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THE ROANOKE TIMES

SUNDAY November 17, 2019

roanoke.com

ROANOKE, VIRGINIA \$4

Testimony focuses on role of Sondland

Transcripts provide fresh details of the ambassador's central role in the affair.

By Lisa Mascaro, Mary Clare Jalonick and Michael Balsamo
Associated Press

WASHINGTON — Transcripts released Saturday in the impeachment inquiry show Ambassador Gordon Sondland playing a central role in President Donald Trump's effort to push Ukraine to conduct political investigations as a condition for receiving needed military aid.

MORE INSIDE The fresh details come from hundreds of pages of testimony from Tim Morrison, a former top official at the National Security Council. They contradict much of the ambassador's own testimony behind closed doors. Both Morrison and Sondland are expected to testify publicly before the House next week.

While some, including Trump himself, have begun to question Sondland's knowledge of events, Morrison told House investigators the ambassador "related to me he

See **INQUIRY**, 4

Gunmaker marketing gets airing in court

Remington, maker of the AR-15 used at Sandy Hook, will have to open its books.

By Lisa Marie Pane
Associated Press

A recent ruling by the U.S. Supreme Court has upended a long-standing legal roadblock that has given the gun industry far-reaching immunity from lawsuits in the aftermath of mass killings.

The court this week allowed families of victims of the 2012 Sandy Hook school massacre to sue the maker of the AR-15 used in the attack. The case against Remington will now proceed in the Connecticut courts.

Remington is widely expected to win the case, but critics of the gun industry are eyeing what they see as a significant outcome even in the face of defeat: getting the gunmaker to open its books about how it markets firearms.

Lawyers for the plaintiffs are certain to request that Remington turn over volumes of documents as part of the discovery phase, providing a rare window into the inner-workings of how a major gun manufacturer

See **GUNS**, 5

Social services failures in the death of a Rockbridge infant underline larger, long-term problems statewide.

'They failed her'



Courtesy photo

Charlee Ford died just before she turned 4 months old. The Rockbridge Area Department of Social Services neither removed her nor provided services despite evidence of drug abuse in her home.

By Alison Graham | alison.graham@roanoke.com | 540-981-3324

Charlee Marie Faith Ford came into the world struggling to live.

After an emergency Cesarean section at 37 weeks, her lungs failed for nine minutes before doctors revived her.

She was born with opioids and marijuana in her system. Doctors diagnosed her with cerebral palsy and she suffered from severe seizures. Her mother was a drug addict, her father a convicted felon.

Doctors at the Charlottesville hospital where Charlee was born called the Rockbridge Area Department of Social Services because of the drugs in Charlee's system. Physicians are required by law to make a report of child abuse or neglect when drugs are found in newborns.

A child protective services worker classified Charlee as low-risk, meaning she was unlikely to be a victim of further abuse or neglect. The worker completed a family assessment and put a safety plan in place that required Charlee's father, Charles Ford, to accept primary responsibility for Charlee's care. Her mother, Diana Nicole Hazelwood, was not allowed to be left alone with Charlee at any time.

In the months after Charlee's birth, Ford left Charlee's mother alone with the child multiple times, according to testimony in Ford's criminal case. The social services department received another complaint about the Fords and visited their home on Alone Mill Road. The same child protective services worker labeled the family as high risk for abuse and neglect. That would normally open a child protective services ongoing case and the department would provide needed services to the family.

But there were no services. There were no follow-ups. And after a few



SOCIAL SERVICES UNDER STRAIN

AN OCCASIONAL SERIES

Caseworkers are responsible for helping Virginia's most vulnerable children, but lax oversight can have devastating consequences for children and families.

weeks, Charlee died.

Charlee spent her short life in Virginia's deliberately decentralized social services system, which gives the state little authority to oversee its 120 independent local departments. That lack of control leads to devastating consequences for Virginia's children and families.

Charlee's half-sister, Ashley Ford, said before Charlee's death, her dad sent her ultrasound pictures and called her about the baby nearly every day.

After Charlee died, he called sobbing.

See **DEATH**, 6



See interactive graphics that delve into the problems facing social services departments across the state at roanoke.com.

N. Korea unfazed by 'maximum pressure'

The country has been able to evade U.N. sanctions, complicating U.S. policy.

By David Wainer
Bloomberg

North Korea is poking holes through a global web of sanctions and generating enough cash to keep its nuclear weapons program moving along as a year-end deadline Kim Jong Un set to reach a deal with the U.S. approaches — with little progress in sight.

