

## **TIMELINE**

**June 29, 2008** Broward Sheriff's Office Protective Investigations received a report alleging that youth (Gabriel) was a subject of physical injury; sexual abuse; substance misuse; and threaten harm. Initial allegations alleged, "mom was found to have an extensive amount of xanax and several other pills in unmarked containers with pills. Mom appears to be under the influence. She is in and out and dozing off. Mom is being arrested for a warrant out of Ohio for violation of probation. Mom has a 6 year old son, Gabriel with her. He had been taken inside the restaurant and mom didn't have a clue that he wasn't in the car with her." An additional supplemental report was received the same day alleging, "Gabriel was sexually abused." Broward Sheriff's Office Investigator found no indicators of sexual abuse due to the youth Gabriel denying that anyone touched him inappropriately during the forensic interview that was conducted by CPT. Broward Sheriff's Office Investigator found some indicators of physical injury due to the youth (Gabriel) having visual marks, bites and bruises. Broward Sheriff's Office Investigator found verified findings of substance misuse due to the youth (Gabriel) being exposed to drugs as reported in the police report and the findings of the hospital drug test results indicating Candace Myers tested positive for drugs and alcohol and verified for threatened harm when youth (Gabriel) was found in the custody of Candace Myers who was unconscious in a parked running vehicle with powder cocaine, alcohol, crack cocaine, marijuana and several non-prescribed medications. The mother (Candace Myers) was listed as the caregiver responsible for both of the verified findings.

Gabriel was removed from his mother's custody. At the time of removal Gabriel arrived at SafePlace with a prescription bottle of Adderall XR 10mg in which the medication appeared melted. The medication was prescribed by Dr. Variath in Ohio. At SafePlace, Gabriel completed an initial Temporary Intervention Emergency Services (TIES) assessment with clinician Sasha Mizarchi. Sasha Mizarchi documents that "client exhibited below average reading and math during assessment. Client is presenting as inattentive. Consider IEP need for diagnosed ADHD . . . child [Gabriel] states he does not remember school details [and] reports frequent fighting with peers and disruptive behavior requiring school discipline." Gabriel reported administering his own medication. On the TIES Event Rating Scale, Gabriel scored the most severe rating on all categories directly referencing issues regarding sexual abuse. Under the Suicidal and/or Violent Behavior inventory assessment, Sasha Mizarchi documents there are "no present or historical suicidal indicators reported or observed" or risk of violence to others. Gabriel reported to Sasha Mizarchi "that someone inappropriately touched him underneath his bathing suit areas in a way that made him feel uncomfortable for more than once." Due to the allegation of sexual abuse, which the later CPT evaluation documents as occurring while residing at the Maternal Grandparents, an Abuse report was called in and Assistant Site Director of SafePlace (Onzalo Haynes) assigned Gabriel a D alert [sexual victim]. The assessment reflects a diagnosis of ADHD for Gabriel.

Gabriel was placed in the licensed foster home of John Michael McGuigan through Kids In Distress. John Michael McGuigan signed a Family Safety Contract (A safety plan created with designated alerts to ensure safe and appropriate placement to meet the individualized child needs based on assessments). The following persons were listed as the only individuals approved to supervise contact of the child: ChildNet staff and John Michael McGuigan.

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**June 30, 2008** Judge Hope Bristol found probable cause for Gabriel's removal from his mother's custody and the child is sheltered. Judge Hope Bristol orders that both the mother (Candace Myers) and father (Rocky Newman) are allowed supervised visitation with the child and that DCF/ChildNet is authorized to continue administering the child's psychotropic medication. The order also documents, "Absent the parent's authorization to continue psychotropic medications, said medications shall continue until or unless changed by the child's physician for 28 days or until the arraignment, which ever is sooner . . . The Department has the discretion to shelter the child with a relative or other responsible adult on completion of a positive home study, abuse registry, and criminal background checks."

ChildNet Court Liaison (Wendy Cummings) present and documented on Shelter Staffing Checklist and Notes which is completed at the time of shelter that parents were not present and appeared by phone. The document reflects that medical consents were obtained. Safe Place Receptionist (Lisa Rowe) in her daily shelter email reflecting actions needed stated that "[t]he Judge would not agree to sign the order with the language needed for administering the medication without an affidavit from the dr."

Prescription of Adderall XR 10mg was filled by Staker's Drugs in Portsmouth, Ohio.

Gabriel participates in an exam with Pamela Munger from CPT. Pamela Munger documents: "Gabriel was able to give this examiner a bottle of capsules, labeled Adderall XR . . . The foster parent did not administer any of the capsules . . . Gabriel's exam shows non specific bruising to the arms, legs and torso. This examiner was unable to determine physical abuse."

**July 1, 2008** Gabriel completes his Child Health Check up. Child Health Check up recommends that Gabriel be referred to an ophthalmologist, cardiologist, and a psychiatrist.

Florida Safe Family Network (FSFN) documentation shows that foster parent (John Michael McGuigan) picked up and signed for the child's medication from SafePlace.

**July 3, 2008** Broward Sheriff Office (BSO) Child Protective Investigation Services (CPIS) (Earline Gilbert-Gordan) completes caregiver home study of Gabriel's maternal uncle/aunt (Johnathon Myers and Elizabeth Myers) recommending placement.

**July 7, 2008**, Assigned child advocate (Lawrence Chusid) conducted a home visit at the foster home of John Michael McGuigan. Lawrence Chusid documents in FSFN that "Gabriel did have what appeared to be old bruises in various stages of healing . . . Other than these old bruises, the child did not show any recent sign of abuse and the home was free of hazardous conditions."

**July 8, 2008**"Gabriel is placed in the custody of his maternal uncle/aunt (Johnathon Myers and Elizabeth Myers). Email from Assistant Site Director (Mari Middleton) documents that "this child has never met this uncle."

Email correspondence from PB of DCF to ChildNet states "I spoke with David Myers, the [maternal] grandfather this morning . . . He and his wife, after talking with their family

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have withdrawn their application for guardianship and everyone wants Gabriel to live with Johnathon Myers (David Myers's son)."

**July 9, 2008** Assigned child advocate (Lawrence Chusid) completes a supplemental reunification/caregiver home study of Gabriel's maternal uncle/aunt (Johnathon Myers and Elizabeth Myers) concurring with the BSO CPIS recommending placement.

**July 14, 2008** Johnathon Myers and Elizabeth Myers signed the Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact of the child: ChildNet staff and Johnathon Myers and Elizabeth Myers or their designee.

**August 4, 2008** Smith Community Mental Health completes a Comprehensive Behavioral Health Assessment (CBHA). Donnette Figueroa, LMHC is the assigned assessment specialist who recommends the following for Gabriel:

- Gabriel currently remained in relative care with his maternal uncle and wife.
- Gabriel receives an updated psychiatric evaluation and follows all recommendations.
- Gabriel continues individual counseling.
- Gabriel continues tutoring to improve his reading skills.
- That a meeting takes place with Gabriel's current caretakers, guidance counselor, therapist, and ChildNet child advocate to address how his academic needs can be better met.
- Gabriel receives a dental evaluation.
- Gabriel pediatrician is consulted regarding his on-going nocturnal enuresis.
- Gabriel to have supervised telephone contact with his mother if he is interested.
- Gabriel to have supervised face to face contact with his father once he is released and granted supervised telephone contact.
- Gabriel to have supervised contact with both maternal (David Myers & Dorothy Myers) and paternal grandparents (Judy Newman) and his paternal aunt (Melissa Staggs).
- A Guardian ad Litem.
- A Big Brother/Mentor.
- Gabriel to participate in extracurricular activities.
- Gabriel be referred to a fire setting prevention/intervention program and visit the Florida State Fire College Kids Site at fldfs.com.

Donnette Figueroa, LMHC recommend the following for the relative placement:

- Johnathon Myers and Elizabeth Myers, current caretakers, appear to be in need of being educated regarding child dependency issues.
- Johnathon Myers and Elizabeth Myers, current caretakers, would benefit from attending family counseling with Gabriel.
- Johnathon Myers and Elizabeth Myers, current caretakers, would benefit from attending parenting class geared towards raising children with emotional and behavioral problems.
- ChildNet, Inc. to request records for child protective services in the State of Ohio.

30 Day Review and Action Plan completed. Efforts to review other prospective relative placements determined "not applicable at this time – child is placed with [maternal] uncle who is a prospective adoptive placement if this should ever become an option."

Assigned child advocate (Lawrence Chusid) is instructed to: (1) Establish paternity of the

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father; (2) At mediation, inquire if parents would sign surrenders; (3) if parents sign surrenders, re-staff for adoption goal; (4) Lawrence Chusid to provide both parents with written referrals; (5) Review CBHA; (6) Contact assigned Assistant Attorney General to discuss case prior to mediation for face to face; and (7) Ensure counseling is in place for child.

**August 7, 2008** Assigned child advocate (Lawrence Chusid) conducted a scheduled home visit at the relative home of Johnathon Myers and Elizabeth Myers. Lawrence Chusid indicates on the visitation form that the child has minor difficulties in achieving progress in school and further documents Gabriel is behind academically and is receiving tutoring. Lawrence Chusid indicates that the child is having a difficulty in following placement/household rules and further documents that Gabriel is still adapting to living with his maternal uncle. Lawrence Chusid documents in the Chronological Note section that Gabriel was taken off his Adderall by primary doctor until Gabriel will have another psychiatric evaluation at Compass Health. The home was neat and clean and no hazardous conditions.

