



**State of Florida
Department of Children and Families**

Gabriel Myers



State of Florida
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Regional Director





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History

- **Born January 30, 2002**
 - **February 1, 2002:** Abuse report in Scioto County, Ohio, alleging mother, Candace Myers, tested positive for Benzodiazepine while in labor, was found by hospital staff washing baby in cold water, putting infant in bed and covering him up with covers, and snorting crushed pills. There were concerns for her ability to care for the child.
 - No prior allegations of abuse/neglect in Ohio
 - Drug of choice, crack cocaine
 - Previous treatment and relapse
 - Maternal grandparents and sponsor as support system
 - Grandparents signed a Safety Plan
 - **February 6, 2002:** “Incident Conclusion.”
 - Plan for future drug treatment in place
 - No judicial dependency action by Ohio
 - **May 2, 2002:** Maternal grandparents obtain an Ohio court order giving them temporary custody of Gabriel.



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Reason For Removal

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- **June 29, 2008:** Florida abuse/neglect report (2008-425838) received, alleging “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 sequence was received the same date, stating: “On 06/29/08, additional information was received. On-going, Gabriel was sexually abused... [details] are not known at this time.”
 - ❑ Police found Gabriel’s mother, Candace Myers, unconscious in a parked, running vehicle with powder cocaine, alcohol, crack cocaine, marijuana and several non-prescribed medications.
 - ❑ Gabriel and his dog were in the car with her.
 - ❑ Protective investigator had mother sign a generic consent for medical treatment for Gabriel. The consent form was blank in the area where the specific type of treatment is supposed to be listed.



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- Broward Sheriff's Office Protective Investigation found:
 - No Indicators* of Sexual Abuse because, during the Child Protection Team forensic interview, Gabriel denied anyone touched him inappropriately.
 - Some Indicators* of Physical Injury because Gabriel had visible marks, bites and bruises but they were "non-specific" and could not be definitely linked to abuse.
 - Verified Findings* of Substance Misuse due to Gabriel's exposure to drugs as reported in the police report and the hospital drug tests showed Candace Myers was positive for drugs and alcohol.
 - Verified Findings* of Threatened Harm due to conditions the child was in with his mother.
- The mother, Candace Myers, was listed as the Caregiver Responsible for the *Verified* maltreatments.



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- **June 29, 2008:** Gabriel was removed from his mother's custody and taken to ChildNet's SafePlace while a foster placement was arranged.
 - ❑ With the child came a prescription bottle of **Adderall XR 10mg**; the medication appeared melted. Medication was prescribed by Dr. Variath in Ohio.
 - ❑ Initially it appeared as if SafePlace staff verified the prescription with Dr. Variath, however, further review showed staff contacted Stakers Pharmacy in Ohio to have the prescription refilled. For payment reasons, this could not be done until the grandmother brought a new prescription to the pharmacy. Once that was done, Gabriel's medication was sent overnight delivery to SafePlace.
 - ❑ Gabriel reported that while he was with his mother he administered his own medication.



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- While at SafePlace, Gabriel completed the Therapeutic Intervention Emergency Services (TIES) assessment.
 - Gabriel exhibited below average reading and math during assessment.
 - The assessment reflected a diagnosis of ADHD.
 - “Client [Gabriel] 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.”
 - 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 documents “no present or historical suicidal indicators reported or observed” or risk of violence to others.
 - Gabriel reported to the clinician “someone inappropriately touched him underneath his bathing suit areas in a way that made him feel uncomfortable for more than once.” An abuse report was called to the Florida Abuse Hotline which resulted in the Additional call on the initial abuse report. A “D Alert” [sexual victim] also was initiated.



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Initial Placement - John Michael McGuigan
(Kids in Distress Licensed Home)

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- **June 29, 2008:** Gabriel was placed in the licensed foster home of John M. McGuigan through Kids In Distress.
 - ❑ Mr. McGuigan signed for Gabriel's **Adderall** and 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).
 - ❑ ChildNet staff and John McGuigan were the only individuals approved to supervise visitations with Gabriel.



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- **June 30, 2008:** Judge Hope Bristol found probable cause for Gabriel's removal from his mother's custody and a shelter order was issued.
 - ❑ Judge orders supervised visitation between Gabriel and his mother (Candace Myers) and father (Rocky Newman).
 - ❑ Order documents that DCF/ChildNet is authorized to continue administering the child's psychotropic medication and specifically states "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" and,
 - ❑ "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."