Instead of "concrete, verifiable steps toward denuclearization" — a mantra of President Donald Trump's policy toward Pyongyang — Kim has yet to make any concessions on his nation's nuclear program. The ability of the North Korean leader to find ways around United Nations sanctions is making it difficult for America's "maximum pressure" campaign to deliver on what the Trump administration has promised.

"The problem is there is wiggle room, and while the sanctions are

North Korean leader Kim Jong Un has repeatedly threatened to find a "new way" if negotiations with the U.S. fail to progress by year-end, and recent talks in Stockholm lasted less than half a day.

effective at squeezing the economy over the long run, I don't believe Chairman Kim Jong Un sees them as a challenge in the short term," Hugh Griffiths, who led the U.N.'s panel of experts on North Korea until earlier this year, said in an interview.

Kim has repeatedly threatened to find a "new way" if negotiations with the U.S. fail to progress by year-end, and recent talks in Stockholm lasted less than half a day. That timeline may reflect the American political calendar as much as Kim's own. Trump could be hard-pressed to secure progress on North Korea while facing a possible impeachment trial and running for reelection.

Also making a year-end breakthrough less likely: the chief U.S. negotiator, Stephen Biegun, is Trump's pick to be the No. 2 official at the State Department. While the formal nomination hasn't yet been

See **SANCTIONS**, 5



Photo by MARK KAUZLARICH | Bloomberg
Susan Rice, former U.S. national security adviser, speaks in New York, on Nov. 7.

Where is it?
Here's your guide to what's inside.

Obituaries	Virginia 3	Extra	Extra 1
Comics	Comics 1	Business	Business 1
Puzzles	Extra 4	Lottery	Virginia 1
Opinion ...	Nation & World 4	Talk of the Day	Page 2

WEATHER

Roanoke	New River
48 35	47 32
HIGH LOW	HIGH LOW

Full forecast and weather data. **VIRGINIA 6**



SOCIAL SERVICES UNDER STRAIN



The home outside Lexington where Charlee Ford lived her short life.

HEATHER ROUSSEAU | The Roanoke Times

DEATH: Reviews of departments show year-to-year shortfalls

FROM 1

“He kept saying, ‘She’s gone, she’s gone. I couldn’t save her,’” Ashley said.

Ashley, 26, lives in Maryland. She went to therapy when she had relentless nightmares about the baby. She saw Charlee every time she closed her eyes.

Ashley’s father told her the baby’s cause of death was undetermined. She knew Charlee had seizures and was born early, but when Hazelwood told Ashley the police were asking questions and requesting an autopsy, Ashley grew suspicious. She eventually learned about the drug abuse and the social services department’s involvement. Then her dad was charged with murder.

Now Ashley blames the case-worker for Charlee’s death. Ashley said she would have taken the baby if social services had called for a family placement. She gave birth to her own daughter just weeks after Charlee was born.

“They had two chances and they failed her both times,” Ashley said. “That home was the cause of her death.”



Although the Rockbridge County social services department became infamous for its rampant dysfunction — a supervisor shredding child abuse complaints, screening out cases that should have been investigated, never performing background checks — it’s far from the only department consistently experiencing problems.

The state beefed up its reviews and oversight of the local departments after the failures in Rockbridge County. In 2017, state officials began reviewing departments annually through agency case reviews, where regional office employees select a handful of CPS, foster care and adoption cases to determine whether the agency is following state policy.

An analysis of these reviews and quality management reports on departments across the state shows a failure to meet standards year after year. And Virginia has no formal process to ensure departments come into compliance.

Rockbridge County’s department had improperly screened out child abuse and neglect complaints for at least four years, before and after Charlee’s death in April 2016. The agency had a history of responding to a report, learning additional information and then screening out the report without an investigation or family assessment.

“Making initial contact on a CPS report and then screening out the referral is against CPS guidance and does not allow for the due process afforded to every citizen,” the agency’s 2017 review read.

The next year, the department’s review pointed out the same problem and copied and pasted the same recommendation. Eight of 10 recommendations related to child protective services in Rockbridge’s 2017 agency case review appear, nearly verbatim, in the 2018 review.

It wasn’t just in Rockbridge County. In 2015, a quality management report from the Orange County Department of Social Services found employees were not correctly maintaining the statewide database. The agency’s database includes vital information related to CPS and foster care cases. If the database is not maintained, the state cannot deter-



Charlee Ford died before she turned 4 months old.



Diana Nicole Hazelwood



Charles Everett Ford

mine whether the department is acting within state policy.

