July 22, 2004

Ms. Kathleen Self
Children's Advocacy Institute
University of San Diego School of Law
5998 Alcala Park
San Diego, CA 92110

Reference: Child Welfare Contest

Submission: "A Tiny Life Is Lost – The short, sad life of Angelo"

Dear Ms. Self:

The death of an 8-month-old child on Christmas Day, 2002, started out as a news story about a psychopathic father, but over time became the story of a failed county child welfare system. Unraveling this tale took 18 months of reporting and investigation by The San Mateo County Times, resulting in a 3-part series in June this year that packaged stories, editorials and photos.

The Times' investigative project revealed how Angelo Marinda was nearly beaten to death by his father when he was less than two weeks old, and then - through a set of bad judgments, systemic flaws and human failures - was returned to his father seven months later to finish the job. In addition, the project showed how a courageous judge was able to open up the system to scrutiny, and spotlighted the blatant attempts of child welfare agency bureaucrats to whitewash and cover-up agency failings.

Finally, the project showed how political leadership had failed in San Mateo County and what was needed if the system were to avoid letting children be abused or killed in the future. As a result of The Times' project, the San Mateo County Board of Supervisors acted in the matter for the first time as a group, an independent overseer of the agency was assigned to make sure the agency adhere to recommendations of a grand jury and a blue-ribbon panel, and open warfare among agents within the system finally started settling down.
Reference: Child Welfare Contest
Submission: "A Tiny Life Is Lost – The short, sad life of Angelo"

Repercussions of the Marinda case include: changes in state regulations so that foster parents are more involved in custody decisions, changes assuring tighter oversight by the courts, and substantive changes in how the welfare system operates.

The Times is continuing to monitor this story.

Respectfully submitted,

Terry Winckler
Editor, San Mateo County Times
EMAIL: twinckler@sanmateocountytimes.com
FAX: 650-348-4446
PHONE: 650-348-4323

Contributing Staff Writers:
Emily Francher
Amy Yarbrough

Contributing Photographers:
John Green
Ron Lewis
Matt Sumner

Contributing Designer:
Hannah Naughton

Contributing Editor:
Terry Winckler
A TINY LIFE IS LOST

A FATHER'S HANDS TURN VIOLENT

Angelo Marinda was killed by his father while under the supervision of San Mateo County's child welfare system.

By Emily Fancher and Amy Yarbrough
STAFF WRITERS

It was Christmas Eve morning 2002, but instead of hanging ornaments or humming holiday carols, Shauna Mullins was checking her foster son, Angelo Marinda, for scratches and bruises.

There was no cheer in her heart as she contemplated what she had to do later that day — hand over Angelo to his natural parents for an overnight Christmas visit.

In fact, Mullins was afraid.

With little but intuition to guide her, she felt it risky to let Angelo go home alone.

What she didn't know is that in his eight months of life, Angelo had suffered more injuries than most football players suffer in their careers.

Someone in the Marinda household had been breaking Angelo's bones, twisting his limbs, bruising his skin. The abuse continued even after the County's child welfare system stepped in.

And now the County, which had sworn to protect Angelo, was about to hand him back to the people whose very presence made him scream with fright.

Mullins did her duty on Christmas Eve and gave up Angelo, but she couldn't give up worrying about him.

On Christmas Day, Mullins shared her forebodings with family members gathered for the holiday.

The day after Christmas, Mullins answered the phone ... and began screaming.

Please see ANGELO, News 11

Born April 17, 2002 — Died Dec. 26, 2002

The short, sad life of Angelo

This is the first part of a three-day series about Angelo Marinda, an 8-month-old ward of the San Mateo County child welfare system who was murdered by his father.

WHAT'S TO COME

TODAY: Angelo Marinda's life and the events that led to his death.

TUESDAY: Civil war in the County's child welfare system

WEDNESDAY: Not a simple fix.

INSIDE: A Times editorial discusses changes in foster care since Angelo died. News 9

A timeline displays events in the brief life of Angelo. News 11

Shauna Mullins, a foster mother who cared for Angelo, has become an activist and advocate for the rights of foster families. News 12
Angelo was a battered baby from early on

TRouble in the family

It couldn't have been long after Angelo drew his first breath on April 17, 2002, that someone began hurting him. At 12 days old he was in the hospital, brought there by his mother, Lady Rajan Diesla, with a swollen leg.

Doctors found broken ankles, broken ribs, broken legs and severe bruising. "This is 100 percent abuse," one doctor said, and authorities were called in.

Investigators knew that someone in Angelo's family was the culprit, but there were so many potential suspects: Aunts, uncles, grandparents and parents — a large, extended family common in the Filipino community in Daly City.

Both born in the Philippines, Lady and Ronnie Marinda met in the Bay Area through a Filipino dating service in 1999. Lady was a 17-year-old high school student, Ronnie, 21, was unemployed.

Young and immature, they were not much more than children themselves.

Lady was drawn to the young man with dark, deep-set eyes and thick black hair. Other women clearly were attracted, too; Ronnie had a child with another woman when he was 17. He fled to the Philippines to escape her father's wrath.

Quiet and mysterious with an artistic side, Ronnie had trouble expressing himself in words, whereas Lady liked to talk. She was athletic and intelligent with long brown hair and olive skin.

Within a few months they drifted apart and began to date others, not knowing Lady was pregnant with Ashley, their first child.