**August 21, 2008** Gabriel was brought by his maternal uncle and his wife (Johnathon Myers and Elizabeth Myers) to Dr. Punjwani for a psychiatric evaluation. Dr. Punjwani diagnosed Gabriel with 314.01 (Attention Deficit Hyperactivity Disorder by history and 312.3 (Impulse Control Disorder, NOS. Dr. Punjwani documents none for suicidal ideation in the mental status exam. Dr. Punjwani documents that “maternal aunt and uncle state that the medication [Adderall] was discontinued on July 31<sup>st</sup>, 2008 because it was no longer needed.” Documentation of the determination as represented by the Johnathon Myers and Elizabeth Myers has not been identified at the writing of this report. Dr. Punjwani report states “no medication indicated at present time, follow up in 3 months.” At this appointment, Dr. Punjwani indicates Gabriel has “mood: normal . . . affect: appropriate . . . suicidal ideation: none” and a Global Assessment of Functioning (GAF) score of 56.

Letter from Craig Handwerker, LMHC informing that he is the assigned therapist and has been seeing Gabriel since 7/16/08 on a weekly basis. Craig Handwerker, LMHC documents that Gabriel “struggles with lying, impulsivity, hyperactivity, lack of focus, lack of self control, poor decision making skills and blame shifting.” Craig Handwerker, LMHC also recommends that any visit with his father (Rocky Newman) be supervised in the future when it would be therapeutic.

An additional letter from Craig Handwerker, LMHC addressed to the Broward County Courts, requests “the court to take care of the full cost of Gabriel being placed in a residential program that deals with children who have been sexually assaulted/molested and who are now acting out in sexually deviant behaviors.”

**September 2, 2008** Gabriel adjudicated dependent and initial case plan accepted. Rocky Newman’s visitation was changed to “until therapeutically recommended the father may have written contact with the child.”

**September 12, 2008** Assigned child advocate (Lawrence Chusid) conducted a scheduled home visit at the relative home of Johnathon Myers and Elizabeth Myers. Lawrence Chusid documented that the child’s school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues.

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Lawrence Chusid indicated that the child is having difficulty in following placement/household rules and further documents that Gabriel is still having some difficulties adjusting to this more structure environment. Lawrence Chusid documented that Gabriel showed no signs of current abuse and the home was free of hazardous conditions.

**September 16, 2008** Letter from Dr. Juan Carlos Million. Dr. Juan Carlos Million documents that Gabriel was recently brought to his practice by his aunt (Elizabeth Myers). Dr. Juan Carlos Million documents that during his examination, "I did not find any heart murmurs as previously stated on the few papers available to me. Also his ophthalmologic evaluation was unremarkable and 20/20 vision on both eyes was noted. Because of these reasons, I do not deem necessary for Gabriel to have f/u with pediatric cardiologist or ophthalmology based on my current examination and hx."

**October 10, 2008** Broward Sheriff's Office Protective Investigations received a report alleging that Gabriel was a subject of sexual abuse and a supplemental report on October 15, 2008, alleging Gabriel was a subject of physical abuse. Broward Sheriff's Office Investigator found no indicators of sexual abuse due to a prior forensic interview conducted by CPT, which indicated that Gabriel denied anyone every touching him inappropriately. Broward Sheriff's Office Investigator found some indicators of physical injury due to the statements made by both the child and relative. Gabriel reported that he was hit by his uncle with a belt and uncle (Johnathon Myers) stated that he did try corporal punishment with a belt on the butt.

**October 13, 2008** Emergency Order on Modification of Custody/Placement was granted by Broward County Judge Hope Bristol. Gabriel is removed from his relatives (Johnathon Myers and Elizabeth Myers) and was re-placed in the licensed home of John Michael McGuigan through Kids In Distress (KIDS), a local community provider.

Assigned child advocate (Lawrence Chusid) conducted an unannounced home visit at the home of Johnathon Myers and Elizabeth Myers, the relative placement. Lawrence Chusid documents on the visitation form that the relative informed him at the visit that "Gabriel was having problems at school with girls. Gabriel stated that he was touching classmates in inappropriate ways. The current caretaker refused to send Gabriel back to school and asked that he be removed from their care." Johnathon Myers and Elizabeth Myers had enrolled Gabriel in a private school. Lawrence Chusid indicates that the child is having major adjustment issues and further documents that Gabriel is to be removed from the home of Johnathon Myers and Elizabeth Myers today. Lawrence Chusid documents that Gabriel did not show much emotion at leaving his placement. Gabriel showed no evidence of abuse and the home he was leaving did not have any hazardous conditions.

Broward Sheriff's Office Protective Investigations received a report alleging that Gabriel "has been kissing and rubbing on girls at school. He has been feeling between their legs, touching their rears and hugging them." Gabriel admitted to the aforementioned; however the two girls denied such actions. Gabriel completed psychosexual and will receive sexual specific counseling. Case was staffed at Broward Sheriff Office/CPIS. No recommendations from staffing.

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Gabriel was re-placed in the licensed foster home of John Michael McGuigan through KIDS. Upon replacement, John Michael McGuigan signed the Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact of the child: Child Advocate; Foster Parent; Therapist; and Approved ChildNet designee.

**October 14, 2008** Gabriel has a physical exam by pediatrician Dr. Lawrence Garter. Gabriel received a “normal” rating on his physical exam and there were no follow-up recommendations.

**October 15, 2008** Vice President of Client Services (Silvia Smith-Torres) emails assigned Child Advocate (Lawrence Chusid) and Assistant Site Director (Mari Middleton) to submit an ICPC packet for both the maternal grandparents in Ohio and maternal aunt in Connecticut.

**October 16, 2008** As part of the investigation for the allegations Gabriel was evaluated by CPT by Pamela Munger, APRN BC and Andy Robbins, CPT Case Coordinator. The CPT evaluation reflects the following:

As to the current investigation of physical abuse regarding Gabriel’s Johnathon Myers and Elizabeth Myers, CPT determined that “medical assessment supports the allegation of abuse/neglect.” This history provided by John Michael McGuigan to CPT was that “[Gabriel] came to my house on Monday night. He was getting out of the bathroom on Tuesday night and I saw a bruise on his buttock. I asked him how he got the bruise and he said his uncle had spanked him with a belt.” Gabriel stated “You want to know why I spanked on the butt, it was for lying and sneaking food. [Johnathon Myers] spanked because I got kicked out of [Private School] for touching girls . . . “

As to some past incidents, Gabriel made disclosures that while in Ohio, where he resided with David Myers, the maternal grandfather, there were a couple of sexually related incidents. Specifically, “he saw a movie at his grandfather’s house and the girls did not have any clothes . . . boys and girls touched one another and that is where he learned the behavior of touching girls in school.” In addition, Gabriel reported “I did something with a boy before [in Ohio] . . . he said he touched [the boy’s] penis.” This is the first documentation of these concerns being raised as to the maternal grandparents.

As to suicidal processing, “Gabriel denied any suicidal thoughts or attempts. He said sometimes he has ‘thoughts of killing other people,’ however he stated he did not have a plan and there was not a person he had thought of killing.”

**October 17, 2008** FSFN documents Supervisory Consult between Child Advocate Supervisor (Sarah Weinstein) and Child Advocate (Lawrence Chusid). Sarah Weinstein instructs Lawrence Chusid to complete the following: (1) complete out of home plan; (2) two critical incident reports due by close of business; (3) update safety plan for respite home; (4) referral to psychiatrist; (5) CA to review with CAS CPT report once received; (6) visit mother in jail and discuss drug court; (6) continue to request monthly reports from reunification program and file; (7) diligent search needed for father if no address is provided; (8) complete ICPC request for case assistance for father and obtain order; (9) two ICPC packets must be completed by the first week of 12/08 for the maternal grandparents and maternal aunt.

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**October 20, 2008** KIDS Family Support Counselor (Lynnette McIntosh-Wright) conducts visit to the foster home of (John Michael McGuigan). KIDS Form documents that Gabriel is not on any prescribed medications.

**October 24, 2008** Behavior/Alert Staffing (An internal staffing that reviews and determines behavior alerts assigned to children) conducted and determination made to maintain current alert code of D (Victim) with a re-staffing upon receipt of psycho-sexual evaluation. Lawrence Chusid instructed to follow up with The Chrysalis Center, a local community provider, for therapy for Gabriel.

As the licensed caretaker, John Michael McGuigan requested respite care. Gabriel is placed in the respite foster home of Michael Gould and Daver Gould for the dates of 10/24/08 until 11/05/08. As part of this respite placement, Lawrence Chusid was required to execute the Family Safety Contract.

**October 28, 2008** Gabriel completes a Sexual Behavior Specific Evaluation with Dr. Quina Munson to “assess current level of functioning, evaluate risk for engaging in sexually inappropriate behaviors, and identify treatment needs applicable to any psychological and/or psychosexual issues.”

Dr. Quina Munson determined that “[Gabriel] did not present with indicators of a mood based disturbance, as his emotional displays were stable, appropriate to the situation at hand, and consistent with topics discussed . . . He denied having any present or past suicidal and/or homicidal ideations, plan, or intent and no such concerns were noted in available records and/or collateral contacts.”