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- **June 30, 2008:** Child Protection Team medical examination and forensic interview.
 - ❑ “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:** Child Health Check up.
 - ❑ Recommends referral to an ophthalmologist, cardiologist and psychiatrist.
- **July 3, 2008:** Child Protective Investigator completes caregiver home study of Gabriel’s maternal uncle and aunt, Johnathon and Elizabeth Myers.
 - ❑ Placement is recommended.



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Relative Placement –
Johnathon Myers and Elizabeth Myers

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- **July 8, 2008:** Gabriel is placed in the custody of his maternal uncle/aunt (Johnathon and Elizabeth Myers).
 - An email from the ChildNet Assistant Site Director documented “this child has never met the uncle.”
 - Family Safety Contract is not signed and individuals to supervise visitation not formally identified until July 14, 2008.
- **July 9, 2008:** Assigned ChildNet case manager completes a supplemental reunification/caregiver home study of Gabriel’s maternal uncle/aunt and concurs with the protective investigator’s recommendation.



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- **August 4, 2008:** Smith Community Mental Health completed a Comprehensive Behavioral Health Assessment (CBHA) and recommended the following for Gabriel:
 - Remain in relative care with his maternal uncle and aunt.
 - Receive an updated psychiatric evaluation and follow all recommendations.
 - Continue individual counseling.
 - Continue tutoring to improve his reading skills.
 - A meeting with Gabriel's current caretakers, guidance counselor, therapist and ChildNet case manager to address how his academic needs can be met.
 - Receive a dental evaluation.
 - Consult Gabriel's pediatrician regarding his on-going nocturnal enuresis.

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- Supervised telephone contact with his mother if he is interested.
- Supervised face-to-face and telephone contact with his father once he is released from prison.
- Supervised contact with maternal grandparents (David and Dorothy Myers), paternal grandmother (Judy Newman) and paternal aunt (Melissa Staggs).
- Assignment of a Guardian ad Litem.
- Assignment of a Big Brother/Mentor.
- Participate in extracurricular activities.
- Referral to a fire-setting prevention/intervention program and visit the Florida State Fire College Kids Site at fldfs.com website.

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- The CBHA also recommended the following for the relative placement (Mr. and Mrs. Johnathon Myers) and ChildNet:
 - Current caretakers need education regarding child dependency issues.
 - Current caretakers would benefit from attending family counseling with Gabriel.
 - Current caretakers would benefit from attending parenting class geared toward raising children with emotional and behavioral problems.
 - ChildNet, Inc. should request records for child protective services in the State of Ohio.



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- **August 7, 2008:** Assigned case manager conducted a home visit to the home of the relative caretaker and documented the following:
 - ❑ Gabriel was having minor difficulties in achieving progress in school, was behind academically and was receiving tutoring.
 - ❑ Gabriel was having difficulty following placement/household rules, and he was still adapting to living with his maternal uncle.
 - ❑ Gabriel was taken off his Adderall by the primary doctor until he receives another psychiatric evaluation at Compass Health.



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- **August 21, 2008:** Maternal uncle and aunt take Gabriel to Compass Mental Health Center, Dr. Punjwani, for a psychiatric evaluation.
 - Diagnosis Attention Deficit Hyperactivity Disorder (314.01) by history and Impulse Control Disorder (312.3), NOS.
 - Dr. Punjwani documents “mood: normal . . . affect: appropriate...suicidal ideation: none ” and a Global Assessment of Functioning (GAF) score of 56.
 - Dr. Punjwani documents “maternal aunt and uncle state that the medication [Adderall] was discontinued on July 31st, 2008 because it was no longer needed.”
 - Dr. Punjwani’s report states “no medication indicated at present time, follow up in 3 months.”



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- Also on **August 21, 2008**: The Licensed Mental Health Counselor hired by the caretakers wrote as follows:
 - ☐ To ChildNet
 - Seeing Gabriel since 7/16/08 on a weekly basis.
 - Gabriel “struggles with lying, impulsivity, hyperactivity, lack of focus, lack of self control, poor decision making skills and blame shifting.”
 - Recommends any visit with Gabriel’s father (Rocky Newman) be supervised once appropriate therapeutically.
 - ☐ To the Court
 - “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.”