This time, Ronnie didn't flee, even though Lady's family hated him. To them he was a spoiled, disrespectful, and he wasn't welcome at family gatherings. "He was a stranger to us," Lady's father, Alejandro Diesla recalled. "It's not like when I was courting my wife. I had to talk with (her parents), laugh with them."

Just more than 15 months after Ashley's birth, Diesla drove Lady to the hospital, unaware that she was pregnant again. Lady had been too petrified to let him know.

Angelo was born, and the couple decided to live with Ronnie's family, squeezing into a three-bedroom house jammed with his relatives. Lady and Angelo slept on a bottom bunk. Ronnie's sister slept on the top bunk, and Ronnie and Ashley shared a mattress on the floor.

As for money, Ronnie could barely keep a job, except for a few months sorting mail from midnight to 6 a.m. With only Lady's paychecks from Safeway and then Toys "R" Us, they were barely scraping by.

Week after week, Lady would ask Ronnie the same question: When are you going to find work?

Angelo becomes a ward

Unable to figure out who among the cluster of relatives beat Angelo, Daly City police left him and Ashley in the care of San Mateo County's Children and Family Services agency. A division of the County's Human Services Agency, CFS had already placed Ashley in foster care by the time Angelo left the hospital and was placed in a foster family.

Now, the clock began ticking for CFS to figure out how to keep the children safe yet satisfy state pressure to reunite kids with their parents.

Typically, parents of children younger than 3 years have only six months to prove they are competent to care for their children. Fail and lose your kids forever.

But there is no less pressure on social workers. They are the ones who recommend whether families should be reunited. The state favors reunification, even as it insists on keeping children safe.

CFS social workers opted for reunification and received court approval to provide Lady and Ronnie with parenting classes and therapy. This happened in July 2002, which meant that everyone involved had only until January to make the plan work.

A young, relatively inexperienced social worker named Amy Huber was selected to oversee the parents' progress. Known as a hardworking and compassionate person, Huber supervised three visits with the children and parents within the first few weeks and then saw them only briefly for the next two months.

But Huber apparently felt that Ronnie and Lady were making progress. On Oct. 17, she told County juvenile court chief Judge Marta Diaz that Angelo's parents were loving and attentive during supervised visits and desperately wanted their kids back.

Based on Huber's recommendation, Diaz, who had inherited the case from another judge, told the couple that Angelo would likely be home with them by January.

What Diaz never learned was that Ronnie and Lady had twice arrived late to visits and that they had argued at least once during a supervised visit. More importantly, Ashley had returned from visits with her parents with a swollen ankle and bruises. Moreover, at 1 1/2 years old, she couldn't walk or talk and some of her teeth were broken and rotted.

Diaz decided Ashley could be sent home the next week, and gave Huber permission to let Angelo have visits alone with his parents.

It became the most haunting decision of Diaz's career.
A new family

A charming baby, "all grin," Angelo would gurgle and babble to get Mullins' daughters' attention. Ellie and Rachel could easily make him crack a smile, his chestnut eyes twinkling. He'd start kicking his skinny legs and waving his arms with glee. Small but muscular, he was soon crawling around the house and pulling himself up to stand on the furniture, delighted to be on his feet. Angelo loved to chew on the floppy ear of his yellow stuffed rabbit or he would drag the helpless toy around the house as he crawled.

Mullins called him her "handsome, sweet boy." He seemed to be settling into her San Mateo home — until his parental visits began.

Mullins was puzzled. Every time Angelo came back from seeing his parents, he screamed all night as though he were frightened of something.
The genesis of a series of stories and editorials that has been developing since the death of infant Angelo Marinda on Dec. 26, 2002, is the short, sad life of Angelo.

In March of this year, a two-reporter investigative team was assigned to explore the child welfare system in San Mateo County in the context of this tragedy and because of continuing critical complaints about the system. Times staff reporters Emily Fancher and Amy Yarbrough sifted through hundreds of pages of documents and interviewed dozens of witnesses in compiling these stories.

2003
Jan. 13: CFS sends final administrative review to county counsel.
Jan. 16: Diaz orders the hearings and the files be opened to the press.
Jan. 21 to Feb. 4: Diaz conducts hearings.
April 4: Diaz renders a 54-page report criticizing HSA for inadequate oversight and a "cover-up."
June 9: San Mateo County grand jury reports a "deep distrust and serious lack of mutual respect" between HSA and the court and calls for independent oversight of HSA.

March 2: Blue ribbon panel releases scathing report on HSA and its leadership.
May 5: The Board of Supervisors appoints Charlene Hsu, an independent expert, to determine if the blue ribbon panel’s suggestions have been implemented and if Borland needs to go.
May 14: Ronnie Marinda convicted of murder.
June: Chase scheduled to release her report

2004
LOVE DOES NOT DIE — More than a year after Angelo Marinda died, his foster sisters Rachel and Ellin Fowles keep a memorial to the slain child — his favorite stuffed rabbit and a photograph of him with the sisters.
Foster mother is transformed by baby’s death

Shauna Mullins wants foster parents to have a greater say in the fate of kids in their care

By Amy Yarbrough
STAFF WRITER

SAN MATEO — When Shauna Mullins first met her foster son, Angelo Martina, she thought he would be a challenge. But the experience transformed her into a loving, patient foster parent.