The report said the integrity of the data had been addressed with the previous director and services supervisor on multiple occasions and a corrective action plan was created, but never implemented.

“It was difficult to determine if frequent visitation between parents and their children, as well as visitation among sibling groups to maintain relationships occurred,” the report read. “Other forms of communication, such as regular phone calls, were not noted.”

Agency case reviews completed in 2017 and 2018 noted the same problem: documentation was still lacking for family engagement efforts, medications for foster care kids, safety and well-being.

The state has documented the same database problem at the Culpeper County Department of Social Services. Supporting case documentation cannot be found in the database, which “made it difficult to determine the quality of the case-work that was being completed,” according to the department’s 2016 quality management review. The same problem was pointed out the following year in the department’s agency case review.

The lack of follow-through by the state was discussed in a 2018 report by the Joint Legislative Audit and Review Committee. Commissioner Duke Storen, the head of the state social services department, called it a “well-founded” criticism at the state board’s meeting in December.

But JLARC reports have documented this problem for nearly 40 years. A 1981 review of the state social services department said, “There is no state-level follow-up for compliance with recommended changes” and “agencies can continue to operate for years with severe inadequacies.”

Another JLARC report in 2005 said the state department of social services had supervision and support weaknesses — that no one was monitoring the local departments and the state agency had only limited knowledge of whether local departments were complying with federal and state requirements.

The 1981, 2005 and 2018 JLARC reports all mentioned the state’s limited ability to intervene and its

lack of authority spelled out in Virginia law.

The 2018 report said, “VDSS staff and leadership have historically perceived that their authority is limited to simply asking local department of social services to address identified problems, with no recourse if local department leadership ignores their request.”



Charlee’s death wasn’t the first indication something was wrong in the Rockbridge Area Department of Social Services in 2016, and she wasn’t the first infant who died. After Charlee’s death, three investigations — a quality management report, a special grand jury and a state board investigation — revealed a pattern of dysfunction directly affecting families.

In 2013, dispatchers received a 911 call that an infant wasn’t breathing. When they arrived at the mobile home, the baby’s mother was outside performing resuscitation on her 7-month-old son, Jake Wesley Slagle.

Trash, roaches, feces and fleas covered the walls and floors. Children in the home were partially unclothed and at least one child was covered in feces.

The Rockbridge County social services department received reports about the family’s inadequate shelter and supervision in 2010 and 2012, according to a child fatality review report from the Virginia Department of Social Services.

In a separate case, deputies arrested Robert Eugene Clark in 2016 for sexually abusing two girls, ages 3 and 8. He held their shoulders and forced them to watch pornographic movies. He raped and molested them on a regular basis and whipped them with a belt while they were naked.

The Rockbridge County Sheriff’s Office investigation also found that Clark’s sister, Samantha Simmons, performed oral sex on two boys, ages 12 and 15, in a van parked near the Clarks’ trailer. Both adults were convicted of sex crimes and sentenced to a combined 108 years in prison.

Sheriff’s office Capt. Tony McFaddin said social services had been called about at least two of the four children in 2014 and 2015, but the complaints were never investigated.

The grand jury report revealed that initial reports to child protective services about the Clarks were not entered into the statewide database and were not followed up with an investigation. The CPS worker, Peggy Sigler, asked the child protective services supervisor why state policy was not being followed, and the supervisor replied that was the way she wanted it.

Sigler went to the agency director, who said she did not want to confront the supervisor about it. So Sigler bypassed the supervisor and opened an investigation three days after a request from the sheriff’s office.

According to the special grand jury report, only the supervisor or

CONTINUED ON PAGE 7

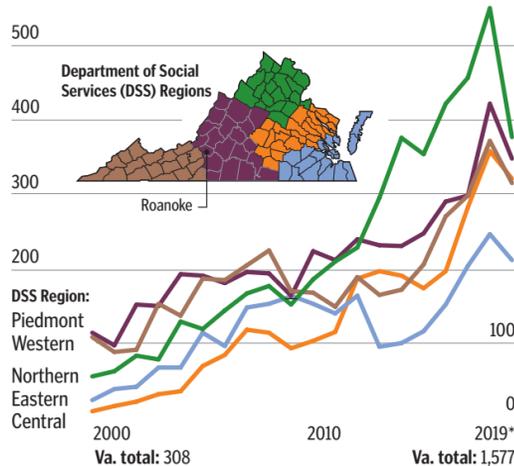
More children to care for, and more falling through the cracks

The charts below highlight the growing burden placed on local social services agencies, and how they sometimes fail to meet the challenge.