Dr. Quina Munson states “The result of the evaluation revealed Gabriel has displayed evidence of psychosexual maladaptation specific to sexual reactivity.” Dr. Quina Munson recommended the following:

- Gabriel should remain within his current residential placement as his behavioral difficulties have appeared to significantly decreased
- John Michael McGuigan receive an extensive education specific to parenting children with sexually reactive behaviors.
- Attend Individual therapy and the treating professional should learn about treating children who have a history of sexual reactivity.
- The safety plan should continue to be implemented.
- ChildNet should receive frequent updates from all mental health professionals working with Gabriel and both ChildNet and all mental health professionals working on the case should be provided a copy of the aforementioned report.

While Gabriel was evaluated on October 28, 2008, the written evaluation was dated November 19, 2008.

**October 30, 2008** Michael Gould and Daver Gould sign the Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact of the child: Child Advocate; Foster Parent; Therapist; and Approved ChildNet designee.

Five (5) Month Permanency Staffing (An internal staffing to facilitate the achievement of a child’s permanency goal) conducted. Assigned child advocate is instructed to: (1) Obtain psychosexual on child and follow recommendations; (2) Explore maternal aunt in

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CT for possible placement; (3) Refer MGF for Interstate Compact on the Placement of Children (ICPC) if psychosexual and therapist feel it is appropriate; (4) Obtain findings of abuse reports for case file.

**November 13, 2008** Assigned child advocate (Lawrence Chusid) conducted a scheduled home visit at the foster home of John Michael McGuigan. Lawrence Chusid documented on the visitation form that the child's school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid indicated that the child is displaying age-appropriate behavior and/or follows and understands the rules of this placement. Lawrence Chusid documented that Gabriel showed no signs of current abuse and the home was free of hazardous conditions.

**November 14, 2008** Gabriel has a dental evaluation with Dr. Timothy Chen. Follow up appointment for 11/17/08.

**November 20, 2008** Assigned child advocate (Lawrence Chusid) receives an email from medical coordinator (Patsy Williams) that a urology appointment is scheduled for Gabriel on 11/25/08 at 11:30am. Appointment scheduled with Dr. Rafael Gosalbez.

Parent Notification of Incident Report from La Petite Academy documents: "Gabriel showed his private to another boy on the school bus and then Gabriel told the boy to show his private to him."

Judicial Review Social Studies Report prepared for December 2, 2008 hearing and approved by Child Advocate Supervisor (Sarah Weinstein).

**November 24, 2008** Child Advocate Supervisor (Sarah Weinstein) emails Director of Service Coordination (Neiko Shea) a copy of Gabriel's psychosexual evaluation. A determination is made to add a B2 alert (assigned to children with sexually reactive behaviors). Sarah Weinstein emails assigned child advocate (Lawrence Chusid) to update the family safety contract to reflect the additional alert.

**November 25, 2008** John Michael McGuigan signs the updated Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact of the child: Child Advocate (Lawrence Chusid); Foster Parent (John Michael McGuigan); Therapist; and Approved ChildNet designee. Family Safety Contract also documents that, "the foster parent (John Michael McGuigan) should be involved in Gabriel's treatment to the extent that he be educated in sexually reactive behaviors that Gabriel may be exhibiting so as to be comfortable in providing consistent and adequate monitoring and supervision."

Multi-Disciplinary Assessment Team Staffing Conducted (MAT Staffing). Under additional findings/summary it states, "Gabriel is enuretic at night and has a scheduled appointment to see a neurologist per ChildNet caseworker (Lawrence Chusid)." It is recommended GA receive sexual specific treatment and follow the recommendations of the psychosexual evaluation.

**November 26, 2008** FSFN documents Supervisory Consult between CAS (Sarah Weinstein) and child advocate (Lawrence Chusid). Sarah Weinstein instructs Lawrence

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Chusid to complete the following: (1) complete out of home plan; (2) update safety plan; (3) referral to psychiatrist; (4) visit mother in jail and discuss drug court; (5) continue to request monthly reports from reunification program and file; (6) diligent search needed for father if no address is provided; (7) ensure new referrals are completed and provided; (8) complete ICPC request for case assistance for father and obtain order; (9) two ICPC packets must be completed by the first week of 12/08 for the maternal grandparents and maternal aunt.

**December 2, 2008** Broward County School Board Student Accident/Illness form indicates that "student put his own hands around his neck and scratched the back of his neck. He first stated someone else did it, but admitted he hurt himself."

Email from foster parent (John Michael McGuigan) to assigned child advocate (Lawrence Chusid). John Michael McGuigan informs assigned child advocate (Lawrence Chusid) that he received a telephone call from Gabriel's school today. John Michael McGuigan documents "he was very disruptive in class to the point where the teacher could not get anything at all accomplished. She said he was being uncontrollably silly."

Judicial Review Hearing for which JRSSR report was prepared for a hearing which was indicated this date not heard.

**December 3, 2008** Email from foster parent (John Michael McGuigan) to assigned child advocate (Lawrence Chusid). John Michael McGuigan documents that he attended a parent teacher conference at Gabriel's school. Teacher (Ms. Naeger) reported to John Michael McGuigan that the "first few weeks was a good student with mostly "A" work. In the last couple of weeks, his papers have been "D" work, and he cannot settle down, often disregards instructions, and will not stay in his seat, and generally is a disruption to the entire class." John Michael McGuigan writes, "Gabriel said he 'accidentally' elbowed a boy hard enough to push him against wall. The boy pushed back, and Gabriel punched him. There was a scuffle, and then Gabriel literally put his hands around his own neck and squeezed, leaving quite a visible red marks and scratches . . . He then proceeded to tell the Principal the two boys him up and choked him. Upon interviewing the three boys separately, the truth came out that Gabriel had done this to himself." He further documents communications with the teacher and that "Ms. Naeger related several stories to me that she has noted in Gabriel's file," to include inappropriate touching and "several verbal threats to fellow classmates, including 'I will kill you.'"

**December 4, 2008** Email from child advocate supervisor (Sarah Weinstein) to Director of Service Coordination (Neiko Shea). Sarah Weinstein writes, "I believe we need a FSPT [Family Service Planning Team] before something happens. He needs more appropriate treatment than a regular foster home setting." Neiko Shea replies to email stating, "I think FSPT would be appropriate, but we also may want to try Enhanced FC with Camelot, Mentor, or Devereux." "We could schedule him for FPST for next Wed, but send out EFC referrals to that (today, if possible) to see if this would be an option first."

**December 5, 2008** Email from foster parent (John Michael McGuigan) to KIDS family support worker (Lynnette McIntosh-Wright) and assigned child advocate (Lawrence Chusid). John Michael McGuigan asked, "Would I qualify for Enhanced Foster Care, and if so, what additional training or certification, if any, do I need?" Kids Foster Care

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Supervisor (Carmen Hiraldo) replied to all parties on 12/9/09 that “yes you do qualify for enhanced board rate. This is just a stipend increase.” (Enhanced Foster Care requires additional specific training; however it is not required to receive an enhanced board rate)

**December 9, 2008** Gabriel was taken by his foster parent (John Michael McGuigan) to Dr. Punjwani’s office for the three month follow up appointment previously recommended by Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, states John Michael McGuigan attended appointment and notes behavioral concerns with Gabriel. Dr. Punjwani indicates that Gabriel’s mood is irritable, affect is bright/full, psychosis is none, suicide/homicide ideations are none, GAF of 54, and that client understands the risk/benefits of medication as discussed. Dr. Punjwani prescribed Vyvanse 30 mgs qd. Follow up appointment to occur within 4 weeks.

**December 11, 2008** Gabriel participated in individual therapy with his therapist (Dominika Gasior) in John Michael McGuigan foster home. Dominika Gasior documents in her clinical progress note that “[f]oster guardian stated cl[ient] has been sexually acting out at school, e.g. exposing himself to other students, touching inappropriately other k[i]ds. Cl[ient’s] guardian reported cl[ient] also exhibits disruptive ‘uncontrollable’ bx at school. Cl[ient’s] guardian described this bx as ‘silliness’, interruptions. Cl[ient’s] guardian stated cl[ient] had one attempt of choking himself, when he got into trouble for getting into fight. Cl[ient’s] guardian added cl[ient’s] bx slightly improved for last two days since cl[ient] got back on medication . . . [and that] he had noticed dramatic deterioration in cl[ient’s] overall bx three weeks ago According to cl[ient’s] guardian that time cl’s grandparents where about to visit him . . .”

**December 15, 2008** Court held Judicial Review Hearing for which the November 20, 2008 JRSSR was prepared. Order entered on Judicial Review. Judge Lisa Porter orders that “the mother may have supervised visitation with the child at the mail if it is therapeutically recommended.” Judicial Review Social Studies Report (JRSSR) documents that, “When child came into care he came with a diagnosis of ADHD. The child has not exhibited any symptoms of this disorder.” “He does have enuresis which is being addressed with a future appointment with a pediatric urologist.” The psychotropic medications were prescribed subsequent to the preparation of this JRSSR and were not documented in the report.

