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## Right time for review

Two tragic deaths spark needed look at Denver Human Services

September 28, 2007

The Denver Department of Human Services does a lot of wonderful work, but in the past year it has twice failed to save the lives of children despite warning lights that were a blinding red.

The warnings were so compelling, in fact, that it's reasonable to ask whether the agency has fumbled other cases with equally glaring danger signs - not to mention cases in which the perceived threat was real but not quite so stark.

On Thursday, department manager Roxane White essentially acknowledged these concerns when she called on outside experts to review everything from "hotline calls, investigations of allegations of abuse or neglect, voluntary services, filing of dependency and neglect petitions, and follow-up services to children and families."

The agency had begun a self-assessment earlier this month when it reassigned the person in charge of Child Maltreatment and Intake Services pending an internal investigation. But this week's move is more likely to guarantee a much needed top-to-bottom review.

It's hard to understand, for example, how Human Services last year could have left 3-year-old Niveah Gallegos marooned with a mother who refused to cooperate with officials after they came to suspect her boyfriend had molested the little girl. Yet that is apparently what happened.

Not only was the boyfriend, 22-year-old Angel Montoya, a suspect of the alleged abuse, he is a registered sex offender with an alarming record.

Now he is the suspect in an even worse crime: Niveah's murder.

Denver's Channel 7 has reported that Human Services not only closed the case in January but concluded that the abuse allegations were unfounded. If so, that would be troubling enough in its own right. Why close a case in which the mother may have been involved in the coverup of her own daughter's abuse, even if charges were out of the question?

At the time, however, the department was involved in another case in which it reached an equally unwarranted conclusion - one confirmed and criticized last month in a report issued by the state itself.

We're referring, of course, to the tragic case of 7-year-old Chandler Grafner, who was imprisoned in a closet and starved to death.

The Colorado Department of Human Services's child fatality review gives some sense of why a conclusion of "unfounded" was so beyond the pale last February in Chandler's case.

"The second referral to [Human Services]," according to the state, "came as a result of a report made by staff from a Denver Public School . . . The report from the school stated that they had noticed a bruise on Chandler's ear and a bruise on his neck. Chandler reportedly told the teacher that his dad, Jon Phillips, had slapped him while he was in the shower and smacked his neck. Chandler also reported not having attended school on Jan. 16 because of these alleged injuries."

Chandler later changed his story to agree with Phillips' version of events, frustrating the probe by social workers and police. But at the very least, as the state noted, "The facts . . . should have led the Denver Department of Human Services caseworkers to a conclusion of 'inconclusive' or 'founded' for abuse or neglect, given the credible report of abuse by Chandler to the school and one law enforcement officer and a documented injury indicative of non-accidental trauma."

By the way, don't for a moment think the state was being unduly harsh with Denver. In fact, its report was peculiarly mild in at least one important respect. In the litany of missteps by three different counties that it recounts in Chandler's case, the state neglects to include Denver's failure to act in April after Chandler's school once again called to express concern about his welfare, this time noting that he'd been missing from class for weeks.

Given Chandler's history, and what should have been considered a credible allegation of abuse in January, you'd think Human Services would at least have made some attempt to check on his welfare. Instead, it failed to launch an investigation.

This failure is surprising enough. But no less surprising is that the state didn't single out this instance of official torpor in its August report. We're not entirely reassured to hear, therefore, that the state will be among those conducting the review of Denver's practices, along with experts from the Annie E. Casey Foundation and the Kempe Center for the Prevention and Treatment of Child Abuse and Neglect.

So no soft-pedaling the findings this time, please. As events of recent days confirm, there's way too much at stake.

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