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- **September 12, 2008:** Assigned case manager makes a scheduled home visit to the relative home of Johnathon and Elizabeth Myers and documents:
 - Gabriel's school adjustment was satisfactory, he interacts well with teachers and peers, and there have been no disciplinary/behavioral issues.
 - Gabriel was having difficulty in following placement/household rules and was having some difficulties adjusting to the more structured environment.
 - Gabriel showed no signs of current abuse and the home was free of hazardous conditions.



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- **September 16, 2008:** Letter from pediatrician Dr. Juan Carlos Million states:
- Aunt, Elizabeth Myers, had recently brought Gabriel to Dr. Million for 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 [history].”



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- **October 10, 2008:** A new abuse report (2008-491682) was received by the Broward Sheriff's Office Child Protective Investigations unit, alleging "The victim [Gabriel] suffers from unspecified behavioral problems. Since August, the victim has been molesting other children at school. He has been kissing them 'anywhere he can' and touching them on their vagina and 'behinds' with his hand. It is unknown if this was done under or on top of the clothes. There was no known penetration by the victim into any orifice. During this time, the victim has also kissed another boy. It is unknown where he kissed the boy. While living in Ohio, the victim was molested by another 12-year-old boy while the victim was holding the 12-year-old at knife point. There is concern for the victim due to him acting out in this manner."



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**Transition from Myers Relative Placement
to McGuigan Licensed Foster Home**

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- **October 13, 2008:** Case manager conducted an unannounced visit to the home of Gabriel's relative placement and documented:
 - ❑ The Myers had enrolled Gabriel in a private school.
 - ❑ "Gabriel was having problems at school with girls. Gabriel stated 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."
 - ❑ Gabriel was having major adjustment issues and he was to be removed from the Myers' home that day.
 - ❑ Gabriel did not show much emotion upon leaving his placement.
 - ❑ Gabriel showed no evidence of abuse, and the home he was leaving did not have any hazardous conditions.



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- **October 13, 2008:** A Special Condition Report, 2008-492506, was received, alleging Child-on-Child Sexual Abuse. The report indicated Gabriel had been kissing and rubbing on girls at school. He had been feeling between their legs, touching their rears and hugging them. He had done this over a period of time.
- On the same date, an Emergency Order on Modification of Custody/Placement was granted by Broward County Judge Hope Bristol.
 - ❑ Gabriel was re-placed in the Kids in Distress licensed foster home of John M. McGuigan.
 - Mr. McGuigan signed the Family Safety Contract, and the case manager, foster parent, therapist or approved ChildNet designee were designated as the only individuals approved to supervise contact with Gabriel.



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3rd Placement - John Michael McGuigan
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- **October 14, 2008:** Gabriel received a Child Health Check with pediatrician Dr. Lawrence Garter and received a “normal” rating on his physical exam. There were no follow-up recommendations.
- **October 15, 2008:** An Additional call to report 2008-491682 was received, alleging that Johnathon Myers had ‘paddled’ the child [Gabriel] on his bottom recently and the child sustained 3 bruises on his backside in various stages of healing. The report also indicated Gabriel recently had a physical, and the bruises were not noted by the doctor.



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- **October 16, 2008:** Based on the report allegations, the Child Protection Team completed a medical examination and forensic interview with Gabriel that revealed:
 - ❑ Gabriel was placed in the McGuigan foster home the evening of October 13.
 - ❑ Foster Parent John McGuigan saw the bruise on Gabriel's buttock October 14.
 - ❑ Gabriel told foster father his uncle spanked him with a belt and told him "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 . . ."
 - ❑ Gabriel made disclosures that, while in Ohio where he resided with David Myers (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 concerns being raised regarding the maternal grandparents.
 - ❑ "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."
 - ❑ The Child Protection Team report indicated "medical assessment supports the allegation of abuse/neglect."



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- **October 24, 2008:** Behavior/Alert Staffing (internal staffing that reviews and determines behavior alerts assigned to children) was conducted and resulted in the following actions:
 - Maintain current alert code of D (victim) with a re-staffing upon receipt of psycho-sexual evaluation.
 - Case manager was instructed to follow up with Chrysalis Center, a local community provider, to arrange therapy for Gabriel.
 - As the licensed caretaker, Mr. McGuigan requested respite care (Gabriel had been in the McGuigan home only 11 days).
 - Gabriel was placed in the respite foster home of Michael and Daver Gould from 10/24/08 until 11/05/08.