**December 16, 2008** Assigned child advocate (Lawrence Chusid) conducted an announced home visit at the foster home of John Michael McGuigan. Lawrence Chusid documents on the visitation form that the child’s school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid indicates that the child is displaying age-appropriate behavior and/or follows and understands the rules of this placement. . .” Lawrence Chusid documents that child is currently prescribed Vyvanse 30mg and checked off ‘yes’ for parent consent. Lawrence Chusid documents that “Gabriel also received a phone call from his mom during the visit and talked with her for quite a while. The FP stated that mom has been calling an average of 2x a week and Gabriel is happy about that. Gabriel recently saw the Compass Health doctor and was prescribed medication to help control his ADHD behaviors. The foster parent states that Gabriel’s behavior has improved dramatically with the new medication. This goes for school as well as FP spoke with Gabriel’s teacher.” Gabriel showed no signs of current abuse and the home was free of hazardous conditions.

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**December 18, 2008** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: “some people in my class are mean to me’ . . . While discussing ‘appropriate touching,’ cl[ient] made a statement ‘You know about Jerry? He taught me that [referred to touching]. I was 3 y/o and I didn’t know what was right and wrong.” In addition, “School counselor stated cl[ient] has made a lot of progress since on medication.”

**December 22, 2008** Gabriel participated in individual therapy with Dominika Gasior at home. Dominika Gasior documents in her clinical progress note further references to sexual abuse in his past. Dominika Gasior documents “guardian [John Michael McGuigan] claim cl[ient] has made much progress since on medication. Guardian explained cl[ient] talks with mom on phone 3-4 times a week.”

**December 29, 2008** KIDS Family Support Counselor (Lynnette McIntosh-Wright) conducts visit to the foster home of (John Michael McGuigan). KIDS Form, which is signed by Lynnette McIntosh-Wright and John Michael McGuigan, documents that Gabriel was prescribed Vyvanse 30mg. KIDS Form also documents that “No” is circled as a response to the question “Is there anything needed to assist you in meeting the needs of this foster child?”

**December 30, 2008** Gabriel participated in individual therapy with Dominika Gasior at home. Dominika Gasior documents in her clinical progress note: “Cl[ient] reported he felt ready to talk about 12 year old boy,” referencing the incident of the past sexual abuse. “Cl[ient] reported that the aforementioned boy exposed himself to the client, touched client and encouraged client to touch him, and ‘pee into my mouth.’”

**January 6, 2009** Gabriel was taken by his foster parent (John Michael McGuigan) to Dr. Punjwani’s office for the follow up appointment previously recommended by Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, states John Michael McGuigan attended appointment and notes behavioral overview of Gabriel. Dr. Punjwani indicates that Gabriel’s mood is euthymic, affect is bright/full, psychosis is none, suicide/homicide ideations are none, GAF of 56, and client understands the risks/benefits of the medication as discussed. Dr. Punjwani renewed prescription for continued medication of Vyvanse 30 mgs qd. Follow up appointment to occur within 4 weeks.

**January 8, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: “Cl[ient] reported that he has been grounded for seven days as he lied to his foster parent.” Upon discussion of truth v. lie, Gabriel stated that “people lie when they don’t want to get in trouble.” When asked about the “negative consequences and alternatives for lying, Cl[ient] became avoidant when verbally prompted by therapist.”

**January 9, 2009** Parent Notification of Incident from La Petite Academy documenting an incident on the school bus in which the school bus driver witnessed another boy reaching towards Gabriel’s “private.” Gabriel reported to the staff member that he had asked the other boy to touch him.

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**January 14, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Client claimed he attempted to convince another boy to touch him "in inappropriate place." Client added when the boy was about to touch him the teacher noticed it and separate them."

**January 15, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Client claimed he feels sad about not being able to live with 'pappy,' Cl[ient] added he calls his grandparents and they call him 'but sometimes they call when I play and I don't have time to talk to them.'" Gabriel also stated he missed his mother.

**January 16, 2009** Assigned child advocate (Lawrence Chusid) conducted an announced home visit at the foster home of John Michael McGuigan. Lawrence Chusid documents on the visitation form that the child's school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid indicates that the child is having a difficulty in following placement/household rules and further documents that Gabriel continues to have issues at this placement. "He continues to have poor impulse control and had another incident on the school bus . . . He asked a child on the bus to take off his pants." Lawrence Chusid documents that child is currently prescribed Vyvanse 30mg and checked off "Yes" for parent consent. Lawrence Chusid documents in this report and FSFN that Gabriel showed no signs of abuse and the home was free of hazardous conditions.

**January 21, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Cl[ient] stated he needs to talk with the therapist about visit with his mom. Cl[ient] claimed he feels like he really wants to see his mom. Client explained he understands he is going to see mom for only some time but he would like to give her a hug."

**January 22, 2009** Gabriel participated in individual therapy with Dominika Gasior at his foster home. Dominika Gasior documents in her clinical progress note: "Cl[ient] claimed he sometimes shows 'a smile outside' but feels made inside, explored. Cl[ient] reported to have upsetting thoughts about 'monsters' and 'devil', explored."

**January 28, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Cl[ient] talked about fire drill at school that happened just before session. Cl[ient] claimed 'I was so scared because I thought it may be real', explored . . . Cl[ient] stated he doesn't like school. Cl[ient] explained kids are mean to me almost all of them. I really don't have a friend here. Cl[ient] added kids don't want to talk to me or even look at me. Cl[ient] claimed that when he was living with his grammy and pappy, they sometimes allowed him to stay at home and don't go to school."

**January 29, 2009** Gabriel participated in individual therapy with Dominika Gasior at his foster home. Dominika Gasior documents in her clinical progress note that, again, the past incident of sexual abuse was discussed. Gabriel stated "I didn't know it was wrong, I was too small", explored feelings and thoughts related to abuse, addressed cognitive misbelieves . . . [Gabriel] claimed he found out it was wrong when he got in trouble for touching other kids and his grandparents found out about that."

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**January 29, 2009** Gabriel turns seven (7) years old.

**February 3, 2009** Gabriel was taken by his foster parent (John Michael McGuigan) to Dr. Punjwani's office for the follow up appointment previously recommended by Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, notes behavioral concerns with Gabriel: "obsess twirling hair, incident on daycare bus on Jan 9, crying fits, meds seem to wear off by early evening." Dr. Punjwani indicates that Gabriel's mood is euthymic, affect is bright/full, psychosis is none, suicide/homicide ideations are none. Dr. Punjwani continued prescription of Vyvanse 30 mgs qd., added Lexapro 10 mgs ½ qam. Follow up appointment to occur within 1 month.

Gabriel also participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Client stated he visited his mom in jail last Friday. Client claimed he felt happy and excited to see mom although he was disappointed not to be able to her hug."

**February 5, 2009** Gabriel participated in individual therapy with Dominika Gasior at his foster home. Dominika Gasior documents in her clinical progress note: "Cl[ient] spoke about visit with mom, explored. Cl[ient] claimed 'I can't believe my mom with everything cause she often lied.' Cl[ient] stated 'I was happy when I got to live with my mom, but I don't like what happened next,' explored. Cl[ient] spoke of how he lived with his uncle and aunt. Cl[ient] stated 'when I lived with them I did those nasty things [*touch other boys*] and I was kicked out', explored"

**February 9, 2009** KIDS Family Support Counselor conducts visit to the foster home of John Michael McGuigan. KIDS Form, signed by KIDS and John Michael McGuigan documents that Gabriel was prescribed: Vyvanse 30mg and Lexapro 5mg. KIDS Form also documents "No" is circled as a response to the question "Is there anything needed to assist you in meeting the needs of this foster child?"

**February 10, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: Gabriel states "'I feel happy with my mom cause I can visit her and I know she is safe' . . . 'I feel sad with my dad, cause he keeps making bad decisions and he is always in jail' . . . 'I feel guilty and disappointed with my aunt and uncle for doing the bad stuff.'"

**February 12, 2009** Gabriel participated in individual therapy with Dominika Gasior at his foster home. Dominika Gasior documents in her clinical progress note: "Client worked on completing cls story book. Cl[ient] started at the point he was 'kicked out' from aunt and uncle house, explored. Cl[ient] stated 'I felt really sad when I got back here to John Michael McGuigan,' explored. Cl[ient] explained he felt sad about being separated from 'garanny' and 'pappy,' explored. Cl[ient] claimed 'They not supposed to let me go with my mom.'"

**February 15, 2009** Assigned child advocate (Lawrence Chusid) conducted a scheduled home visit at the foster home of John Michael McGuigan. Lawrence Chusid indicates that the child's school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid indicates that the child is displaying age-appropriate behaviors and/or follows and understands the rules of this placement. Lawrence Chusid documented that child is currently prescribed

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Vyvanse 30mg and Lexapro 10mg and checked off "Yes" for parent consent. Lawrence Chusid documents on report and FSFN that he brought Gabriel to visit mom in jail and that Gabriel had an incident at school when he picked up a pair of scissors and threw them. Lawrence Chusid documents that Gabriel showed no signs of abuse and the home was free of hazardous conditions.

**February 17, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Cl[ient]'s teacher reported cl[ient] had an incident last Friday. Teacher claimed cl[ient] threw scizors in the class and then lied that he did not do that, explored. Cl[ient] revealed 'My mom taught me how to lie. She always lied to the police, to everybody,'" explored.

