

Real Cases Project: The Case Studies

MARY S. CASE STUDY

Case Details

Borough: Manhattan
Type of Report: Initial
Source of Report: Mother
Date of Intake: 9/29/2007
Date Source Contacted: 9/29/2007
Date of Initial Home Visit: 9/29/2007

Current Allegation: Inadequate Guardianship

Adults: Mary S., maternal grandmother and legal guardian
Susan, biological mother

Children: Jason, 15 y/o

Case Details

Allegation: The boy's mother, Susan, alleged that Mary S., the boy's maternal grandmother and legal guardian, is physically abusive and intimidating to 15yr old Jason. Yesterday 9-28-07, she reportedly punched the adolescent in the face after she told him to clean his bedroom. This is not the first time Mary has used physical force to intimidate Jason. He is afraid of his grandmother, as she has threatened to shoot him if he ever hits her back. Also, the grandmother goes out of town for days at a time and does not leave Jason any money for food. The last time she left was on Saturday and she did not return until Monday. Mary does not make an alternate plan for Jason's care when she travels out of state."

Jason's mother, Susan, says she and her husband gave custody of him to her mother when she was 17 because they did not have any health insurance. Susan says she went to court and filed a petition to revoke her mother's guardianship and the next court date is October 26, 2007. However, she has to serve her mother the paperwork first. Susan says her mother is a retired New York State corrections officer, and she may still have her weapon."

Family Background

This African American family consists of the 53 year-old maternal grandmother, Mary; her 32-year old daughter, Susan; Susan's 15-year old son, Jason; her 9 and 5 year old sons; her 43 year old companion, Stanley; and Stanley's 2 daughters, aged 13 and 18. Mary is a retired corrections officer. She receives \$6400.00/month in pension benefits and an undisclosed amount from disability. Mary has diabetes and high blood pressure and takes medication for the condition. Mary was granted legal guardianship of Jason in December 1992, when Susan was 17-years old. It was documented that Susan and Jason's father signed over guardianship to Mary, so that Jason could be covered by her medical insurance. Since that time, Jason has alternated between living with Susan and with Mary. Susan moved to Chicago while Mary continues to reside in NY. Jason's father is deceased; the cause of death was not mentioned.

In the summer of 2006, Jason asked to live with Mary and has resided with her ever since. Susan filed a petition in June 2007 for modification of guardianship that was awarded to Mary in 1992, but the case was dismissed because she failed to appear in court. In September 2007, she filed another petition regarding the matter of guardianship; the judge requested that ACS submit a COI (Court Ordered Investigation) by October 21, 2007.

A courtesy visit to Susan's home was conducted by Illinois Child Protective Services due to the COI request. Susan resides in Chicago suburb with Stanley, her two other sons and Stanley's two children. They live in a two-story home with three bedrooms. The home was equipped with carbon monoxide/smoke detectors however there were no window guards. Susan works at a grocery store and earns \$650.00/bi-weekly. Stanley works at a hardware store and earns \$800.00/bi-weekly. Stanley has a criminal background. During 1984-1989, he was arrested for attempted robbery, resisting arrest and possession of stolen property. He was imprisoned in 1989 and paroled in 1992.

Mary and Jason reside in 3-story private home in Upper Manhattan. The living room and kitchen are on the first floor. The worker observed food in the refrigerator. The family room Jason's bedroom, bathroom and laundry room are located on the second floor. Jason's room is equipped with a full size bed, dresser, desk and closet. Mary lives on the third floor, which has an office, bathroom and bedroom. The home, which is well kept and neat, is equipped with a smoke/carbon monoxide detector.

Jason is dark-skinned, slightly overweight, average height, and has a short haircut. He began a new Catholic high school this month. Mary pays the tuition for his school. He was reportedly left back in the 6th grade while residing with his mother due to excessive absences. Jason is active in sports and plays baseball. This past summer he participated in baseball camp, karate class and weight training. In addition, he attended tutoring for math and English, once a week. The CPS worker observed that he was free from marks and bruises. Reportedly, he has had no developmental delays or disabilities, and no mental health needs.