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- **October 28, 2008:** Gabriel completed 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.” The evaluation findings were:
 - ❑ “[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.”
 - ❑ “The result of the evaluation revealed Gabriel has displayed evidence of psychosexual maladaptation specific to sexual reactivity.”

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- Dr. Munson recommended the following:
 - Gabriel should remain within his current residential placement (McGuigan), as his behavioral difficulties appear to have decreased significantly.
 - John Michael McGuigan should receive an extensive education specific to parenting children with sexually reactive behaviors.
 - Gabriel should attend individual therapy, and the treating professional should be knowledgeable about treating children with 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 ChildNet and all mental health professionals working on the case should be provided a copy of the psycho-sexual assessment report.



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- **October 30, 2008:** Michael and Daver Gould signed the Family Safety Contract and are advised the case manager, ChildNet designee, foster parent or therapist were to supervise Gabriel's contacts.
- **November 13, 2008:** Case manager conducted a scheduled home visit to the McGuigan foster home, and the documentation states:
 - Gabriel's school adjustment was satisfactory; he interacted well with teachers and peers; and there had been no disciplinary/behavioral issues.
 - Gabriel was described as displaying age-appropriate behavior and understanding and following the rules of the placement.
 - No signs of current abuse were observed, and the home was free of hazardous conditions.
- **November 14, 2008:** Gabriel had a dental evaluation, and a follow-up appointment is scheduled for 11/17/08.



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- **November 20, 2008:** Case manager was advised by the ChildNet Medical Coordinator that Gabriel was scheduled for a urology appointment on 11/25/08 at 11:30 a.m. and received a Parent Notification of Incident Report from La Petite Academy that documented: “Gabriel showed his private to another boy on the school bus and then Gabriel told the boy to show his private to him.”
- **November 24, 2008:** The Broward Sheriff’s Office closed report 2008-491682 with the following findings:
 - No Indicators for the Sexual Abuse maltreatment.
 - Some Indicators of physical injury.
- On the same date, the ChildNet case management supervisor sent an email to the ChildNet Director of Service Coordination that contained a copy of Gabriel’s psychosexual evaluation.
 - A determination was made to add a B2 alert (assigned to children with sexually reactive behaviors), and the case manager was advised to update the McGuigan Family Safety Contract to reflect the additional alert.



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- **November 25, 2008:** Broward Sheriff's Office closed the Special Conditions Report.
 - Gabriel admitted to the stated actions.
 - The girls denied any touching.
 - The case manager had a psychosexual assessment completed, and Chrysalis Center staff recommended sexual-specific counseling.
- Mr. McGuigan signed the updated Family Safety Contract, which included "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."
- A Multi-Disciplinary Assessment Team Staffing (MAT) also was conducted on November 25. Team results were that Gabriel was to receive sexual-specific treatment and follow the recommendations of the psychosexual evaluation. Under additional findings/summary, it stated Gabriel was enuretic at night and had been scheduled for an appointment with a urologist.



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- **December 2, 2008:** Broward County School Board Student Accident/Illness form indicated “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 McGuigan, to the assigned case manager states he received a telephone call from Gabriel’s school today and indicated “he [Gabriel] 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.”
- **December 9, 2008:** Mr. McGuigan took Gabriel to Dr. Punjwani for the three-month follow-up appointment previously recommended. Outpatient progress note, signed by Dr. Punjwani, stated Mr. McGuigan expressed concerns about Gabriel’s behavior.
 - ❑ Dr. Punjwani indicated Gabriel’s mood was irritable, affect was bright/full, psychosis was none, suicide/homicide ideations are documented as none, GAF of 54.
 - ❑ Dr. Punjwani prescribed **Vyvanse** 30 mgs qd [every day] and documented client understood the risk/benefits of medication as discussed. Follow-up appointment to occur within 4 weeks.



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- **December 16, 2008:** Case manager conducted an announced home visit at the McGuigan home. The ChildNet visitation form documented:
 - ❑ Gabriel's school adjustment was satisfactory, and he interacted well with teachers, peers, and there were no disciplinary/behavioral issues.
 - ❑ Gabriel was "displaying age-appropriate behavior and/or follows and understands the rules of this placement. . ."
 - ❑ Gabriel recently saw the Compass Health doctor (Punjwani) and was prescribed medication to help control his ADHD behaviors. The medication was **Vyvanse 30mg**, and the case manager checked "yes" for parental consent.
 - ❑ Mr. McGuigan stated Gabriel's behavior has improved "dramatically," at home and at school, with the medication.
 - ❑ "Gabriel also received a phone call from his mom during the visit and talked with her for quite a while." The foster parent stated mom has been calling an average of twice a week, and it makes Gabriel happy.
 - ❑ Gabriel showed no signs of current abuse, and the home was free of hazardous conditions.



