



State of Connecticut

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February 17, 2017

Governor Dannel P. Malloy
Office of the Governor
210 Capitol Avenue
Hartford, CT 06106

Dear Governor Malloy:

I am writing this letter in anger and frustration. In the past two days there have been reports of two cases of absolutely inexcusable abuse and tragedy involving children with active or recent DCF involvement and who should have been protected by the agency but were not. These cases, including the horrific death of a teen with special needs and the burning of a toddler, are beyond disturbing and heartbreaking and show inexcusable system failures within the agency that cannot be ignored.

I am asking you, as I have in the past, to finally stand up for the children that DCF has failed and hear the advocates who have been calling for oversight and reform. I ask that you call for Commissioner Joette Katz to resign, and raise your voice in support of bipartisan proposals to increase controls of DCF by creating a child welfare oversight council, reforming the state's child fatality review procedures, and establishing an independent DCF ombudsman. I also urge you to support reforms put forth by the Child Advocate including improvements to (1) foster care licensing practices to ensure the consistent application of screening processes and improve reporting and transparency, (2) the use of voluntary safety agreements to provide for adequate risk assessment and oversight, (3) the kinship diversion program to again improve the risk assessment process and oversight, and (4) policies for infant and toddler risk assessment, case management and reporting.

Some tragedies can never be prevented. But in the two cases that have come to light this week, DCF had a chance to step in, but failed to do so. Instead the agency allowed these children to remain in homes where abuse was occurring. If these are not evidence of serious system failures that must be addressed I don't know what will ever move you to stand up for change.

The death of Matthew Tirado, a 17-year-old boy with special needs who was starved and had signs of physical abuse and broken bones, is chilling. The fact that DCF was aware that this child was being kept away from school, starved in a home in which the refrigerator and cabinets were locked, and yet the department still closed the case on this child last month is sickening and shows a system failure that is beyond comprehensible.

Governor Dannel P. Malloy
February 17, 2017
Page 2

Also inexcusable is the Rocky Hill case involving a 2-year-old who sustained severe burns from 118 degree bathwater at the hands of the child's mother's boyfriend. This child was not supposed to be unsupervised with the mother's boyfriend under a "Voluntary Safety Agreement" between the mother of the child and DCF. I have already written to the General Assembly's Committee on Children asking for a hearing on the Rocky Hill case and swift action to implement oversight of DCF's use of "Voluntary Safety Agreements" which are not authorized by statute and have no guidelines regarding appropriate use. As a result of these unmonitored agreements we have seen children placed in demonstrably unsafe homes, including homes in which prior allegations of abuse have occurred – as was the case with Ayden Baskay in 2013 and the more recent abuse of a five week old infant in Pawcatuck. In the Rocky Hill case a child was knowingly kept in a dangerous home in which abuse had occurred before, and the result was serious abuse occurring again.

Governor Malloy, you can no longer ignore the number of children who have either suffered from preventable deaths or been seriously injured as a result of failing procedures and a lack of oversight at DCF which the agency's commissioner refuses to recognize and address. Clearly DCF has not learned from prior mistakes and has not adequately addressed the "gross systems failures" and "institutional failures and omissions" identified by the Child Advocate in cases such as the near death of baby Dylan. In light of these recent tragedies, the Commissioner's claim that Dylan and other previous cases of abuse, neglect and even the death of children under DCF supervision were aberrations and isolated cases and that DCF had addressed the internal failings that allowed them to occur simply ring hollow. There is a pattern of horrific cases of abuse under the supervision of DCF including the death of Athena Angeles, the death of Ayden Baskay, the unprecedented number of child fatalities involving children under the supervision of DCF reported in July 2014, the death of Londyn S., the auditor's report in 2015 that found DCF has failed to conduct criminal background checks and licensing procedures for foster homes, the deaths of Aleisha and Daaron Moore, the assaults on children at CJTS, the case of DCF-approved adoptive parents charged with abuse in Watertown, as mentioned before - the near death of baby Dylan, the placement of children with known sex offenders, the Pawcatuck couple charged with assaulting a 5 week old infant, and now these two new cases.

The failure of the commissioner to acknowledge the need for improved oversight when faced with so many horrific cases like these is exactly why I asked you not to reappoint Commissioner Katz. If the needless deaths of children are not enough for the commissioner to rethink her positions, then I don't think anything can change the way she operates this agency. Therefore, the responsibility lies with you, as leader of our state, to do what is in the best interest of Connecticut's most vulnerable children and put someone in charge of DCF who acknowledges the severity of the agency's systemic failures and who is open to reform. Unless and until we have new leadership that is committed to greater transparency, accountability and oversight and that is willing to engage in systemic change, children will continue to suffer.

It is a core obligation of this state to protect the children under the care of DCF, yet our state and the commissioner have simply failed. Your inaction is tantamount to acquiescence to the policies that led to needless and heart wrenching deaths and abuse.

Governor Dannel P. Malloy
February 17, 2017
Page 3

State lawmakers and you as governor must come together to support the proposals offered year after year to improve child welfare oversight. Anyone who opposes the bipartisan proposals that have been put forward this year, including the creation of an oversight council, is rubber stamping the policies that have put vulnerable children directly in harm's way.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Len Fasano', with a long horizontal stroke extending to the right.

Len Fasano
Senate Republican President Pro Tempore