**February 18, 2009** Email from foster parent (John Michael McGuigan) to assigned child advocate (Lawrence Chusid). John Michael McGuigan documents, "Gabriel's behavior has deteriorated over the past week or so. Perhaps it's related to his mother's upcoming release, but I'm not sure." He further references the incident with the scissors, two negative reports from aftercare, and states that "he is a chronic liar and lies to me, his school teacher, and his aftercare providers." The email continues to document that the child was received repeated "bad behavior reports" due to his "bringing action figures to school each day and disrupting the class, playing with them and, of course, making other kids jealous that he has toys and they don't . . . Tonight when he gets home, I'm taking away all his actions figures and he is getting a new haircut. The Mohawk is history. I'll discuss all this with his therapist tomorrow evening."

**February 19, 2009** Permanency Staffing convened; case presentation conducted, but permanency determination to be re-staffed on February 26, 2009. Case presentation resulted in assigned child advocate being instructed to: (1) Obtain written documentation of mother's substance abuse treatment; (2) Initiate Priority ICPC on maternal grandparents; (3) Obtain a written report from child's current therapist; (4) Request ICPC to explore aunt in CT and all known relatives must be explored for placement; (5) by close of business 2/19/09, either obtain a valid address for father (Rocky Newman) or request a diligent search; and (6) Review case file, obtain most recent court order, ensure most recent case plan in the file and re-staff on 2/26/09. Staffing notes reflect that case presentation by Lawrence Chusid included the representation that "child on meds – mx consented to meds."

Legal Request sent to the Office of the Attorney General requesting ICPC orders for both the maternal grandparents in Ohio and maternal aunt in Connecticut.

**February 24, 2009** Gabriel participated in individual therapy with Dominika Gasior at school. Dominika Gasior documents in her clinical progress note: "Cl[ient] claimed obeying the rules 'can keep you out of trouble,' explored. Therapist also engaged Cl[ient] in play therapy 'anger tower.' Cl[ient] during play revealed he felt angry with: people being mean to him, police for keeping mom in jail, not being able to live with mom, 'granny', and 'pappy,' kids being mean to him, etc. When client was asked about the thing that made him most upset, client stated 'Jeffery,' explored. Therapist and cl[ient] discussed the importance of expressing feelings in appropriate ways rather than reacting on them impluseively."

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Email from foster parent (John Michael McGuigan) to assigned Child Advocate (Lawrence Chusid). John Michael McGuigan informs Lawrence Chusid, "Gabriel's behavior is getting worse and worse as we approach his mother's release from jail." John Michael McGuigan documents several incidents reported by the school in reference to lying, stealing, and one incident of forging the John Michael McGuigan's name. He states that he has permanently taken away a number of his toys in response to his behaviors. John Michael McGuigan documents "tonight is our last scheduled jail visit with his mom. She should be released on Thursday." John Michael McGuigan states that he would "like to mail her [Mother] a letter TODAY explaining that we will not be accepting any further phone calls on my telephone, and that I will no longer bring him in for visits," with a request that Lawrence Chusid contact him regarding any problem with his decision.

**February 25, 2009** Assigned child advocate (Lawrence Chusid) receives fax from the Office of the Attorney General with both ICPC orders for the maternal grandparents in Ohio and the maternal aunt in Connecticut.

Email from foster parent (John Michael McGuigan) to assigned child advocate (Lawrence Chusid) in reference to an incident at school in which Gabriel was caught stealing money from another classmate with the intent of purchasing ice cream. Per John Michael McGuigan, Gabriel "begged the school not to call me, because I told him when I dropped him off this morning that if the school called me again I'd cancel his participation in our upcoming vacation plans. He begged the teach to call Uncle J--, because 'Uncle J-- will punish me even worse, and that's what I deserve.'" He further stated how he and the school were working with the therapist and psychiatrist to assist Gabriel and "about Mom and her correlation to his recent behavior." He asked if he had the "discretion to stop the phone calls and visits with mom, or does she have a right to contact."

**February 26, 2009** Permanency Staffing conducted. Staffing form states the primary goal is Reunification with a projected date of 5/30/09 and a concurrent goal of Adoption. Child Advocate Supervisor (Claudia Ponto) is instructed to: (1) Obtain new order for Priority ICPC due to 72 hour processing requirement and assemble packet for Ohio; (2) Assemble packet for ICPC for Connecticut; (3) File therapist report; (4) Obtain documentation of mother's substance abuse and individual counseling; and (5) File amended case plan.

Gabriel participates in individual therapy with Dominika Gasior in his foster home. Dominika Gasior documents in her clinical progress note: ""Discussion, cognitive strategies to [h]elp Cl[ient] own his bx and its consequences and develop internal control." A number of positive coping strategies were worked on during this session. "Cl[ient's] guardian stated during the past week client had daily displays of disruptive behavior at school (e.g. stealing, lying, disrupting during class, talking back, engaging peers in disruptive behavior at school buss). . . "Cl[ient] claimed 'devil make me lie and do all those bad things. He is bad and he makes you do bad things,' explored, addressed cognitive distortions . . . Cl[ient] stated 'I used to have some imaginary friends. I still have one but I haven't been talking to him a long time,' explored."

**February 27, 2009** Email from foster parent (John Michael McGuigan) to assigned child advocate (Lawrence Chusid). John Michael McGuigan noted therapist visit in home on

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February 26, their discussion regarding Gabriel, and Gabriel's improved behavior that day. John Michael McGuigan states that Gabriel has "already lost all his toys, all his privileges, his Mohawk, and, for now, I've hold him he CAN NOT accompany us on our family vacation to Massachusetts," noting that Gabriel was informed that he could earn back these items with improved behavior. John Michael McGuigan writes of his concern with the contact with the mother and the need to stabilize the child, stating that the "therapist agrees contact with the mother should be limited or eliminated . . . I will NOT be taking him for any future jail visits," with the request for Lawrence Chusid to inform him if he has the ability to suspend these visits.

**March 3, 2009** Gabriel was taken by his foster parent (John Michael McGuigan) to Dr. Punjwani's office for the follow up appointment previously recommended by Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, notes foster father John Michael McGuigan was present and behavioral concerns with Gabriel: "last behavior has been bad, lying, stealing, throwing scissors, after visits started with his mom in jail" Dr. Punjwani indicates that Gabriel's mood is euthymic, affect is bright/full, psychosis is none, suicide/homicide ideations are none. Dr. Punjwani continued prescriptions for Vyvanse 30 mgs qd. and Lexapro 10 mgs ½ qam.

Gabriel also participated in individual therapy with Dominika Gasior in school. Dominika Gasior documents in her clinical progress note: "Cl[ient] stated he had one bad day . . . explored. Cl[ient] claimed he attempted to 'sneak out' the toy to school, explored. Cl[ient] explained 'are more nice' to him when he got toys, explored, addressed, cognitive errors, identified alternative forms of gaining peer's attention. Cl[ient] claimed all his problems started because Jeffery, explored. Cl[ient] added h[e] could not talk about his feelings related to above because he afraid he might have been taken away from John Michael McGuigan, explored."

**March 4, 2009** Judicial Review Social Studies Report prepared for the March 11, 2009 Judicial Review Hearing. At this time, the child was receiving Vyvanse 30 mg and Lexapro 10 mg ½ tablet which is medication listed on this report.

**March 5, 2009** Gabriel participated in individual therapy with Dominika Gasior in his foster home. Dominika Gasior documents in her clinical progress note: "Client's guardian [we believe the therapist is referring to the foster parent] stated client has had all good days, except Friday." Therapist engaged child in use of Anger Tower to express anger related to trauma; exercises entailed addressing issues of sexual abuse incident. Gabriel engaged and "expressive, and yelled out his statements . . . explored." "Guardian [we believe the therapist is referring to the foster parent] added there were no contracts of any kind with client's mother. Cl[ient] stated that he misbehaved because he had been seeing his mom."

Email from foster parent (John Michael McGuigan) to Kids Family Support Worker (Lynnette McIntosh-Wright) and child advocate (Barbara Silvia-Prachniak). John Michael McGuigan reported to both that Gabriel had a minor incident at daycare when he tripped while playing with a toy truck. John Michael McGuigan reported he received an incident report from the daycare.

**March 8, 2009** Email from foster parent (John Michael McGuigan) referencing the vacation to Massachusetts, which John Michael McGuigan indicated would include a

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side trip to enable Gabriel to see his MA in Connecticut and his MGF and MGM. John Michael McGuigan requested that the Maternal relatives be allowed to have Gabriel overnight for two nights stating “not only will this be nice for them, it will give me a little respite to spend some time with my family with just C-----, with whom they all already have such a close bond.” Gabriel did not go on this vacation.

**March 10, 2009** Email from foster parent John Michael McGuigan states Gabriel had the second of two incidents where he squirted red dye he had found on other children at the aftercare. John Michael McGuigan, who was not present at the incidents, reports that the aftercare informed him that the child was “squirting it at people and telling everybody it was poison.” The action taken by the aftercare each time was to confiscate the bottle and provide it to John Michael McGuigan when he picked up the child. There is no record of any incident report generated by the Aftercare regarding these incidents.