Mullins, a 35-year-old resident of San Mateo County, needed to find a home for her foster son, who had been living in the county's child welfare system since he was a baby.

“I’ve definitely changed my mind about foster care,” Mullins said. “I feel really strongly that in order to provide the best care for children in our system they need a voice — and that needs to be foster parents.”

Mullins met her foster son, Angelo Martina, when he was just a few months old. She and her husband, David, had been trying to adopt him for several years.

“I feel really strongly that in order to provide the best care for children in our system they need a voice — and that needs to be foster parents.”

Mullins said she was surprised by how much she enjoyed taking care of Angelo. She said she and her husband had been very patient with him, and that he had been a good, well-behaved child.

“Foster care can be a really rewarding experience, and it can be a great way to help children in need,” Mullins said. “I think it’s important that we have more foster parents who are willing to take on the challenge of caring for children in the system.”

Staff writer Amy Yarbrough covers police and public safety. She can be reached at 650-348-4339 or amy@sanmateocountytimes.com.
Today, in part one of a three-day series, the San Mateo County Times presents the story of Angelo Marinda's short, sad life — and murder — while under the protection of the San Mateo County child welfare system.

The story, told fully for the first time, reveals how Angelo was beaten nearly to death by his father when he was less than 2 weeks old, and how eight months later, the child welfare system handed Angelo back to his father, who promptly finished the job.

But this story goes far beyond a father's savagery and a system's fatal blunders. It's about the many people who participated in the drama and how they influenced or were influenced by its events.

Aside from the father, who has been locked away, there are no real villains. Indeed, of the many hundreds who work within the child welfare system, most are unsung near-heroes for their quiet, caring labors on behalf of the fragile and weak. How they operate is orchestrated by the laws, rules, directives and culture of the agencies they work for.

It is at the top of those agencies — within the rules and among the administrators who direct the workers and set the tone of their workplace — that The Times found flaws that help explain how Angelo died and whether Angelos of the future may be saved.

One of the flaws spotlighted by today's story has to do with the way foster parents were allowed to participate in protecting and caring for children at risk. Foster parents are those gifted souls who temporarily take on abused or abandoned children as their own while government agencies strive to figure out a permanent solution.

Shauna Mullins learned the hard way about flaws in the system. As Angelo's last foster parent, she should have known about his history. Yet, as she prepared Angelo for a Christmas visit with his parents in 2002, she had no clue that Angelo had been brutalized by his father almost from the day he was born. In fact, she didn't know he had been brutalized at all, because foster mothers weren't given access to the histories of the children they are paid to care for. They also weren't told or encouraged to take more active roles in how the system operates.

As a direct result of Angelo's case and one like it in Southern California, state law was changed to bring foster parents into the loop of decision making and to provide them with the information they need to properly care for their wards.

But at Christmastime in 2002, Mullins had nothing more than an intuitive sense of foreboding as she handed over Angelo to his parents — as directed by County child welfare authorities. She swore to herself that she would storm heaven and Earth if he came back with a single fingerprint on his body.

Angelo never came back.

The experience transformed Mullins from a cuddler of kids to their fierce protector and a political activist. She became president of the Foster Parent Association of San Mateo County with an agenda to fix what she sees as flaws in the child welfare system. We applaud and support her and her colleagues in the foster family world whose gift to the world is caring for its shucked off children.

We also applaud those virtually invisible social workers and other caring employees of a system overstressed with responsibility and understaffed with resources. And we have special praise for those who have used the Angelo tragedy to improve how the San Mateo County child welfare system operates.

But, as Tuesday's second story in this series will reveal, the system was, and may still be, crippled by a top-down cultural arrogance that contributed to Angelo's death and has helped keep agencies within the system at each other's throats ever since.
Pursuit of blame creates schism in County

THE CATALYST — Marta Diaz, presiding judge of the San Mateo County juvenile court, launched an open and aggressive investigation into the death of infant Angelo Marinda.

By Emily Fancher and Amy Yarbrough
STAFF WRITERS

JUDGE Marta Diaz can make attorneys and miscreants tremble when they stand before her, but she soothes children with candles, stuffed toys or a gallop on the hobby horse in front of her bench. Hardy bigger than a child herself at 5 feet tall, Diaz is ruler and cajoler of all within the San Mateo County juvenile court system, which she oversees.

At home in Foster City, though, she’s simply a mom and a wife, whose love of the Old West is displayed in her living room via mounted longhorns, cowboy art and furniture that invites a visitor to take off the boots and set a spell.

It was from that room a few days after Christmas in 2002 that Diaz’s husband called to her as she packed for a trip.

“I think you’re going to want to see this,” he said.

She hurried in to hear a televised news report about a child in San Mateo County’s child welfare system who had been killed Dec. 26, 2002. She grabbed the phone and quickly confirmed the worst: The child was her ward, 8-month-old Angelo Marinda.

Please see ANGELO, News 4
Responsibility for death is County's hot potato

> ANGELO, from News 1

Nausea and guilt overwhelmed Dia and she began sobbing. Angelo was only 12 days old when — broken and battered by someone in his own family — he had come into the child welfare system for protection. Now he was dead, and Dia peppered herself with questions: How had she failed the child? What had the system done wrong?

On the last question, Dia was astonished to hear an answer from the head of the Children and Family Services agency:

"The system has not failed in this case," CFS chief Stuart Oppenheim said on TV.