Substance-exposed infants on the rise

The number of Virginia babies exposed to drugs in the womb has climbed steadily since 2000. The Piedmont region (purple line) includes most localities near Roanoke. Montgomery, Floyd and Pulaski counties are in the Western region (brown).

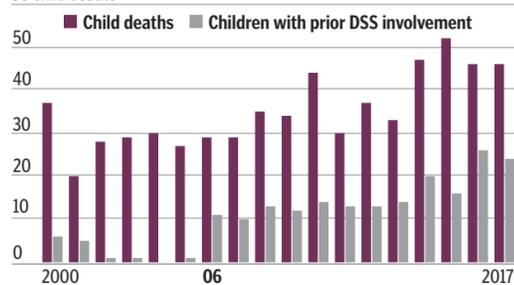
600 infants exposed to drugs in the womb



Child deaths from abuse and neglect

The number of children who died each year from 2000-17 due to abuse and neglect in the state. Before 2006, a child who died was determined to have “prior involvement” with social services if an agency dealt with the child directly. Beginning in 2006, the definition was changed to include any involvement with the child’s family — even before the child was born. Despite higher involvement rates, deaths from abuse and neglect have trended higher.

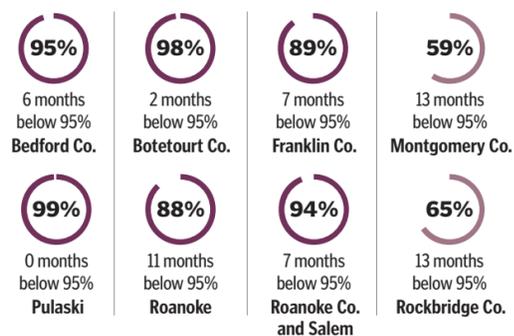
60 child deaths



Timeliness of first contact

Depending on the severity of a case, social services agencies aim to make contact with a family between 24 hours and five days after being alerted to a problem. The state wants families contacted in a timely manner at least 95% of the time, but from June 2018-19, eight of the state’s 120 agencies never hit this benchmark, and 37 missed it half the time. Only 13 departments hit the benchmark every month.

Average timely response rate June 2018-June 19 (13 months):



SOURCE: Virginia Department of Social Services

The Roanoke Times

What is social services?

Local offices provide a wide variety of services.

Local social services offices provide foster care, child protective services, adoption, food benefits, Medicaid and temporary assistance to needy families. Employees investigate child abuse and neglect, can remove children from dangerous homes and coordinate adoptions from foster care.

Every locality is required to operate a local social services office, but some localities partner to operate a single office. For example, Rockbridge County and the cities of Lexington and Buena Vista are all served by the Rockbridge Area Department of Social Services. There are 120 local departments of social services in Virginia.

These departments are monitored by the Virginia Department of Social Services, which operates a central office in Richmond and five regional offices in Henrico, Roanoke, Virginia Beach, Warrenton and Abingdon.

Virginia is one of nine states that uses a state supervised, locally administered social services model. This provides a level of control to local governments, which appoint residents to serve on local boards of social services to help monitor and guide the departments. Localities also contribute funding to their local agencies.

— Alison Graham

SOCIAL SERVICES UNDER STRAIN

CONTINUED FROM PAGE 6

the director could authorize the children to be removed from the home, but neither did. The supervisor said, "They're used to living that way so what's the big deal."

Sigler filed a protective order with the court and was able to remove the children against the supervisor's wishes.

The regional office, which is made up of state employees based in Roanoke, conducted a quality management review of the department and finished its report in May 2016, one month after Charlee's death.

The report, which delves into every unit of the department, revealed that the child protective services supervisor had been shredding child abuse and neglect complaints before they could be entered into the statewide database and investigated. The supervisor changed the dates on some reports to meet state response deadlines and told employees not to take emergency child abuse calls after regular business hours.

The supervisor created her own intake system where she alone determined whether a child abuse or neglect call should be investigated. The grand jury found that almost 50% of the reports where no action was taken should have been investigated.

"Workers stated that sometimes they are so concerned about some cases, they offer services in secret," the report read.

Most of the employees reported the supervisor created an atmosphere of bullying, harassment and intimidation at the agency. Criminal background checks on applicants, employees and volunteers had not been completed in 15 years. Child protective services workers had not completed mandated training because the supervisor did not allow them to attend.