In his email, John Michael McGuigan expresses concern regarding a conversation he had with Gabriel regarding the kitchen knives which occurred with John Michael McGuigan at the butcher block which holds these knives. Subsequently, John Michael McGuigan states that he believes that Gabriel moved the knives. While John Michael McGuigan did not see Gabriel touch the knives, he states that the knives were not in their original place in the butcher block after leaving it for a short period of time. John Michael McGuigan repeatedly questioned Gabriel to which the child “emphatically denied ever touching the knives.” John Michael McGuigan continued to engage on this inquiry, to which he “threatened him that if he did not tell me the truth, I would again take away all his privileges, including the vacation to Massachusetts.” The child continued to state that he didn’t touch the knives.

Gabriel had an individual therapy session with Dominika Gasior at school that afternoon which focused on “telling the truth versus lying . . . Cl[ient] explained ‘John Michael McGuigan thinks I touched knives at home but I didn’t. I’m not lying,’ explored.”

**March 11, 2009** Judicial Review Hearing. The Court orders that the permanency goal for Gabriel is Reunification with a concurrent permanency goal of Adoption. Judge Lisa Porter orders that “the child shall have no physical contact with the mother as recommended by the therapist. The mother may have written communication with the child.” The Court accepts the report which states that “[w]hen child came into care he came with a diagnosis of ADHD. The child has not exhibited any symptoms of this disorder . . . Gabriel is currently on medication to help control his ADHD symptoms. Vyvanse 30mg once a day and Lexapro 10mg ½ tab in the AM.” In addition, the report stated that the child “does have enuresis which is being addressed with a future appointment with a pediatric urologist.”

Assigned child advocate (Lawrence Chusid) conducted an announced home visit at the foster home of John Michael McGuigan. Lawrence Chusid documents on the visitation form that the child’s school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid indicated that the child is having a difficulty in following placement/household rules and further documents that Gabriel continues to exhibit very poor behaviors at school, aftercare and at home. Lawrence Chusid documents that child is currently prescribed Vyvanse 30mg and Lexapro 10mg and checked off “Yes” for parent consent. Lawrence Chusid

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documents Gabriel did not have any signs of abuse and the home was free of hazardous conditions.

**March 12, 2009** Gabriel participated in individual therapy with Dominika Gasior in his foster home. Dominika Gasior documents in her clinical progress note: "Cl[ient] present with euthimic mood, congruent affect, cooperative attitude." Therapist engaged child in play therapy to address Gabriel's issues, including self-esteem. Gabriel stated "'I am a good person now,' explored." Discussed Gabriel with John Michael McGuigan, who stated "cl[ient]'s behavior stabilized, as there were no major behavioral problems during the time between sessions." Therapist explored the incidents of lying and the knives, as reported by John Michael McGuigan.

**March 17, 2009** Gabriel participated in individual therapy with Dominika Gasior in school which occurred from 12:15 p.m. until 1:15 p.m. Dominika Gasior documents in her clinical progress note: "Cl[ient] presented with anxious/irritable mood, elated affect, aeb. Fidgety, problems with staying sitted . . . participation was good . . . "Upon therapist arrival cl[ient] was at school clinic complying on hab=ing pain in chest . . . he expressed his willingness to partipcate in session." Gabriel raised his poor behaviors over the past few days, including lying to John Michael McGuigan regarding homework. "Cl[ient] stated he has always lied cl[ient] said 'I lied when I was 1 y/o, than I lied when I was 2 y/o [ . . . ]I was born a liar, and I will always be lying,' explored . . . Cl[ient] expressed the believe that he was 'a bad person,' explored . . . worked on negative self-image. Cl[ient] talked about devil who felt lonely because 'he get rid of everybody who was around him' and about God, explored. Cl[ient] also stated he missed his mom and would like to tell her how much he loved her, explored."

John Michael McGuigan calls therapist Dominika Gasior at 6:20 p.m., Dominika Gasior documents in a second clinical progress note: "Client's foster parent called therapist claiming that client had displays of defiant and aggressive behaviors at daycare. (Yelling at teachers, not listening, hitting kids) Client's guardian added client also had display of severe tantrum at home." "According to foster parent client made threats to hurt his guardian [we believe the therapist is referring to the foster parent] and another child living at the household. Foster parent claimed he contacted Henderson's crisis center." In his email of March 18, 2009, John Michael McGuigan provides his description of the events which occurred.

Henderson Mental Health Center, Inc. is called by foster parent (John Michael McGuigan) to the home due to Gabriel's behavior and threats to harm younger foster child in home in order that the Youth Emergency Services (Y.E.S.) Team (aka as the Mobile Crisis Unit) could provide mental health crisis assistance. Stephanie Hobbs, LMHC, LMHC of the Y.E.S. Team responded to the home from 7:45 p.m. until 8:45 p.m. Stephanie Hobbs, LMHC diagnosed Gabriel with 296.90 (Mood Disorder NOS [Non Otherwise Specify]) and documents under clinical disposition/plan that Gabriel denied current suicide or homicidal thoughts or plan and no reported audio or visual hallucinations. Prior to the Y.E.S. team's arrival, per John Michael McGuigan, the child had "'been out of control' and had thrown all objects in his room, including his TV on the floor." As reported by John Michael McGuigan, the child became "'uncontrollable' when F.F. [Foster Father] told Clt [Gabriel] he would get a red sticker instead of a green one for the day on his bx chart." When the Y.E.S. Team arrived, the child was calm and was able to be engaged in discussing his behavior and redirection.

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**March 18, 2009** Gabriel was taken by his foster parent (John Michael McGuigan) to Dr. Punjwani's office for the follow up appointment previously recommended by Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, notes behavioral concerns with Gabriel: "threatened his younger sibling yesterday, Henderson therapist called in last night." Dr. Punjwani indicates that Gabriel's mood is euthymic, affect is flat, psychosis is none, GAF 52. Dr. Punjwani continued prescription of Vyvanse 30 mgs qd.. As to the Lexapro 10 mgs ½ qam., Dr. Punjwani writes d/c [discontinue] Symbyax 3/25 qhs [3 mg/25 mg].

After the psychiatric appointment, the therapist contacted John Michael McGuigan. Dominika Gasior documents in a clinical progress note: John Michael McGuigan "stated Henderson Crisis unit assessed that client despite the threats of hurting client's foster parent and/or C----- (another foster child), client did not hold specific plan therefore client was not removed from his placement. Foster parent added client had psychiatrist appointment and was diagnosed with mood disorder. Guardian reported client medication was changed. Guardian added client bx stabilized although he did not show remorse for yesterday's bxs."

Email from foster parent (John Michael McGuigan) to Kids Family Support Worker (Lynnette McIntosh-Wright) and assigned child advocate (Lawrence Chusid) stating "this [i]s my 30 day notice [for the removal of Gabriel from the home], as required under our bilateral service agreement. John Michael McGuigan further provides his description of the events which occurred leading up to this notice. John Michael McGuigan states that Gabriel, who was seen by Dr. Punjwani on March 18, 2009, was "diagnosed him [Gabriel] with a 'mood disorder.' She discontinued his LEXAPRO and put him on SYMBYAX for the mood disorder. He is to take one pill each night. She gave me a sample pill for tonight. His prescription will be ready tomorrow. I gave him his pill when he went to bed tonight. [Per John Michael McGuigan], She stated 'I believe he is a threat to the baby' and agreed with me I should pursue alternate placement." He concludes by stating "under the terms of the bilateral agreement, you are entitled to 30 days notice of removal of a child 'except when the child poses a threat to himself, herself or others.' While I do not believe Gabriel is an imminent threat, I believe he may very well be a threat to the baby . . . I am requesting expedited service on this request for removal, preferably prior to my departure on vacation." The departure for his vacation to Massachusetts was scheduled for April 3, 2009, as indicated by his earlier request to travel.

**March 19, 2009** Intake Placement Advocate (Shirley Battle) receives a 30 day notice from KIDS Supervisor (Carmen Hiraldo) with a copy foster parent's (John Michael McGuigan) email of March 18, 2009. Shirley Battle emails Neiko Shea; Gail McTighe; and Dr. Scott Rosiere from ChildNet's Department of Service Coordination identifying possibility for a higher level of care and a Family Services Planning Team (FSPT) staffing. Email of Neiko Shea, including ChildNet and KIDS staff, requesting Gabriel be staffed on March 25, 2009, which was the next available staffing date.

Gabriel participated in individual therapy with Dominika Gasior in foster home. Dominika Gasior documents in her clinical progress note: "Discussion to process with cl[ient] of his display of severe anger outburst. Facilitate discussion about cl[ient]'s future placements. Provided support or cl[ient]'s guardian [we believe the therapist is referring to the foster

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parent]. . . Cl[ient]'s guardian [we believe the therapist is referring to the foster parent] described the Tuesday's incident to the therapist, explored. Guardian [we believe the therapist is referring to the foster parent] reported cl[ient]'s bx stabilized since that time, explored. Guardian [we believe the therapist is referring to the foster parent] claimed ChildNet decided about changing cl[ient]'s placement to a foster home [he was familiar with] . . . Cl[ient] stated 'I made some bad choices and I reget it [ . . . ] I felt like I couldn't control that, like I couldn't stopp', explored. Cl[ient] admitted he did not want to be relocated, explored. Therapist with Cl[ient]'s guardian [we believe the therapist is referring to the foster parent] talked with cl[ient] about his relocation to another foster home and then within short period of time to cl[ient]'s grandparents."

