

Part III: *Melinda's Case*

What Happened?

The physical abuse report that was received in January of 1986 was subsequently investigated. The state police and a caseworker went to the home and interviewed the children, the mother, and the paramour. The paramour admitted to hitting the children. He was criminally charged with simple assault and a preliminary hearing was scheduled for mid-March, 1986. As a condition of his bond, the paramour was ordered to stay out of the mother's home and away from the children. Caseworkers from the agency waited until he packed his bags. They watched him physically leave the home. Mother was advised not to permit the paramour back in the home and cautioned her that she was responsible for the protection of her children. The report on Melinda was filed as an Indicated case on 1-29-86.

The State Police later informed the caseworker that the preliminary hearing before the magistrate had been continued until April 14, 1986. The caseworker who had done the investigation held the case and was waiting for the completion of the Preliminary Hearing on the simple assault charges. The Cerebral Palsy nurse was still visiting the home and helping mother with Phillip. Some of the children were attending public school, and one of the children was involved with Head Start.

On March 29, 1986 a local hospital called and reported that Melinda had been brought to the Emergency Room with multiple bruising to the face, chin, and buttocks. She was pronounced dead on arrival. She had been beaten by mother's paramour. At some point between January 20, 1986, and March 29, 1986, mother had permitted him to move back into the home. Custody of the other 4 children was taken. The paramour was arrested and later convicted of murder. Mother was also convicted and served a jail sentence for failing to protect her child. Melinda's natural father eventually filed a "wrongful death" lawsuit against the agency. It was eventually dismissed. The agency continued to work with the mother until 1992 when she was eventually reunited with all of her remaining children. She then moved to Alaska.

Newspaper accounts of what happened to this child insinuated that the agency was negligent in its duties to protect her. Many neighbors in the housing project told the newspapers they called and informed Children and Youth and police the paramour was back in the home. Phone logs kept by the agency had no record of any calls from the neighbors, or any of the agencies that were visiting the home. Placements increased during the year following this case, as did resignations from the agency. The caseworker who handled this case has been with the agency for 17 years and was promoted to Supervisor in 1995. The Supervisor on the case went on to get her law degree and is currently an Assistant District Attorney in the District Attorney's office. She now prosecutes many child abuse cases, serves on the agency's "Investigative Team" with Law Enforcement and works closely with Children & Youth.