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- **January 6, 2009:** Mr. McGuigan took Gabriel to Dr. Punjwani's office for a previously recommended 4-week follow-up appointment.
 - ❑ Outpatient progress note, signed by Dr. Punjwani, stated Gabriel's mood was euthymic, affect bright/full, psychosis documented as none, suicide/homicide ideations - none, GAF of 56.
 - ❑ Dr. Punjwani renewed the **Vyvanse** prescription, dosage remained the same and a follow-up appointment was recommended within 4 weeks.



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- **January 9, 2009:** Parent Notification of Incident from La Petite Academy documented an incident on the school bus in which the school bus driver witnessed another boy reaching toward Gabriel's "private." Gabriel reported to the staff member he had asked the other boy to touch him.
- **January 16, 2009:** Case manager conducted an announced home visit at the McGuigan foster home and documented the following:
 - ❑ Gabriel's school adjustment was satisfactory, and he was said to interact well with teachers, peers; there had been no disciplinary/behavioral issues.
 - ❑ Gabriel was having difficulty following placement/household rules, and he continued to have issues at this placement.
 - ❑ "He [Gabriel] 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."
 - ❑ Gabriel is currently prescribed **Vyvanse 30mg** and checked "Yes" for parental consent.
 - ❑ Gabriel showed no signs of abuse, and the home was free of hazardous conditions.
- **January 30, 2009:** Gabriel turns 7-years-old.



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- **February 3, 2009:** Mr. McGuigan took Gabriel to Dr. Punjwani for the previously recommended 4-week follow-up appointment.
 - ❑ Outpatient progress note, signed by Dr. Punjwani, documented behavioral concerns with Gabriel. He indicated Gabriel “obsess twirling hair, incident on daycare bus on Jan 9, crying fits, meds seem to wear off by early evening.”
 - ❑ Gabriel’s mood was noted as euthymic, affect bright/full, psychosis none, suicide/homicide ideations none.
 - ❑ Dr. Punjwani continued the prescription of **Vyvanse 30 mgs qd [every day]** and added **Lexapro 10 mgs ½ qam [every day before noon]**.
 - ❑ Follow-up appointment to occur within 1 month.



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- **February 15, 2009:** Case manager conducted a scheduled home visit at the McGuigan foster home and documented:
 - Gabriel's school adjustment was satisfactory, he interacted well with teachers and peers, and there were no disciplinary/behavioral issues.
 - Gabriel had an incident at school where he picked up a pair of scissors and threw them.
 - Gabriel displayed age-appropriate behaviors and/or followed and understood the rules of this placement.
 - Gabriel was prescribed **Vyvanse 30mg** and **Lexapro 10mg** and checked off "Yes" for parent consent.
 - Case manager took Gabriel to visit his mom in jail.
 - Gabriel showed no signs of abuse, and the home was free of hazardous conditions.



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- **February 18, 2009:** Case manager receives an e-mail from Mr. McGuigan stating:
 - ❑ “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.”
 - ❑ Mr. McGuigan referenced the school incident with the scissors, two negative reports from aftercare, and stated “he [Gabriel] is a chronic liar and lies to me, his school teacher, and his aftercare providers.” The child 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 action figures, and he is getting a new haircut. The Mohawk is history. I’ll discuss all this with his therapist tomorrow evening.”



State of Florida
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3rd Placement - John Michael McGuigan
(Kids in Distress Licensed Home)

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- **February 24, 2009:** Case manager received an e-mail from Mr. McGuigan stating:
 - “Gabriel’s behavior is getting worse and worse as we approach his mother’s release from jail.”
 - There had been several incidents reported by the school in reference to lying, stealing, and one incident of forging Mr. McGuigan’s name.
 - He had permanently taken away a number of Gabriel’s toys in response to his behaviors.
 - “Tonight is our last scheduled jail visit with his mom. She should be released on Thursday.”
 - Mr. McGuigan stated 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.”
 - He requested the case manager contact him regarding any problem with his decision.