KIDS Foster Care Supervisor (Carmen Hiraldo) informed Shirley Battle, Intake Placement Advocate that KIDS is requesting that the child be removed from John Michael McGuigan's home on March 20, 2009. Carmen Hiraldo stated that KIDS had located a respite home which would care for the child until the expiration of the 30 days or Gabriel was placed with his relatives.

Email from KIDS Foster Care Supervisor, (Carmen Hiraldo) to ChildNet staff confirming that "[w]e also need a new safety contract for him [Gabriel]. He will be sharing a room with WL [another foster child]."

Assigned child advocate receives a fax from Scioto County, Ohio. The fax was a Judgment Entry signed on May 2, 2002; given the maternal grandmother (Dorothy Myers) temporary emergency custody of Gabriel.

**March 20, 2009** Gabriel is removed from the KIDS foster home of John Michael McGuigan and placed in the KIDS licensed home of (Michael Gould and Daver Gould) for respite. Michael Gould and Daver Gould sign the Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact of the child: Child Advocate; Foster Parent; Therapist; and Approved ChildNet designee.

FSFN documents that Unit Staff Assistant (Joy Goldson) received a telephone call from maternal grandfather (David Myers) requesting if Gabriel could spend Spring Break with them. Joy Goldson informed him that she would have Child Advocate Supervisor (Claudia Ponto) give him a return call on March 23, 2009 due to her absence from the office.

Email from Dr. Scott Rosiere to ChildNet and KIDS staff stating that the Family Service Planning Team (FSPT) is scheduled for March 25, 2009 at 2:30 p.m., reflecting preparatory meeting with Child Advocate and/or Child Advocate Supervisor to gather necessary documents.

Email from KIDS Foster Care Supervisor, (Carmen Hiraldo) to ChildNet staff. Carmen Hiraldo documents in email in reference to a FSPT staffing, "Please feel free to contact the foster dad (John Michael McGuigan) as he has had the most experience first hand of child's behavior."

**March 23, 2009** Gabriel's aftercare provider was changed by the respite care home parents without approved referral or payment verification or notification to ChildNet.

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**March 24, 2009** Gabriel participates in individual therapy with Dominika Gasior in school. Dominika Gasior documents in her clinical progress note: "Provided cl[ient] with support and clarification, and encouraged him to express his feelings related to new placement, separation from previous foster parent, missing mom and grandparents, etc. . . . Therapist addressed cl[ient] about his new foster home. Cl[ient] stated 'it's good. They led me do whatever I want to,' explored. Cl[ient] asked therapist if he would be able to go back to live with his previous foster parent. Cl[ient] claimed 'I've made bad choice [ . . . ] I miss John Michael McGuigan,' explored. Cl[ient] wanted to know when he would go to live with his grandparents. Cl[ient] stated, 'I want to leave from here, I don't have friends here anymore,' explored."

FSFN note documented by Child Advocate Supervisor (Claudia Ponto) that "this CAS met with Dr. Scott Rosiere to prepare case and packet for FSPT."

**March 25, 2009** FSPT was conducted for Gabriel. Plan of action recommended by committee included that Gabriel be referred to an Enhanced Foster Home and Sexual Specific Therapy. The committee did not recommend a residential placement.

FSFN note documented by Child Advocate Supervisor (Claudia Ponto) that child was staffed at FSPT and "this CAS provided information about the case. Placement change to be recommended."

KIDS Family Support Counselor conducts visit to the KIDS licensed respite home of Michael Gould and Daver Gould. KIDS Form, signed by KIDS and the foster parent, documents that Gabriel was prescribed: Symbyax 3/5mg and Vyvanse 30mg. KIDS Form also documents "No" is circled as a response to the question "Is there anything needed to assist you in meeting the needs of this foster child?" along with the written notation of "don't need any assistance."

Claudia Ponto, Child Advocate Supervisor, was faxed Parent Certificate documenting successful completion of "The Incredible Years: Preschool Basic Program" by the David Myers and Dorothy Myers, maternal grandparents.

**March 26, 2009** Gabriel participated in individual therapy with Dominika Gasior in respite foster home. Dominika Gasior documents in her clinical progress note: "Discussion, facilitated cl[ient]'s expression of feelings related to relocation, adjustment to new family arrangements, and separation from previous guardian. Client was placed in new foster home. The session was the first time meeting the new foster family. Cl[ient]'s guardian [we believe the therapist is referring to the foster parent] stated cl[ient] has been doing good since relocation (Friday 3/20/2009), explored. Guardian [we believe the therapist is referring to the foster parent] added cl[ient] stayed before with the family for a short period of time [for respite], explored. Guardian [we believe the therapist is referring to the foster parent] claimed cl[ient] seemed to adjust well to new living environment and there was no complaints neither from school nor from daycare, explored. Cl[ient] stated he missed his previous foster parent and would like to get back to live with him or have him coming to visit more often, explored. Cl[ient] claimed 'It's boring here; they make me do boring stuff,' explored. Cl[ient] added he did not get along with younger kids at the house as they were 'mean' to him, explored."

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**March 27, 2009** Accident/Incident Report from Daycare documenting that “Gabriel kept going after another student when the other student hit him in the face and scratched him on the right eye.”

**March 30, 2009** Program Director for Chrysalis, provider of Gabriel's therapy, documents on Client Transfer Form, that the child therapy is transferred to Lynne Lacey, LMHC; stating “Reason for Transfer: Therapist resigned from agency and client is in continued need of therapy for emotional and behavioral problems. A transfer session between the clients and therapists could be conducted, as client changed foster homes and therapist (Dominika Gasior) was unable to locate client.”

**March 31, 2009** Florida Safe Family Network (FSFN) (The Florida Statewide Automated Child Welfare Information Systems) documents that assigned child advocate (Lawrence Chusid) received a telephone call from Gabriel's school that “he was out of control and destroying school property and stating that he wanted to kill himself . . . CA called the YES program [(Henderson Mobile Crisis)] . . . YES team would not come out at this time. They suggested that the police be called. CA called police who sent out a car to the school. CA also called maternal grand father in Ohio for him to call and speak with Gabriel. He did call and calmed child down somewhat. CA also spoke with foster mother who was on her way to picking the child up and bringing him to the psychiatrist to evaluate him for a possible change in meds . . . CA had also been in touch with Kids in Distress foster care program and shared all info with them.”

Gabriel was taken by respite foster parents Michael Gould and Daver Gould to Dr. Punjwani's office. Outpatient progress note, signed by Dr. Punjwani, notes the foster parents were present and that Gabriel states “I have anger problems”; been at new foster parents for 2 weeks”: Dr. Punjwani indicates that Gabriel's mood is euthymic, affect is Bright/Full, psychosis is none, Suicidal/Homicidal Index is none. Dr. Punjwani continued prescription of Vyvanse 30 mgs qd. and Symbyax 3/25 qhs [3 mg/25 mg].

**April 2, 2009** Gabriel participates in individual therapy with Lynne Lacey, LMHC in school. Lynne Lacey, LMHC documents in her clinical progress note: “Therapist initially met with guidance counselor to review client's records. Therapist then met with teacher prior to meeting client. Staff is concerned because client has had anger outbursts. He physically hurt a child, destroyed the principal's property within last couple of days. His homework is incorrect since his new foster placement.” Gabriel's continued disruptive behaviors are referenced. Lynne Lacey, LMHC states when Gabriel was asked to draw a picture of his new foster family, “he had great difficulty doing this and stated he had done this for his last therapist before she left . . . It is clear this child is overwhelmed with changed and possibly re-experiencing trauma.” Further, the child did not want to discuss his anger nor was he “ready to talk about feelings about the loss of his last foster family and his adjustment to his new family. He is also adjusting to a new therapist. He is also switching aftercare programs. He sent strong signals to therapist that he needed to play. He is very emotionally fragile at this time . . . and very needy for attention . . . He had great difficulty separating at end of session. He tired several different ways to keep therapist with him. This client is under severe stress at this time. The most stable relationship in his life at this time appears to be with his teacher. Many caregivers (foster parents/therapist/aftercare/foster siblings) have all just changed. He is having nightmares and problems falling asleep thinking of his mother in jail.”

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**April 6, 2009** Assigned child advocate (Lawrence Chusid) conducted an announced home visit at the respite foster home (Michael Gould & Daver Gould). Lawrence Chusid documents on the visitation form that the child's school adjustment is satisfactory and interacts well with teachers and peers and there are no disciplinary/behavioral issues. Lawrence Chusid documents that child is currently prescribed Vyvanse 50mg and Symbyax 3/25mg and checked off "Yes" for parent consent. Lawrence Chusid documents that he has been advised that MGF and MGM have taken parenting classes. Lawrence Chusid documents in the visitation form and FSFN that he noticed "many bruises" on Gabriel. Lawrence Chusid further documents "he does bruise easily and is quite clumsy and falls a lot in addition to getting into minor fights at daycare. This is being addressed at the daycare center. No abuse call necessary." Lawrence Chusid documents the home was free of hazardous conditions.

Gabriel completes an exit interview on John Michael McGuigan's foster home. Gabriel checked off happy face and stated, "I liked living with John Michael McGuigan." Gabriel informed Lawrence Chusid that he that John Michael McGuigan's home was a good place for children and further stated, "He's a nice man." Lawrence Chusid notes that Gabriel "appears to be making a good adjustment to his new foster home."