The report detailed the worst case of corruption, malfeasance and negligence seen in any one department.

A special grand jury investigation, the first one in the county since the 1980s, was opened to determine whether criminal charges could be found against the department's workers.

The grand jury report released in 2016 confirmed much of what was found in the first report, but the probe did not turn up sufficient evidence to bring forth any criminal charges against department employees or the supervisor.

Citizens and legislators contacted the Office of the State Inspector General to investigate, but the office said it could not because the department received less



The Rockbridge Area Social Services Department is located in downtown Lexington. The agency is still working to recover from major problems discovered in 2016.

than half its funding from the state. That law was changed in 2017 as a result of the situation in Rockbridge County.

After the special grand jury, the state board of social services opened an investigation into the local board, a group of seven citizens appointed by the local governments to provide oversight to the department.

It was the first time the state board had investigated a local board, a power that is outlined in Virginia law. The board investigated for 10 months, saying it wanted to create a process it could follow in subsequent investigations.

In August 2018, the board voted unanimously not to suspend or remove any members of the social services board. The state board found the Rockbridge board had acted passively, but the members didn't know how to act as a board because they hadn't received proper training from the state.

The investigation focused on whether the local board knew of problems within the agency before the quality management report was released. State board members said they found no such evidence.

Every local board member involved during that time has since resigned. Turnover on the board is still high — two members have resigned this year.

The department itself is still working to recover.

The child protective services supervisor who shredded reports no longer works for the department, but whether she was fired or resigned was never disclosed. Before the quality management report was released, the agency's director announced her decision to retire. The local department named a perma-

nent replacement just months later, but she stayed in the position for less than two years before taking a job outside of social services. The department hired a new director from within, Dinah Clark, earlier this year after nearly 15 months of searching.

Staff turnover, especially with CPS and foster care caseworkers, is especially high and vacancies only exacerbate struggles to meet state policies. This fall, the department was left with just one CPS caseworker to handle more than 70 cases. Nationally, about 15 cases per worker is the accepted standard.



The Virginia Department of Social Services measures its local departments in percentages.

A key indicator is how quickly CPS caseworkers contact a family or a child after the department receives a valid child abuse or neglect call. The state requires contact between 24 hours and five working days depending on the seriousness of the allegations. To be counted as timely, the caseworkers have to either complete or attempt to complete the contacts face-to-face, by email or by telephone.

The state wants the departments to complete timely contacts in 95% of cases.

From June 2018 to June 2019, the most recent data available from the state, more than 30% of local departments fell short of the state's target in seven months or more. Eight departments never made the state's target during that period.

In those months, Rockbridge County achieved timely contact between 39% and 87% of the time. Montgomery County ranged from 33% to 83%. Alleghany Coun-

ty ranged from 58% to 100%. Giles County ranged from 45% to 100%.

In its agency case reviews, the state looks at a number of measures. The review team selects 10 CPS cases that were screened out to determine whether the agency followed state policy in deciding whether to investigate the report.

Agencies vary. One year, Rockbridge County screened out reports correctly 50% of the time, Highland County was correct in 40% of cases and Carroll County, 80%.

The state also reviews cases to determine whether agencies are conducting monthly visits with families, whether foster care children are receiving sufficient visits with their parents and siblings and whether the child's permanency goal — reunification, kinship care or adoption — is appropriate for the family's circumstances. No more than 10 cases are reviewed in any instance.

Every case gets a number, and every one of those numbers is another Virginia child, parent and family.

Those percentages could mean another foster child who hasn't seen his caseworker in months, another parent who doesn't know where his or her child is living, or another teacher who sees the same kid come to school with more bruises.

Charlee was one of those numbers: a case that fell through the cracks and a child left in a dangerous home.

Her parents, who needed services, were imprisoned. Her father, Charles Ford, pleaded guilty to child endangerment and was sentenced in August to three years. Her mother served almost two years before she was given a suspended sentence in September.

A \$17 million wrongful death lawsuit, brought by Ashley Ford, has been filed in Rockbridge County Circuit Court. The lawsuit names Charlee's parents, the Rockbridge County social services department, its board, the former director, the former child protective services supervisor and the CPS caseworker as jointly responsible for Charlee's death.

The case is still awaiting its first hearing.

This ongoing reporting project is supported by the Fund for Journalism on Child Well-being, a program of the University of Southern California Center for Health Journalism. If you or someone you know would like to relate a story about social services, from any locality, please contact reporter Alison Graham at 540-981-3324 or alison.graham@roanoke.com.

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