Current Investigation

The S. Family first became known to ACS on 9/29/07, at 6:06 p.m. when the mother of the alleged maltreated child filed a complaint with the State Central Registry. At 6:08 an Emergency Children's Services worker was assigned the case for intake. When the case was received, the CPS conducted family clearances in WMS, CCRS, ACRS+, LTS, and the SCR. It was noted that the alleged subject, Mary S. is listed in Connections as a foster parent.

CPS called the source of the report in Illinois to confirm the allegations. The source, the alleged maltreated child's mother, confirmed what was reported, and also informed the CPS that she filed a petition with Family Court to terminate the guardianship rights of Mary S. She told the CPS worker that she had her other two children in her care, she had not relinquished her parental rights of Jason, and she is seeking to have him live with her again. She also disclosed that Jason often called her crying and told her that he fears his grandmother. Jason told her that Mary S. punched him in the face for not cleaning his room fast enough when he was asked to. She said this incident was not the first time Mary S. has used excessive corporal punishment while disciplining Jason. The source also disclosed that Mary S. has left Jason home alone for days at a time, the last incident having taken place the week before when she traveled to Boston without him. Mary S. reportedly left Jason without adult supervision and money for food. The source expressed her concern for Jason's safety and well being, because Mary S. is a retired corrections officer that might still have a gun in the home.

Later that evening on 9/29 at 11:21 p.m., another worker attempted an unannounced home visit to the case address, but was unsuccessful. The CPS worker attempted to make contact with anyone who might have been at the case address by repeatedly using the intercom that was located at the top of the stairs, as well as calling the home telephone number listed on the intake report.

The case was reassigned to the Manhattan field office the morning of 9/30 and assigned to a CPS worker who attempted an initial home visit at 5:00 P.M. There was no one home then, but the worker made face-to-face contact with the family at 7:30 AM the next morning, 10/1

Interviews

On 10/1/07, the CPS worker interviewed Mary and Jason at their home address. She explained the reason for the CPS visit and asked Mary to discuss her relationship with Jason. Mary began by saying that she and Jason get into conflicts because he does not listen. She stated that he did not clean his room or bathroom and did not do his homework when he was supposed to. Mary informed the CPS that she has had legal custody of Jason since his birth. She showed the CPS the court documents and the letters Jason's parents wrote to the court. Until 2004, Jason lived with Susan. In the summer of 2004, Jason visited her with his two brothers and stayed with her since that time. The worker inquired about the reason why he stayed, and Mary stated that

Susan's boyfriend, Stanley, punched Jason in the stomach. Mary stated she does not like the way Stanley treats the children. She also said that all of the children wanted to stay with her, but Susan would not allow it.

Jason told her that Stanley had his older son get a knife and cut his younger brother on the back of the foot. He also told her Stanley knelt down and punched him in the face. The 9 year old reportedly saw a gun in Susan and Stanley's bedroom. She said she has told Stanley not to put his hands on her grandchildren. She asks her grandchildren if anyone has bothered them, but the children are "afraid to disclose any information." She feels Susan does not protect the children. Mary S. contacted the Child Protective Services in Chicago, but they did nothing.

Mary continued that she is very strict with Jason because she wants the best for him. She did not feel that that he would do well living with Susan. He was left back in the 6th grade because Susan allowed him to miss 34 days of school. Mary stated she lives for her grandchildren. Jason has his own phone and is allowed to speak with his mother at anytime. Mary said Jason's problem is that he is lazy and does not like to do what he is told. She sent Jason away to baseball camp last summer and had him participate in weight training.

The CPS worker asked Mary if she punched Jason in the face. She stated that she told him to clean-up, but got fed up with him and punched him in the face. The worker asked if she hits him often, and she said that she has hit him only five times in his life. She usually yells at him or takes things away. She denied leaving any marks or bruises on him. She also denied hitting him with an object, but said when he was little, she spanked him with a belt. Mary told the CPS that she has diabetes and high blood pressure so she cannot get worked up. When the worker asked if they get along except for cleaning issues, she said yes.