**April 8, 2009** Lynne Lacey, LMHC went to the respite foster home and met Michael Gould and Daver Gould, foster parents, for the first time. She did not meet with Gabriel at this time period. "Client's adjustment to the home was discussed and his treatment plan was reviewed. Foster parent seems very involved and was an active participant in session. Client is expected to stay in home for one month until he moves back to a relative placement. Foster parent and therapist to communicate on a weekly basis regarding client's progress. Therapist to see client at aftercare and school where he is experiencing the most severe behavior at the present time."

Due to call for assistance, Lynne Lacey, LMHC left session at respite foster home and went to Daycare to assist Gabriel. Lynne Lacey, LMHC documents in her clinical progress note: "Client was sullen and sad. His affect was congruent . . . Client reportedly went after a child to hit him and teacher restrained client by arms and bruised him. Child yelled at teacher that he hurt her on purpose. Daycare filled out an incident report." Gabriel initially refused, but subsequently responded to therapist attempts to engage. "He then was able to note he 'has anger problems.' He 'has no friends at this school.' He continue to have very poor insight. Client needs very close monitoring. He is at risk of losing his aftercare program because of his behavior problems . . . His defenses are very strong."

**April 14, 2009** Progress Note from Kids in Distress. Carmen Hiraldo documents that she received a telephone call from foster father (Michael Gould). Michael Gould reported to Carmen Hiraldo that "Gabriel had a disruption this morning at school. Michael Gould told the guidance to isolate him and let him calm down." Child became calm and took the bus to his aftercare program. "When Krysal Gould, foster sister went to p/u Gabriel [from aftercare], she was given the complaint of him disrupting the group and having to be isolated." Carmen Hiraldo documents informing Michael Gould about "maintaining him as opposed to doing a behavioral management as this would take longer and the grandparents would have to start all over again after he went to Ohio."

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**April 15, 2009** Lynne Lacey, LMHC went to Gabriel school for crisis meeting with principal. She reviewed client's records and documents in her clinical progress note: "Client had second episode yesterday where he destroyed property, was non-responsive to verbal intervention and had to be restrained. School states he will be suspended without intervention. Therapist and Principal brainstormed ideas to assure client could avoid suspension. Client does not appear to meet Baker Act requirements but would be at severe risk for further deterioration if suspended . . . ESE team strongly feels client needs to be considered for EH [(emotionally handicapped)] school placement as does this therapist. Guardian [we believe the therapist is referring to the foster parent] and foster parent to be contacted by school and this therapist to consider such a proposal. Therapist to contact both parties about client's need for a medication management session with psychiatrist."

Immediately afterwards, Lynne Lacey, LMHC met with Gabriel for therapeutic intervention. Lynne Lacey, LMHC documents in a second progress note: "Client was in cafeteria . . . He was alone at table with head down seen vomiting fluid . . . he responded to his name being called. He identified therapist by name and grabbed her hand . . . stating 'My tummy hurts. I want to go home.' Client appeared lethargic but was oriented to person, place time and situation. His speech was soft but clear. His thoughts were goal directed and there was no evidence of hallucinations or delusions. Client followed first prompt to go to medical clinic . . . He was asked to direct the way and did so without any confusion . . . [when asked] if anything else was hurting his body and he stated no. He was asked if he felt like hurting himself or his body and stated. No." Therapist was able to engage child in discussion regarding his coping skills and their application. Therapist further notes "client's level of disruptive behavior in the last month has been escalating since his last placement change. Despite high level of involvement and observed level of structure and observed attention and care client is given in new foster family, his adjustment is poor . . . School, Child Find [we believe the therapist is referring to ChildNet], this therapist have taken steps to alleviate client's stress load" which are further delineated in the report. Specifically, "therapist contacted Guardian [we believe the therapist is referring to the foster parent] and foster parent alerting them for need to refer client for psychiatric/medication management update." Therapist concluded progress note stating "Client was given brief mental status today and he demonstrates no active psychotic features or suicidal/homicidal ideation or plan."

Afterwards, Lynne Lacey, LMHC followed up with further contact with Lawrence Chusid, child advocate, and Michael Gould, foster father. In this clinical progress note, Lynne Lacey, LMHC states: "Therapist spoke with Child Find Guardian and foster father by phone regarding session with client at school and meeting with school staff (principal, school psychologist, social worker, ESE coordinator and guidance counselor). Therapist discussed with both parties schools desire to consider client for emotionally handicapped placement. Guardian was asked to have client seen by his psychiatrist with Compass Health for medication management session. His acting out behaviors are becoming more severe and include destruction of property and the need to restrain him. Therapist stated if appt. should be considered urgent as client was not at risk of school suspension and expulsion from aftercare program . . . Child Find guardian [we believe the therapist is referring to ChildNet Guardian] [notified] that client was deteriorating (swearing, destroying school property without being able to be redirected, fights at aftercare with other child and need to be restrained, need for restraint at school.)" and indicated that intervention was necessary to maintain this level of care. Gabriel "has not to date met

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Florida's Baker Act requirements. Client to date has not presented as suicidal or homicidal when assessed at school. He does meet requirements to be picked up by a guardian and taken home for day. No one is available to come get child which is further exacerbating client's abandonment issues. Foster Father stated he has a job in Miami and can not come and take care of client during day." Therapist states urgent need for EH (Emotionally Handicapped) school placement and medication management and "encouraged both parties participation with such a plan within coming week. Both parties agreed." An overview of Gabriel's recent sessions was given and she notes over the "last few weeks has consistently shown him to be fully oriented to person, place, time, and situation . . . His guardian and foster parent report to therapist no record of self harm behaviors or suicidal threat. This therapist reports client never speaks of self harm or hurts himself but does make threats when angry of hurting others . . . there are no reports of him making threats to his person." Therapist provided Gabriel reinforcements for his positive behaviors that morning and stated to "guardian and foster parent although child not feeling well he engaged with therapist and principal and expressed excitement for next session."

As reflected by Broward County School Board Virtual Counselor (Web Access to Student's Academic/Attendance Records), April 15 was the only early sign-out date for the month. Until that day, the child had been present for school each day school was in session for the month of April.

Progress Note from Kids in Distress. Carmen Hiraldo documents conversation with Lawrence Chusid regarding ICPC receipt by Ohio, but completion pending further action by Ohio. Discrepancy regarding FSPT and the committee's placement recommendations which Lawrence Chusid was to seek clarification.

**April 16, 2009** As reflected by Broward County School Board Virtual Counselor, April 16 the child was reported as being full day excused.

The Margate Police Department was dispatched to 6501 NW 9<sup>th</sup> Street after a 911 caller reported that a child had hanged himself. As stated in the Margate Police Department Incident Report. Officer Williams records "Upon arrival, I observed Officers Harrison and Patellos performing CPR on the child, who appeared to be about six or seven years old. The child [GA] was then placed into the care of Margate Fire Rescue and transported to North West Medical Center, where he subsequently died. Officers Donahue and Williams met with the young man who made the 911 call, identified by his FL driver license" as Miguel Gould. Miguel Gould is the adult son of the respite foster father who was not part of the approved licensing home study who was the only adult home with the child.

Officer Williams documents the following in their interview with Miguel Gould: Miguel Gould "told me he was caring for Gabriel for the day because the boy was home sick from Atlantic West Elementary. . . He said the child began misbehaving after he feed him lunch. . . Miguel Gould said Gabriel threw his bowl of soup into the trash, so he sent the child to his room. Miguel Gould stated that Gabriel began throwing his toys around the room then told him he was going to into the bathroom and kill himself. According to Miguel Gould, Gabriel locked himself inside the bathroom and wouldn't come out. Miguel Gould phoned his stepmother. . . and told her that Gabriel locked himself in the bathroom and was threatening to hurt himself. We asked Miguel Gould how long

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Gabriel was in the bathroom before he was able to get him and he replied, 'Five or ten minutes.' We asked Miguel Gould how he managed to get into the bathroom and he told us he used a screwdriver to pick the lock." Officers Donahue and Williams met with Daver Gould (respite foster mother) who arrived at the residence after the incident. Daver Gould told the officers "she received a call from Miguel Gould at about 1300 hours and said she could hear Gabriel over the phone shouting that he was not coming out of the bathroom." Case with Margate Police Department is still pending.

Broward Sheriff's Office Protective Investigations received an abuse report alleging that youth (Gabriel) was the subject of inadequate supervision and death. The report alleges "Gabriel suffered from ADHD, mood disorder, and possibly depression. Gabriel is prescribed medication however it is unknown if he took his medication today. On 4/16/09, Gabriel used the extendable shower-head to hang himself in the bathroom. Gabriel had missed a couple of days from school because he was sick. Gabriel was being cared for by his adult foster brother, Michael Gould while the mother was at work. Gabriel became upset when Michael Gould prepared soup for lunch and Gabriel did not want it. Gabriel threw the soup in the garbage and went to his room where he began throwing his toys. Gabriel told Michael Gould that he was going to kill himself. Michael Gould called his mother and informed her of what Gabriel said about killing himself. When Michael Gould was able to get into the bathroom, Gabriel was found unresponsive and law enforcement was contacted." Case investigation is currently open.

**April 22, 2009** FSNF chronological note documents that assigned Protective Investigator (Emily Halaby) spoke to Detective Suarez who advised Emily Halaby that "Gabriel's cause of death is consistent with his hanging. The manner of death is pending."