrad a runaway in October, saying he had fled with an elderly gay lover. Three days later, the family moved to Corona. Once again, Ricky was not enrolled in school.

Neighbors and servers at a Corona restaurant saw Ricky with black eyes, bruises and cuts. A grocery store employee in Norco reported seeing Raul Sarinana kicking Ricky.

Neighbors on Belle Avenue pitied the child, who sold his toys at weekend yard sales.

During the family's two-month stay in Corona, the trash can that held Conrad's body was stored in the carport, and Ricky lived in a closet.

After his death, investigators said Ricky's body showed signs of months of abuse. Scars hinted that he had been whipped with electrical cords and burned with cigarettes. Wounds on his thighs and bottom were so infected, they could have killed the child, Mark Fajardo, a forensic pathologist for the Riverside County coroner's office, testified in court. Because the wounds were so infected, it is difficult to say what caused them, he added.

Police say Raul Sarinana confessed to kicking Ricky on Christmas Day because the boy was too slow in cleaning the bathroom. He told police he carried the injured child by his belt to the closet. He said he kicked the boy one last time when he caught Ricky reaching for the doorknob as if to escape.

COMMON DANGER

"I felt bad for the kids, but I wasn't surprised," said Nalian, the detective who intervened when the boys were babies.

Though the violence was extreme, the dangers they faced are not uncommon among the children who police and social workers help every day, he said.

The Sarinanas moved between states — one of the many challenges social workers face when abusers try to hide, said Turner, of the Los Angeles county death review team.

"You'd be surprised how often we are left holding a piece of paper saying here are allegations of abuse, and we can't find the family, and we can't find the kids," Turner said. "They're ghosts in the night."

A national database to share information among states could help fill cracks in the system and save lives, she said.

Ten children died of abuse in Los Angeles County in 2005 despite the intervention of social workers. Ricky and Conrad are not included in the statistic because they were killed elsewhere.

Nationwide, 40 percent to 50 percent of abuse fatalities involve children who received child protective services, said James Shields, director of Justice for Children.

"That's just too many," he said.

California legislature has identified overworked social workers as the major problem. Los Angeles County, the nation's largest child protective agency, has 3,000 case workers responding to roughly 9,400 to 13,500 reports of abuse monthly. The average Los Angeles County emergency response case-worker handles 21 cases each month compared with Riverside County's average of 18.5 cases each month.

The Los Angeles County caseload is down significantly from two years ago when the department was last involved with Ricky and Conrad, said Riskin, the department's spokesman.

The county is also hiring 500 people in an ambitious effort to reduce caseloads even further, he said.

Assemblywoman Bass spearheaded an ongoing \$50 million statewide hiring effort to reduce workloads. California also is seeking federal funding to further reduce caseloads, she said.

The Washington Division of Children and Family Services is reforming its procedure for handling abuse cases after audits that showed inconsistencies in the quality of investigations around the state. The department has focused on reducing response times and plans to adopt the same standardized case methods being used in California and several other states.

But for Gallardo, the boys' oldest sister, there are no excuses. After her brothers were killed, she covered the walls of her apartment with mementos — baby pictures and grinning class photos.

"I don't want this to happen to any other kids," she said. "It's so frustrating, because I could tell something was wrong, and I called police, and I tried to get help, but no one would do anything. No one would help my brothers."

Gallardo said she blames child protective services for not checking to make sure Ricky was safe in Washington.

"If they did their jobs, I don't think my brothers would be dead," she said.

VIOLENCE HAPPENS

Raul Sarinana has a buzz cut, salt-and-pepper stubble and watery brown eyes. Tattoos peeking out from his jail-issue jumpsuit identify him as a member of Big Hazard, a gang from his native Ramona Gardens housing project in East Los Angeles.

Violence, he said with a shrug, is inevitable and child abuse is part of growing up in the Sarinana family. In a jail interview, he said he accepted custody of his sister's boys to save them from the violent childhood he experienced.

When he talked about the abuse, his body shook.

"They use you and abuse you in whatever way, shape and form that they can," he said. "It's just the way that not only I grew up, but others, too. It's just the way society has it, and there is nothing any social worker can do about it."

The youngest of five children, Sarinana said he had no one to save him when he was a child.