The answer infuriated Dia, who launched an investigation that would bring her court and family services' parent department, the Human Services Agency, into open warfare. If Oppenheim's goal was to calm the gathering storm of controversy, he failed utterly, and in fact, found himself caught in the tempest as Diaz focused on him and HSA's top leadership.

Satanic verses

Oppenheim was the most loyal of soldiers in HSA, admired by many in the agency and community as a strong advocate for children who listened to workers' concerns. After toiling in the ranks since 1976 when he started as a social worker, Oppenheim had risen to become head of CFS, the child protection arm of HSA.

Before Marta Diaz took over the court system, Oppenheim enjoyed a close and personal relationship with Diaz's predecessor, Commissioner Patricia Breeee, who ran the court somewhat informally, allowing HSA workers easy access. CFS and the Breeese court were virtual colleagues.

The court-CFS collegiality ended abruptly with Angelo's death, as Diaz launched her mission to find out how the system failed and why people such as Oppenheim kept defending the agency against any inquisition.

Not that Diaz was the only one put off by Oppenheim's defensiveness. County Supervisor Mike Nevin wondered out loud in the press at the man's "cold" reaction.

Yet, Oppenheim didn't back off. As he and other CFS workers increasingly felt Diaz challenging them, they turned inward to each other for support and launched a resistance, echoed in e-mail exchanges:

"She (Diaz) was a tear," Oppenheim warned CFS chums in a sarcastic e-mail. "Watch out!"

Dozens of e-mails about the judge started trading hands within HSA, climaxing in mid-January with the most venomous of all, authored by Oppenheim himself: Diaz is "the daughter of Satan, but without his personal sense of responsibility."

Civil war had broken out in the County child welfare system.

A most unusual hearing

What had been simmering in private erupted in public Jan. 16 when Diaz took the extraordinary step of launching an investigation into Angelo's death and opening the proceedings to the press.

HSA fought to keep the press out through the County counsel, but lost to a battery of arguments posed by media lawyers to the sympathetic Diaz.

The judge knew that juvenile dependency cases are closed to protect young and innocent victims, but when a child dies, she would say, it's time to open the case file so that the public agency may be examined and held accountable by the public.

The court door swung open to two weeks of publicized scrutiny of HSA, its workers and the court itself.

Witness after witness told Diaz they had noticed warning signs.

"Many parental visits ended with Angelo sobbing uncontrollably. Angelo panicked at the sight of his parents. A doctor said he should not be left alone with his parents. Angelo's father, Ronnie Marinda, barely interacted with his son. Ronnie cried, but it appeared his tears were only for himself."

Most of these red flags had been communicated to Amy Huber, the social worker in charge of Angelo's supervision.

A revelation in the case came when Diaz closed the hearings. On Jan. 25, she got a call from Renee LaFarge, who had supervised Angelo's foster care, and reported she had improved sending Angelo home for an unsupervised visit with his parents, as Huber had testified. She wanted to tell Diaz the story.

Diaz was in her chambers when LaFarge handed her a written statement explaining Angelo's family consumed over 1000 kilos of ice cream and lived in a world of fantasy, playing rock music and guitar. The next day in open court, LaFarge insisted that Angelo's death was avoidable.
The battle begins

Oppenheim seemed defiant in his defense of HSA. Known as one of the best agencies in the state, HSA wasn’t used to harsh criticism. Why was it being persecuted?

Huber had made the right choice sending Angelo home for Christmas, Oppenheim insisted.

He challenged Diaz’s authority to hold the hearings, while Diaz challenged the accuracy of what he was telling her.

But it was the e-mail Oppenheim sent to his entire staff on Jan. 16 that drew the battle lines between the court and HSA. Oppenheim said opening the files was unprecedented in San Mateo County, and his agency was “terribly concerned about the violation of privacy.”

“No act by an outside party will undermine our confidence in ourselves or one another,” Oppenheim wrote.

Stunned at hearing her court described as an “outside party,” Diaz reached over Oppenheim’s head to the director of HSA, Maureen Borland. Hired by County Manager John Malbie 11 years earlier to lead HSA, Borland oversaw 700 employees and various agencies dealing with diverse social issues ranging from job training to welfare. Regarded as a tough administrator not afraid to raise her voice, Borland kept a low profile.

Indeed, Borland had been as invisible as the County Board of Supervisors when it came to taking a public role in the Marinida controversy. Despite her public silence, she had directed Oppenheim’s internal investigation of the case from behind the scenes.

Diaz wanted answers from Borland. Why did HSA not immediately obey the court’s order to hand over all notes related to the case? Why did it deny it was conducting its own internal investigation?

Borland didn’t know. “I was not aware of that,” she told Diaz.

The County’s black eye

Openly critical of the agency during her hearings, Diaz was harsher still in the final analysis.

Her report on April 4 was like a black eye for the County. Some praised Diaz’s courage, while others found that the report made the already tense relationship with the agency worse and deepened distrust.

The 54-page analysis explained how the system had failed Angelo—

from social workers to HSA management to her own negligence.

Social workers had not paid enough attention to the case, she said.

In addition, HSA management had challenged her authority to investigate, displaying an “institutional arrogance” that is not merely offensive,” but “dangerous.”

“No public agency is or can be unaccountable,” she wrote. “Nothing good comes of hiding things.”

HSA staff refused to turn over documents and had conflicting stories, she found.