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3rd Placement - John Michael McGuigan
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- **February 25, 2009:** Case manager received an e-mail from Mr. McGuigan providing the following information:
 - ❑ There had been an incident at school in which Gabriel was caught stealing money from another classmate with the intent of purchasing ice cream, and that 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 teacher to call Uncle J--, because ‘Uncle J-- will punish me even worse, and that’s what I deserve.’”
 - ❑ Mr. McGuigan stated 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?”



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3rd Placement - John Michael McGuigan
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- **February 27, 2009:** Case manager received another e-mail from Mr. McGuigan in which the foster parent documented the following:
 - ❑ Therapist in-home visit on February 26 and their discussion regarding Gabriel and his improved behavior that day.
 - ❑ Gabriel has “already lost all his toys, all his privileges, his Mohawk, and, for now, I’ve told him he CAN NOT accompany us on our family vacation to Massachusetts.”
 - ❑ Mr. McGuigan noted Gabriel had been informed he could earn back these items with improved behavior.
 - ❑ He expressed concern regarding Gabriel’s contact with his mother and the need to stabilize the child, stating the “therapist agrees contact with the mother should be limited or eliminated . . . I will NOT be taking him for any future jail visits,” and requested the case manager inform him if he has the ability to suspend these visits.



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3rd Placement - John Michael McGuigan
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- **March 3, 2009:** Mr. McGuigan took Gabriel to Dr. Punjwani for the previously recommended follow-up appointment.
 - ❑ Outpatient progress note, signed by Dr. Punjwani, documented the foster father, John McGuigan, was present and stated “last behavior has been bad, lying, stealing, throwing scissors, after visits started with his mom in jail.”
 - ❑ Dr. Punjwani documented Gabriel’s mood was euthymic, affect bright/full, psychosis none, suicide/homicide ideations none.
 - ❑ Dr. Punjwani continued prescriptions for **Vyvanse 30 mgs qd [every day]** and **Lexapro 10 mgs ½ qam [everyday before noon]**.
- **March 5, 2009:** Kids in Distress and Childnet receive an e-mail from Mr. McGuigan advising Gabriel had a minor incident at daycare when he tripped while playing with a toy truck.
 - ❑ Mr. McGuigan reported he received an incident report from the daycare.



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3rd Placement - John Michael McGuigan
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- **March 8, 2009:** Case manager received e-mail from Mr. McGuigan regarding the vacation to Massachusetts.
 - ❑ Mr. McGuigan indicated the vacation would include a side trip to enable Gabriel to see his maternal aunt in Connecticut and his maternal grandparents and requested the maternal relatives be allowed to keep Gabriel overnight for two nights and stated “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----[other foster child in this home], with whom they all already have such a close bond.”
 - ❑ According to an earlier email (February 27), Mr. McGuigan had already told Gabriel he could not go on vacation with the family because of his behavior but could earn the privilege back with good behavior. Also on March 3, Mr. McGuigan had advised Dr. Punjwani of Gabriel’s bad behavior.
 - ❑ Gabriel did not go on this vacation.



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3rd Placement - John Michael McGuigan
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- **March 10, 2009:** Case manager received an e-mail from Mr. McGuigan, stating Gabriel had the second of two incidents in which he found red dye and squirted it on other children at the aftercare.
 - Mr. McGuigan was not present at the incidents but reported the aftercare informed him Gabriel 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 Mr. McGuigan when he picked up the child.
 - There was no record of any incident report generated by the aftercare regarding these incidents.



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3rd Placement - John Michael McGuigan
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- **March 11, 2009:** Case manager conducted an announced visit at the McGuigan foster home and documented the following:
 - Gabriel's school adjustment was satisfactory; he interacted well with teachers, peers; and there were no disciplinary/behavioral issues.
 - Gabriel was having difficulty following placement/household rules.
 - Gabriel continues to exhibit very poor behaviors at school, aftercare and at home.
 - Gabriel is currently prescribed **Vyvanse 30mg and Lexapro 10mg** and checked off "Yes" for parent consent.
 - Gabriel did not have any signs of abuse, and the home was free of hazardous conditions.