In Conrad and Ricky's case, social workers didn't do much, but it wouldn't have made a difference if they had investigated, he concluded. They would have seen good things — a happy family that took trips to the river to have barbecues and water gun fights, he said.

Violence is unpredictable, he added.

"You're sitting at dinner, and — Bam! Violence happens," he said. "You're watching football, and — Bam! Violence. You're at a barbecue — Bam! Violence."

Sarinana recanted the confession he made to Corona police. He insisted that he tried to save Conrad and Ricky.

"I loved my nephews. I would have done anything for them, but my hands were tied," he said. "My hands were tied even before they came to live with me. ... All Ricky ever wanted was to be loved."

"I tried to help him."

Corona Detective Jeff Edwards paints a different picture. On the day of his arrest, Sarinana described his nephews as a burden, Edwards said during a court hearing.

According to Edwards, Sarinana asked, "Who cares about these kids? Nobody cared about them when they were dumped on me."

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No listing of abusers in other states

BACKGROUND: Child protective services didn't have a database to learn about the Sarinanas in Washington.

BY PAIGE AUSTIN
THE PRESS-ENTERPRISE

Eleven-year-old Ricky Morales died of internal bleeding in a filthy closet of his aunt and uncle's Corona duplex. Investigators found the body of his brother, Conrad, 13, encased in a concrete-filled trash bin the next day. His aunt and uncle are accused of murdering Ricky.

Social workers in two states handled abuse reports involving the boys before their deaths, prompting family members and experts to raise questions about how their cases were handled.

The Press-Enterprise asked experts to address questions raised by the deaths of Conrad and Ricky Morales. The following are summaries of comments from Los Angeles County Department of Children and Family Services spokesman Stu Risikin; Paul Click of the National Center on Child Fatality Review; Jennie Pettet, Riverside

tional database exists to flag families suspected of abuse in another state.

Q. What can concerned citizens do if they don't believe that child protective services adequately investigated their abuse allegations or took adequate measures to protect the children?

A. If you think a child is in danger, call police and child protective services repeatedly if the abuse continues. Multiple reports can help social workers assess whether an ongoing problem exists or prompt them to do further investigation.

Concerned citizens can ask to speak to a supervisor, manager or the director if they believe an investigation is incomplete or if a child continues to be at risk. Concerns also can be directed to the county executive office or to a member of the county's board of supervisors.

Also, some nonprofit organizations around the country, such as Justice for Children (1-800-733-0059), review child

abuse cases and help the public navigate the social services system or put pressure on police and child protective services.

Q. The first abuse report to a child-protective agency normally is screened by the person who answers the phone. What training and protocols help the screeners decide how to proceed?

A. Most Southern California agencies use trained social workers to staff their abuse hotlines. They use standardized risk-assessment criteria to determine if a case warrants investigation and/or immediate intervention. Basic questions include the number of children, the nature and evidence of abuse and whether the threat is ongoing or immediate. The worker and often a supervisor will then decide whether to investigate the report within hours, days or weeks.

Q. What happens in the case of a social worker who makes a mistake — such as misjudging a situation or failing to

thoroughly investigate possible abuse — and a child ends up injured or dead?

A. Agencies have standards to ensure basic steps are taken to obtain information relevant to the assessment of child safety. Supervisors review the work of the social workers and ensure the requirements are met.

Every time a child in the system dies, a death review team assesses the case. An investigation examines how case workers and their supervisors handled the case. The death review attempts to determine whether procedures were followed and which policies worked or failed. The findings can lead to new policies. Serious errors on the part of the social worker can lead to transfers to desk work, suspension, termination or additional training.

Q. What three steps could be taken to help social workers better protect children?

A. Consensus in the industry is that social workers are overworked and that high caseloads

pressure social workers to close cases prematurely. Having more social workers means lower caseloads and fewer corners, experts say. Increases in investments in community resources and services that assist struggling parents and caregivers would help by preventing abuse and neglect, say child protective officials.

Other solutions include better tools to help social workers investigate abuse allegations, including a system to share information among states. A few years ago, Los Angeles County created a database that allows social workers to access police and social service records from other LA County agencies to help them track families they are investigating or trying to locate. According to the National Center on Child Fatality Review, it is the only county nationwide to provide such a service to its social workers.

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