But she did not spare herself. “Ultimately, the responsibility for Angelo’s death rests with the court . . . I should have been far more vigilant in safeguarding my dependent child.”

Her investigation was not meant to point fingers, she wrote, but to answer questions about what had happened to Angelo and why.

“If we analyze the mistakes we all share in this case and prevent future tragedies from occurring, then and only then can we ensure that Angelo did not die in vain. This is ultimately Angelo’s legacy. I hope that we are each of us responsible enough to accept it.”

Critics level their guns

Others besides Diaz were disturbed by Angelo’s death and felt the system needed to be re-examined.

County Supervisor Mike Nevin expressed his outrage to The Times a few days after Angelo’s death:

“There’s no question that we need to review the process, and I want assurance now more than ever that when it comes to children, we give our absolute best.”

Yet, of all the County supervisors, only Nevin actively became involved in reform. As a political body, the board of supervisors never took on the problem. They left it to County Manager John Malbie.

Malbie said he was appalled when he learned the facts of the case. Within a day or two of the start of Diaz’s hearings, Malbie called Mark Forcum, presiding judge of the County superior court, with an idea. Why not set up an independent panel of experts to look at the child welfare system and recommend improvements?

Fорcum agreed and suggested a colleague of his — Judge George Minter, who had worked closely with CFS when he was an attorney in the County counsel’s office — to sit on the
THE AGONY OF DEFEAT — Ronnie Marinda holds his head in San Mateo County Superior Court during his January 2003 arraignment on charges of murdering his son, Angelo.

Caring for Angelo
Many public agencies were connected to the welfare of 8-month-old Angelo Marinda before he was murdered.

U.S. Dept. of Health and Human services
Administration for Children and Families

Calif. Dept. of Social Services
CDSS

Calif. Superior Court System

San Mateo County Superior Court
Juvenile Court

San Mateo County Board of Supervisors

Country Counsel
Country Manager

Human Services Agency
Children and Family Services

Foster Parents
Social Workers

Daly City Police

Angelo Marinda

panel with the four people Maltbie had chosen.

This blue-ribbon panel would spend the next 10 months probing the inner workings of CFS and the juvenile court.

During the panel’s investigation, two events brought even more attention to the embattled agency: a County grand jury report and the death of yet another child under HSA’s protection.

The civil grand jury had been looking at the agency even before Angelo’s death, and in June 2003 reported that the juvenile court and CFS were virtual enemies, that social workers suffered from low morale and that the agency needed independent oversight. It offered a variety of recommendations for changes throughout the child welfare system.

Then in July, 18-month-old Billy Joe Crawford — an HSA ward — was beaten to death, allegedly by his mother’s boyfriend. What made this distinctly different from the Angelo case is that Billy Joe and his family had moved to San Francisco and were about to be transferred to that city’s child welfare system. There was one striking similarity, however: In both cases, HSA immediately denied any culpability or failing.
The harshest criticism

The blue-ribbon panel's report finally was released on March 2 this year — with withering criticisms of HSA.

The report accused HSA of trying to protect its image at the expense of children, denounced the agency's antagonistic relationship with the court and aimed scathing criticism at HSA leadership under Borland, describing "brittle intolerance for differences of opinion."

Obviously under pressure, Oppenheim retired at about the same time the blue-ribbon report came out, leading many to believe he was the "fall guy for the department."

Without Oppenheim, Borland took on a more obvious role in the controversy, appearing later in March at a press conference called by Nevin to appease critics who feared the blue-ribbon report would not be taken seriously.

The press conference backfired, however, as Nevin announced that Borland had been given the role of asse: her own agency's shortcomings. "The apparent conflict of interest provoked a barrage of pointed questions. But what most inflamed critics was the scorn Borland showed for the report's criticisms. She dismissed one of the recommendations as "a straw man."

When asked about a crisis of leadership, she said, "I don't know where that came from." Stung by press criticism, Nevin agreed to hire an independent child welfare expert to assess whether the problems of HSA were being addressed. The expert, Charlene Chase, former head of Santa Barbara County's social services agency, gave the board of supervisors her interim report this week.

Postscript

Angelo would have been just over 2 years old on May 14 this year — the day his father was convicted of killing him.

The family of Angelo's mother, Lady Rajan Diesta, said it never formed an opinion about Ronnie's guilt or innocence, focusing instead on Lady's remaining child, Ashley, no: years old. An active, cheerful child, Ashley was reunited this month with her mother.

Alejandro Diesta, Lady's father, said he looks forward to making the family whole again.

"We love her so much, and I'm just happy the major problems have passed," he said.

A FAMILY'S ANGUISH — Members of Ronnie Marinda's family watch in court as he is arraigned on murder charges in January 2003.

2002

April 17: Angelo Marinda is born.
April 29: Angelo is hospitalized for "100 percent abuse" with broken bones.
May 1: Angelo is referred to San Mateo County Children and Family Services (CFS).
May 28: Angelo put in foster care with Millie in East Palo Alto. His sister Ashley is already in foster care.

2003

Jan. 13: CFS sends final administrative review to county counsel.
Jan. 16: Diaz orders the hearings and the files be opened to the press.
Jan. 21 to Feb. 4: Diaz conducts hearings.
April 4: Diaz releases 54-page report criticizing HSA for inadequate oversight and a "cover-up."
June 9: San Mateo County grand jury reports a "deep distrust and serious lack of mutual respect" between HSA and the court and calls for independent oversight of HSA.