Mary explained that she is trying to rescue Jason from being a deadbeat. He has no positive male influences, and she is trying her best to teach him dignity. She does not want to hurt him, she just wants him to grow up and be something. Mary admitted that she becomes hot headed when Jason does not listen. The worker asked if she thought Jason would benefit from counseling, and she stated she would be willing to accept services. Mary refused to provide her social security number and sign the HIPPA form, but she gave the contact information for Jason's physician.

The worker met with Jason and first asked him about his summer. He relayed that he attended baseball camp, karate class, and weight training. He also said that he has friends and speaks with them on the phone or when he goes outside. When asked if he likes his new high school, he said that he has made a lot of friends because of his involvement in sports. The worker asked Jason to describe his relationship with grandmother, and he said they get into disagreements because he does not do what he is told. He does not clean his room and bathroom when she asks. When the worker asked him if he liked living with his grandmother, he responded that he did, but missed his brothers. Asked if he wanted to live with his mother, he replied, "of course, what

child doesn't." He continued that he wished he could live with both his mother and grandmother, but knew it was impossible. The worker asked why and he said "because they do not get along."

Jason informed the CPS that he saw his brothers in June for his birthday and graduation. He also stated that he went to Chicago for his spring break. He stated he speaks with his mother daily. The worker asked Jason if he was scared of his grandmother, and he said no. Asked how he is disciplined, he said that his grandmother yells and curses at him. She hit him recently because he did not do what he was told. When asked where he was hit, he replied that she punched him in the face. The worker asked Jason about the last time she hit him, and he said about a year ago. In addition, she has thrown a boot at him, and it hit him in the arm. The worker asked if his grandmother threatened him, and he replied that she told him she will shoot him if he hits her. The worker asked if she has a gun, and he said he did not know. The CPS asked if he ever stayed home alone and he said, 'no.'

The worker attempted to contact his mother, the source, but she was unable to reach her. She contacted the pediatrician, Dr. S, who confirmed that Jason was seen on 6/29/2007. Dr. S. stated Jason has been coming to his office since October 2004, when he moved in with Mary. He relayed that he has never seen any marks and bruises on Jason. The CPS asked Dr. S if he suspected that Jason was abused and he said, "no."

On 10/7/07, the CPS met the source, Susan, in court and spoke with her about the case. The CPS asked Susan to discuss the issues and she responded that Jason is constantly calling her stating he wants to come home. Jason has made continuous complaints about his grandmother cursing at him and not feeding him every day. Susan stated that she does not like what is going on. The only reason she allowed Jason to stay since 2004 was because he asked to, but now he hates his grandmother. The worker asked how she knew he was punched in the face, and she said he called her crying about it. She added that Jason had wanted to stay with his grandmother to complete junior high school and return to Chicago for high school. She is petitioning to terminate guardianship and that was the reason she was in court.

The worker received a message from Mary regarding the petition that Susan filed for custody. When she spoke with Mary in court, Mary said she does not want Susan to obtain custody. She feels that Jason will not have the same opportunities if he leaves. She just wants him to graduate from high school, and then he can do whatever he wants.

On 10/10, the CPS received a request for a Court Ordered Investigation that was due on 10/21/07. Also, the court ordered the Child Protective Office in Illinois to complete a home study. On 10/14, the CPS worker contacted Mary's sister, Dorothy E. and asked her to describe her sister as a grandmother. Dorothy stated that her sister is very caring, supportive and concerned for her grandchildren. She stated that she has never observed any marks or bruises on Jason. She said Mary and Jason are close, and he never said he was abused. Asked if she knew where Jason wanted to live, she replied

probably with his mother because he misses his brothers. However, Dorothy believes that residing with Mary would be the best for him because he is more adequately cared for. The CPS asked Dorothy if Mary uses drugs and alcohol. Dorothy stated that Mary was a corrections officer and a role model for the family. The worker asked if she had any concerns for the child, and she responded that she is worried that all of these current issues may affect Jason psychologically.

