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Failed by safety net, kids die under social services' watch

By Myung Oak Kim, Rocky Mountain News
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Neveah Gallegos and Chandler Grafner aren't the only children who were killed this year after hitting the social services radar.

At least three children have died while their care was monitored by county human services agencies.

Seven-year-old LoReyna Barea died March 9 after Weld County Department of Social Services placed her in the custody of her aunt, Genevieve Barea, 45, of Evans. The girl weighed 35 pounds and had almost 50 bruises on her body at the time of her death, authorities said. The aunt and her husband, Dan Partch, 47, have been charged with child abuse resulting in death.

The State Department of Human Services is reviewing how county social services handled the Barea case. That investigation, called a child fatality review, is expected to be completed in a couple of weeks, said Liz McDonough, state human services spokeswoman.

State DHS just launched a review of how the Denver Department of Human Services handled 3-year-old Neveah Gallegos, who's body was found Monday in a west Denver ravine. Her mother's boyfriend, convicted sex offender Angel Ray Montoya, 22, is in custody awaiting formal charges in the girl's death. The mother, Miriam Gallegos, 20, also faces accessory charges.

Denver human services, which knew last year of sex abuse allegations involving Montoya and the girl, has asked for a third-party investigation of its child welfare practices.

That investigation will be done by state human services and two foundations that have expertise in child abuse. It is separate from the child fatality review.

Child fatality reviews are conducted by a 15-member panel, which includes a doctor, psychologist, child welfare consultant and attorney general's office staffer. The rest of the team is made up of state and county human services employees.

The panel investigates child abuse deaths that occurred after having contact with social services within five years of the death. They do not investigate all of these deaths, but pick cases that can help bring attention to ways to improve child welfare practices, said coordinator Susan Ludwig.

The team typically completes three reviews each year. This year, the group finished reviews of the deaths of Chandler Grafner and Shay Smith.

Chandler, 7, died May 6 while in the care of his stepfather in south Denver. Jon Phillips, 27, and his common law wife, Sarah Berry, 22, are accused of starving the boy to death and have been charged with murder.

The review, released Aug. 28, found that human services agencies in Jefferson and Denver counties made poor judgments and violated six regulations during their involvement.

Shay, 2, drowned in Carter Lake in Larimer County in July 2006 while being pulled in a tube by a boat driven by his father, Gil Smith, who was intoxicated. The father, of Longmont, served a brief prison sentence and probation for the boy's death. He has since been arrested twice for alcohol-related offenses.

Boulder County Department of Social Services went to the boy's home in July 2005 and obtained a written promise from the father that he would not be alone with his children while drinking.

The state review, completed July 31, said, while "there were some weaknesses," that Boulder County social services followed rules and regulations.

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Shay Smith, 2, drowned in 2006 while being pulled behind a boat.