2004

March 2: Blue ribbon panel releases scathing report on HSA and its leadership.
May 5: Board of Supervisors appoints Charlene Chase, an independent expert, to determine if the blue ribbon panel's suggestions have been implemented and if Borland needs to go.
May 14: Ronnie Marinda convicted of murder.
June: Chase scheduled to release her report.
Judge Mary Diaz pondered a
reporter's question at her Foster City home.

SEARCHING FOR ANSWERS

BOOKSHELVES

MARTA DIAZ TAKES CASES HOME — and to

ANGELO

SAN MATEO COUNTY TIMES
heart

court have become more difficult and complex than they used to be.

Families deal with drugs and alcohol abuse, domestic violence, poverty, and psychological and health problems.

"The problems seem insurmountable," she said.

Despite all the upheaval over the past 18 months since Angelo's death, Diaz believes the child welfare system is on the right track to change.

"We need closure," she said, "and we need to recognize this is an incredible opportunity to do what we do in a very different way. To do it in a much more effective, humane and compassionate way. Everybody is working for the same agenda and that agenda can only be the safeguarding and protection of children and helping families. In that order."

Contact info

Staff writer Emily Fancher can be reached at (650) 348-4340 or efancher@sanmateocountytimes.com.

Staff writer Amy Yarbrough can be reached at (650) 348-4339 or ayarbrough@sanmateocountytimes.com.
Family therapist files lawsuit over her firing

By Emily Fancher
STAFF WRITER

For more than a decade, Renee LaFarge worked with troubled families at the Family Services Agency where she felt respected and supported by her boss and colleagues. She absolutely loved the work, trying to make homes safe for children.

She never considered herself a whistleblower.

But all that changed in January 2003 when she realized that a judge investigating the death of 8-month-old Angelo Marinda had not been given all the facts.

"I felt sick that this had happened on my watch," said LaFarge, 60, who had supervised Angelo's family therapy. Angelo, a ward of the county, was killed by his father over Christmas 2002.

She spoke out and as a result lost her job at FSA, according to a lawsuit she filed.

In San Mateo County Superior Court last year.

FSA is a nonprofit group that contracts with San Mateo County's Human Services Agency.

LaFarge had told Judge Marta Diaz that a social worker gave the judge false information and that Angelo's death was preventable.

Called a "whistleblower" by her boss, LaFarge was accused of causing the strained relationship that developed between the agencies and was told she would be blamed if FSA's contract with HSA wasn't renewed, according to the suit.

Lori Wishard, LaFarge's former boss, declined to discuss the case, but said her agency had acted properly.

After testifying, LaFarge found her work environment increasingly hostile.

But determined to make children in the system safer, she created the Angelo Marinda Infant Risk Assessment tool and told her supervisors that she was handing it out to colleagues and the press.

In the introduction to the document, she wrote that Angelo's death had been preventable.

The tool is a written evaluation that helps social workers analyze the risk of returning a child to an abusive family.

On June 9, LaFarge was fired for giving out the tool without agency approval, according to her termination letter.

Wishard wrote that the tool contained LaFarge's "personal criticisms (or opinions) that were not representative of the Agency's opinions" and that her "public statements put the Agency at risk."

LaFarge, now in private practice, said she hopes her lawsuit will expose the flaws in the child welfare system, such as the lack of accountability and the us-versus-them mentality.

She feels that FSA wanted the truth sacrificed for the sake of loyalty.

"I don't feel I was heard and would be heard in any other way," she said of her decision to file the lawsuit.

"It's not about the money and not about revenge."

RENEE'S WORLD — Renee LaFarge, who supervised therapy for Angelo Marinda's family, believes she was fired for being a "whistleblower" in the aftermath of Angelo's murder.
Expert finds that HSA has been steadily improving as of late

HSA, from News 1

the County manager and presiding judge found glaring problems throughout the system, and recommended far-reaching changes.

Chase was brought in to keep tabs on how these changes are being implemented, and her review so far is positive, although she didn't directly address major criticism of HSA leadership.

According to the report, Human Services added two supervisors to its child-welfare division to oversee social workers' caseloads.

HSA also narrowed the job duties of its director of Children and Family Services, relieving him of overseeing other social services work.

These are major steps toward putting the protection of children first, Chase said.

The blue-ribbon panel cited a communication breakdown between HSA and the courts. Chase said major strides have been made in this area.

"There's a lot of increased communication going on," she said Monday.

"I think they are working at rebuilding a stronger working relationship and rebuilding trust."

"There are formal meetings between the agencies every two months, and a number of informal, roundtable sessions are in the works."

HSA and juvenile court officials are working together productively to minimize the amount of time that social workers have to spend in court rather than in the field.

Chase also commended HSA Director Maureen Borland for opening the agency up for inspection, but said the ultimate test of her leadership will be her response to a follow-up report due out in mid-July.

That report will deal with the agency's system of "regionalization," under which social workers in the field are given more independence from the central HSA office.

Chase told The Times she will interview social workers and supervisors for the second report, but focused on talking to leadership for her first report.

The blue-ribbon panel called regionalization a failure, saying it led to communication failures between social workers, foster parents, the courts and other players.

Borland has defended the regionalized system.

Chase said Borland's reaction to the report on regionalization will show how committed she is to reforming the agency.