The CPS worker contacted Mary's neighbor, Mr. B. to discuss his relationship with her. Mr. B. stated that he has been friendly with Mary for eight years. The CPS asked what Mr. B's perception of Jason was, and he relayed that Jason is a good and happy child. He stated that Mary is a good caretaker and takes adequate care of Jason. The CPS asked Mr. B. if Jason disclosed that he was abused and he replied no. Mr. B. stated that Jason had his phone number and was told if he needed to discuss male issues to contact Mr. B. Mr. B. denied having seen any marks or bruises on Jason. He denied any knowledge of Mary abusing drugs or alcohol. He stated that Mary keeps to herself and rarely has guests over to her home. The CPS asked if Mr. B. had any concerns for Jason and he said no.

The CPS worker called Diane G., a friend of Susan's for a reference. Diane said that she has been friendly with Susan for four years. The CPS asked Diane how often she sees Susan's boys, and she said she sees them often. She said that the children appear happy and they were clean. Diane stated she has not observed any marks and bruises on the children. She felt the kids are well cared for. "Susan is a good mother, very caring, and always there for her children." Asked if she had ever met Jason, she said yes. Jason gets along well with his mother, and they are respectful towards each other. The worker asked if Susan misused drugs and alcohol, and she said no. Also, she stated that Susan did not have people coming in and out of the home.

The CPS contacted Tara J., another friend of Susan's. Tara said that she has known Susan for two years. She does not see the children often, but she speaks with Susan often. Tara denied knowing of any drug/alcohol use. She has never observed any mark or bruises on the children. Tara stated that Susan is very good with her children so she does not have any concerns. She feels that Susan could care for all the children including Jason. She said she has never suspected any abuse and thinks the children are well taken care of.

On 10/19 the worker made an unannounced visit to Mary's home. She asked Mary how things have been going. She responded that Jason has been doing well in school thus far. Mary denied that Jason was acting any differently since their last court date. She said he has been his normal self. Mary told the worker that they return to court on 10/26, and she will let the judge make the decision. She would not fight the decision, but she is still not in agreement with Jason living with his mother. She wants what is best for him, but does not feel that it is with his mother.

The worker spoke with Jason about school, and he said it was fine. Asked if he was worried about the court matter, he said that he did not feel his grandmother and mother

should be in court. "They should settle it within the family." Asked what he wanted the outcome to be, he stated that he wanted to go with his mother. He misses his brothers and his mother. The worker then asked how he felt about his grandmother, and he said he felt the same. He knows that his grandmother just wants him to make something out of himself and that she had his best interest in mind. He denied having any recent arguments and being hit by Mary. The worker asked when he last spoke with his mother, and he said the night before. Asked how he felt when he spoke to her, he said that he was happy but sad when he would hang up.

The CPS asked Jason if he liked Stanley, and he said yes. Jason stated that he was nice and that they get along. Asked if Stanley ever hit him, he said yes. On one occasion Stanley punched him in the face because he was not listening. Another time, Stanley punched him in the chest, in the presence of his mother "for being smart to him." His mother did not say anything because he was being disrespectful. When the worker said to Jason, "and you still like him," he replied, yes, because Stanley provides for him and his brothers. Also, Stanley buys food and clothes for them. He stated that Stanley is like a father figure since his father died.

The CPS asked if Stanley ever hit his brothers, and he said they have gotten a few spankings. They were hit with a belt. Jason then described an instance where Stanley beat the 9 year old because Susan was too upset. He was beaten for two minutes because he stole money from his mother's bag. Asked if his mother hit him, he said yes, but only on serious cases. He was spanked a few times, but usually his mother talks to him or takes something away from him.

On 10/21, the CPS worker submitted the COI to the Manhattan Family Court. On 10/28/07, the CPS left a message for Mary regarding the outcome of the court hearing.