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**HEADLINE:** Couple fights for abused grandson;  
'Mistakes made' in troubled boy's case

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**BODY:**

The first time she gave her grandson a bath, Mary Ann O'Garro wept.

He already had told grownups about the "fire spoon," a branding-hot piece of silverware the abuser put in the child's mouth. And she knew that his right hand and wrist had been held, then deeply burned, over an open flame.

That was almost too much to bear. But it wasn't all.

As the boy peeled his clothes off and sank into the warm water, O'Garro saw that the attack was far from isolated.

"There were marks all over his little body," she said. "They had used hangers to scratch him. He'd been bitten. He was beaten and starved and hit with belt buckles."

Mary Ann and Lenford O'Garro have spent the past year trying to assess the terrible damage done to their 5-year-old grandson, and they are fighting for the psychological treatment that might help him become a happy child someday.

Little progress has been made.

The O'Garros and their attorney blame Franklin County Children Services for bungling the interstate case, which began in Columbus in November 2007. That's when the child was taken from his mother -- Mr. O'Garro's estranged daughter -- and her boyfriend and placed in foster care.

Nine months later, still a ward of the court in Franklin County, the child went to live with the O'Garros in Lacey, Wash.

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The agency's role wasn't supposed to end there. A federal agreement known as the Interstate Compact for the Placement of Children says that the transferring agency maintains responsibility for the child's well-being as long as the case is open.

But Children Services ignored the intent of the compact from the start, the O'Garros say.

"They told us nothing, and they gave us nothing," Mrs. O'Garro said. "Media reports and the foster mom are how we learned what was going on with (the child)."

The couple made repeated requests for information about their grandson and asked caseworkers to help secure needed therapy, which costs more than they can afford.

"At one point, they said we weren't eligible for anything," Mrs. O'Garro said.

She and her husband hired Upper Arlington attorney Susan Garner Eisenman, who filed for case information on May 29 in Franklin County Common Pleas Court.

By then, the O'Garros had spent tens of thousands of dollars, borrowed from family members and exhausted their mental-health coverage, Eisenman said. Mrs. O'Garro took family medical leave from her job as a county health-department epidemiologist because no day-care centers could deal with the boy's behavior.

"He had been tortured, so he was a rage-filled child," Mrs. O'Garro said. "He does some really scary things. He does what he saw."

In the midst of the turmoil, Children Services even tried to close the case, but a magistrate agreed with Washington and Ohio officials who said that would be a disservice to the child, Eisenman said.

"This kid fell into a jurisdictional crack, and there should be a public outcry about that," she said. "There was a window for him. And we're rapidly losing it."

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\ Eric Fenner, executive director of Franklin County Children Services, agreed that the case was, until recently, mishandled.

"There were errors made on our part," he said. "That's why we're dealing with this internally so aggressively."

Fenner said confidentiality laws prohibit him from speaking freely about the case. But he did say that this child, or any child, abused so severely should have had a full mental-health assessment before being flown across the country for an interstate placement.

The Dispatch is not naming the boy, who could have been a victim of sexual abuse. Investigators say he was removed from a suspected house of prostitution on the North Side on Nov. 21, 2007.

Mrs. O'Garro said she subsequently learned that her grandson had been locked in a closet and bound with duct tape. He had no toys and few clothes and didn't understand how to interact with other children.

"There were enough indicators to warrant a psychological evaluation," Fenner said. "That was not done."

And he said the grandparents should have received case information about their grandson officially, rather than through the former foster parent. \ Fenner said management of the case has improved since it was transferred to a

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different unit. He said last week that he has authorized payment for any services needed, including specialized day care, therapy and a psychological assessment.

"Clearly, mistakes were made," Fenner said. "But since that happened, we've taken appropriate steps."

He said interstate-compact complexities appear to be part of the reason for the problems. Such cases used to be managed by the state but have shifted back to county responsibility.

Nationwide, roughly 5 percent of all child-welfare placements occur across state lines, usually with family, experts say. Last month, Franklin County received eight requests to accept placements and made 15 requests to send children across state lines, officials said.

The danger with interstate cases is the out-of-sight, out-of-mind attitude, said Vivek Sankaran of the Child Advocacy Law Clinic at the University of Michigan Law School.

"It happens all the time," he said. "The importance of the case diminishes. Then the family doesn't get the support they need, and the placement breaks down."

Sankaran said the growing emphasis on placing abused and neglected children with family, wherever they live, means agencies must improve their interstate protocols.

"To solve these problems, it takes work and creativity," he said. "The reason the case exists is to make sure the child's needs are met."

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\ For the O'Garros, meeting their grandson's needs in the long run might lead to more immediate heartbreak.

Although Franklin County now is agreeing to pay for treatment, officials are pushing for the child to return to Ohio, Eisenman said.

The O'Garros live at least an hour away from the Seattle metro area, and caseworkers are concerned about access to intensive therapy, she said. They also have a young son of their own and they work full-time, so the grandson's school and child-care needs would be extensive -- and expensive.

Fenner disagreed that the O'Garros are under pressure to send the boy to Columbus, where he could be placed in therapeutic foster care.

"If what's best for the child is to come back to Ohio, he will be brought back to Ohio," he said. "But I would love to see this work and for the child to remain with his grandparents."

If he leaves, Eisenman said, the O'Garros likely would lose all standing in the case and wouldn't be able to receive information or act as advocates on their grandson's behalf.

The parental rights of his mother, Nkechi O'Garro, have not been terminated. She was sentenced to two years in prison for permitting child abuse and could be released this year. Charges against Kenneth Deer Jr. were dismissed by prosecutors.

Mrs. O'Garro said her head is spinning.

"Until two weeks ago, they were disputing that we'd even had him seen by a psychiatrist," she said of her grandson.

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"Now it's, 'Give him back, and we can take care of him.' Well, that's hard, because we haven't seen where they've done what's in his best interest yet."

The grandparents say they never expected the arrangement to be easy. But they happily opened their home to a child who already had suffered so much.

He turns 6 next month.

"Birthdays are just heaven for him," Mrs. O'Garro said. "He thinks it's unbelievable that someone would give him presents. He never even had toys."

But even on good days, the boy's happiness is short-lived. And when the darkness settles, love alone isn't enough.

The experts might have known that would be the case, Mrs. O'Garro said. "Why didn't they tell us?"

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