"This is considered an opportunity and a test of the commitment and capacity of the director to embrace mandates for change from both within and outside HSA," Chase said.

Or, as County Supervisor Mike Nevin put it, "This will make her or break her."

Staff writer Tim Hay can be reached at (650) 306-2428.
O UR  O PINION

Judge forces system to open up

T HE death of Angelo MArindia might have been mourned as just another unavoidable tragedy if one angry judge hadn’t kicked open the door of the San Mateo County child welfare system to let the public and press get a good whiff of sour doings.

In early 2003, as leaders within the Human Services Agency rejected blame in Angelo’s death and fought efforts for a public accounting, Judge Marta Diaz ordered them to take the witness stand in her own investigation to find out how the system failed Angelo.

While Diaz played a culpable role in that failure, she had the guts to face up to her shortfalls as other major players initially sought to protect themselves or their agencies.

Instead of launching an open assessment, the system erupted into open warfare as Diaz pressed hard and HSA circled its wagons. But soon she was backed up by a grand jury report and finally by a blue-ribbon panel’s withering criticisms of HSA and the system in general.

It didn’t help that the San Mateo County Board of Supervisors — as a group — abandoned its leadership role by doing nothing for more than a year after Angelo’s death. Only Supervisor Mike Nevin talked about the issue publicly. Without their direction, County Manager John Maltbie proceeded on his own course of action, enlisting Superior Court Chief Judge Mark Forcum to help form a blue-ribbon committee to investigate the child welfare system. We can’t help thinking the panel’s findings — a scathing assessment of HSA — shocked Maltbie, especially the group’s strong words for the agency’s leadership.

Without mentioning HSA’s chief, Maureen Borland, by name, the panel singled out the agency’s leadership for being arrogant, not listening to critical advice and creating a culture answerable to itself. In the cloister of their private meetings, panel members talked of a coverup by HSA and agreed that the agency would be better off without Borland, whom Maltbie had hired years before and who, like Maltbie, is close to retirement. Maltbie has refused to discuss Borland’s future.

As evidence mounted against the way HSA was being run, so too did skepticism that any changes would actually occur. With critics muttering whitewash, Nevin called a press conference to allay their concerns. The tactic backfired as Nevin announced that Borland would be in charge of handling critiques about her agency.

Talk about conflict of interest.

To his credit, Nevin switched gears and convinced his fellow supervisors to take a stand in the matter for the first time by hiring private consultant Charlene Chase to oversee the change process. Chase released her first report this week, praising partners in the child welfare system for making progress.

As for leadership, Chase said, time and actions will tell. Or as Nevin put it — Borland is on probation.
County Supervisor Mike Hein

in the process of doing that two years later.

(Change) doesn't happen overnight... We're still

Please see ANGELO, NEWS 9

following these reports on the child

Angeles' death. Key issues are

make decisions about children's cases.

March County Children's Program

March County's mental health

March County, Times-Register, Times

The system is not adequately

San Diego is the third part of a


death of birth to changes in child welfare

INSIDE:

Social workers make much

INSIDE:

March County's mental health

INSIDE:

San Diego is the third part of a

INSIDE:

MONDAY: Need for a

TUESDAY: Will we win the system?

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a

THIS IS THE THIRD PART OF A

THIRD: Mike Hein, the County

MONDAY: Need for a

aftermath of a landmark in child

MONDAY: Need for a
Infant's death exposed cracks in system

FIXING THE FISSURES

SUPERVISOR GRABS THE REINS
San Mateo County Supervisor Mike Nevin is the only County supervisor to take an active role in issues involving the County's child welfare system and a child's life in the care of the system.
ANGELO, from News 1

County Board of Supervisors appointed consultant Charlene Chase to evaluate its progress.

But Mike Nevin, who is the only County supervisor to take an active role in the matter, thinks more time is needed for change. "That doesn't happen overnight... We're still in the process of doing that two years later," he said.

**Structural changes**

Considered one of the top child protective services agencies in California, CFS did not have the necessary safety systems to protect Angelo from his father, Joseph. Reports and critics have concluded.

"The system didn't work properly," said Juris Dumas, Angelo's lawyer. "We can't put the blame on any one entity; a whole bunch of things broke down in the case."

Key to Angelo's death was a systemic flaw that let a social worker and supervisor make momentous decisions about the child's relationship to his abusive parent. Changes since then have resulted in a team decision-making process, allowing social workers and supervisors to consult with birth families and other colleagues about a case.

In addition, the juvenile court now approves when a child can go home on an unsupervised visit, whereas, in Angelo's case, that decision was made by a social worker and supervisor.

Fulfilling one recommendation, the agency was given a dedicated director, Mark Lane, who oversees only child welfare and no longer manages other social service programs.

**The court and HSA**

The rancorous relationship between CFS and the court has evolved into a truce marked by cautious optimism.

When Judge Maria Diaz opened Angelo's case files and hearings to the press and issued her scathing report in 2003, CFS/HSA and the court instantly became foes. A grand jury report said the relationship "suffers from deep distrust and a serious lack of mutual respect."

Regular meetings between the courts and CFS have helped open communication and restore trust.

Despite improvement in the relationship, some social workers want clearer direction from the court. Diaz said she's pleased that social workers have begun including more information, even differing opinions, in court reports. This helps Diaz make more informed decisions.

"The notion finally sunk in that the judge is wearing the whistle," Diaz said. "The judge calls the balls and strikes and the judge is the decision maker."

Judge George Miram, who sat on a blue ribbon panel that studied the child welfare system, agreed it's important that the agency recognize the court's authority: "The court has to have a role where it's the ultimate determiner of what occurs... It's there in part as a check on the agency's power."

**Foster parents**

After Angelo's death, foster parents complained about being treated like "glorified babysitters" who had little input in children's cases.

Today, they're working to get more respect, but they feel there's a long way to go. They want to create a handbook about legal rights and services because they feel the agency provides inadequate training.
County social workers still feeling the sting of baby Angelo death

By Amy Yarbrough and Emily Fancher


Each day, social workers with San Mateo County’s Children and Family Services help families “living on the fault line.”

Paid little, they juggle enormous responsibility, tons of paperwork and dozens of cases, many involving kids who are placed outside the County. At night, they obsess. During the day, they learn to prepare for anything.

And social workers are still feeling the fallout from the death of 8-month-old foster child Angelo Marinda, who died Dec. 26, 2002 — killed by his father.

Some of the blame was cast on his social worker, Amy Huber, who was accused of mishandling of the case. But many social workers feel it could have just as easily happened to them.

“There but by the grace of God, it could have been my case,” said social worker Priscilla Johnstone, who has 17 years’ experience and works in CFS’ investigations unit.

“A lot of people felt isolated after the Marinda case,” she said. “There’s a lot of concern about risks.”

A social worker’s first job has always been to keep kids safe, according to Erika Roman and Karla Rugama, social workers who help families through the reunification process.

Their other duties can range from going hurt and getting

EVERYDAY HEROES — Erika Roman (left) and Karla Rugama are social workers with the County’s Children and Family Services.
vetern social workers like

Happiness handle about 25 cases

and a disproportionate part of

vetern social workers has yet
to care for abused kids. It is to care for abused kids.

kids want to be with their families. When the public doesn't need
care with their families. Children are put in foster care or juvenile

from not being able to

Neglected at foster care.

school because the parent couldn't get

child missed 9 days of class

feel stuck in the door. Another

bedded with animal. Later. She

not thinking a child. One home

short said. Then not reading to

problems, reading, and fraction of the

poorer for a long time. Feel

poorer than the last. The 13

system. I think a lot of social

number of handicapped

involved with less resources.

are getting more intense now.

It seems as though the cases

Child

Society

instead of the day just to feel one

where the day and drive

right goal to have parents. On some days.

or seeing that kids get to

are the morning. And children in

Social workers is about 640,000

and any given line for new

Child abuse happens about 25 cases

Face what the social happens to

If happy, feel free to try in your

Happiness handle about 25 cases

vetern social workers like

Happiness handle about 25 cases

vetern social workers like
Time will tell if HSA is committed to change

With peace breaking out within the embattled San Mateo County child welfare system, it is clear that positive change has taken place since the death of 8-month-old Angelo Marinda at the hands of his father.

But, as outside consultant Charlene Chase so aptly reported this week, only time will tell if the leadership of the Human Services Agency is truly committed to the task of fundamental change that three different investigations said must occur to prevent more such tragedies.

There is no question that the system — meaning the juvenile court and HSA — broke down and needed fixing. As a Times investigative report over the last three days showed in great detail.

The most obvious flaw is how a single social worker was put in the position of making key decisions that ultimately allowed Angelo's killer to prevail. The system failed to provide adequate backup to that worker. Since then, changes have been made to create team decision making on major matters. And, a juvenile court judge now is the only person who may decide whether parents can have unsupervised visits with battered children.

It is also obvious that foster parents were given little background about their foster children, and had little say in what happened to them. A state law and some changes in county policies now open up the system to these people who are on the front line in protecting children from life's perils.

If any of these new procedures had been in place before Christmas 2002, Angelo Marinda might be living today.

What's shocking to consider, though, is how HSA leaders at first denied that changes were even necessary. They insisted that they hadn't failed Angelo and the system was fine. If juvenile court Judge Marta Diaz hadn't forced the truth down the throats of HSA leaders — with the assistance of a press invited in by her to explore the controversy — it is likely that the substantive policy changes we now see wouldn't have happened.

In the end, guts and openness are why the child welfare system in San Mateo County is becoming better than before Angelo died. But pride and hubris may yet derail the process.

Critics of the system — including a blue-ribbon panel of distinguished citizens — were adamant that the top leadership of HSA had created a system answerable to itself and not to the public, a system that intimidated its own workers to the point they feared offering a different opinion, a system that treated foster parents like second-class citizens, an agency that prided itself above all as beyond reproach. And that's only what the panel said on the record.

Off the record — which is the only way most of the panel members would speak — the criticism was harsher yet, especially with regard to HSA chief Maureen Borland. That most panel members wouldn't speak on the record even when they saw their own report jeopardized by a possible county whitewash is puzzling and perhaps speaks more than we know about the unseeable influences that really govern the county.

On the record and out front — not pulling strings in private — is where we want to see our governmental leaders, whether guiding our public safety agencies or broadly leading through political process. It is the dominant lesson of this entire painful process — a process that handled openly might have made us all feel proud about who is serving us, rather than suspicious of how we are being served.

The process of change has merely begun, although consultant Chase, hired at the behest of critics, writes of positive signs in her first report. What she writes about in future reports is in the hands of a few. We'll be watching over her shoulder.