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3rd Placement - John Michael McGuigan
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- **March 17, 2009:** Mr. McGuigan called Henderson Mental Health Center's Youth Emergency Services (Y.E.S.) Team (a.k.a. Mobile Crisis Unit) to the home to provide mental health crisis assistance because of Gabriel's behavior and his threats to harm the younger foster child in the home.
- ❑ Mr. McGuigan reported to the Y.E.S. clinician that Gabriel had " 'been out of control' and had thrown all objects in his room, including his TV, on the floor." He also advised 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 [behavior] chart."
- ❑ Y.E.S. Team responded to the home from 7:45 p.m. until 8:45 p.m.
- ❑ When the Y.E.S. Team arrived, the child was calm and was able to be engaged in discussing his behavior and redirection.
- ❑ Gabriel was diagnosed with Mood Disorder NOS (Non Otherwise Specify 296.90).
- ❑ Documented in the Y.E.S. report under clinical disposition/plan was that Gabriel denied current suicidal or homicidal thoughts or plans, and he had no reported audio or visual hallucinations.



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3rd Placement - John Michael McGuigan
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- **March 18, 2009:** Mr. McGuigan took Gabriel to Dr. Punjwani for the follow-up appointment previously recommended.
 - ❑ Outpatient progress note, signed by Dr. Punjwani, documented behavioral concerns with Gabriel: “threatened his younger sibling yesterday, Henderson therapist called in last night.”
 - ❑ Dr. Punjwani indicated Gabriel’s mood is euthymic, affect flat, psychosis none, GAF 52.
 - ❑ Dr. Punjwani continued Gabriel’s prescription of **Vyvanse 30 mgs qd [every day]**, discontinued the Lexapro, and prescribed **Symbyax 3/25 qhs [every bedtime] [3 mg/25 mg]**.



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3rd Placement - John Michael McGuigan
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- Also on **March 18, 2009**: Mr. McGuigan sent an e-mail to the case manager and Kids in Distress Family Support Worker, stating “this [i]s my 30 day notice [for the removal of Gabriel from the home], as required under our bilateral service agreement.”
 - ❑ Mr. McGuigan provided his description of the events leading up to this notice and advised Gabriel was seen by Dr. Punjwani on March 18, 2009, who “diagnosed him [Gabriel] with a ‘mood disorder.’ She discontinued his [Gabriel] **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. She stated ‘I believe he is a threat to the baby’ and agreed with me I should pursue alternate placement.”
 - ❑ Dr. Punjwani is a male and it is unclear if the “She” documented by Mr. McGuigan was a typographical error or someone else had also participated in the treatment on March 18.
 - ❑ Mr. McGuigan concluded 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.



State of Florida
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3rd Placement - John Michael McGuigan
(Kids in Distress Licensed Home)

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- **March 19, 2009:** ChildNet intake placement counselor received a 30-day notice from Kids In Distress supervisor with a copy of Mr. McGuigan's March 18 email.
 - ❑ Kids In Distress was requesting Gabriel be removed from Mr. McGuigan's home on March 20.
 - ❑ Kids In Distress had located a respite home for Gabriel until the expiration of the 30 days or he was placed with his relatives (maternal grandparents in Ohio).
- Also on **March 19, 2009:** Gabriel participated in individual therapy in his foster home. Clinical progress notes for this session indicate:
 - ❑ "Discussion to process with cl[client] of his display of severe anger outburst. Facilitate discussion about cl[client]'s future placements. Provided support or cl[client]'s guardian [foster parent]. . . Cl[client]'s guardian described the Tuesday's incident to the therapist, explored. Guardian reported cl[client]'s bx [behavior] stabilized since that time, explored. Guardian [foster parent] claimed ChildNet decided about changing cl[client]'s placement to a foster home [he was familiar with] . . . Cl[client] stated 'I made some bad choices and I regret it [. . .] I felt like I couldn't control that, like I couldn't stop', explored. Cl[client] admitted he did not want to be relocated, explored. Therapist with Cl[client]'s guardian talked with cl[client] about his relocation to another foster home and then within short period of time to cl[client]'s grandparents."



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4th Placement – Michael & Daver Gould
(Kids in Distress Licensed Home)

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- **March 20, 2009:** Gabriel is removed from the McGuigan foster home and placed in the Kids In Distress licensed home of Michael and Daver Gould for respite.
 - ❑ Mr. and Mrs. Gould signed the Family Safety Contract. The following persons were listed as the only individuals approved to supervise contact with the child: case manager or approved ChildNet designee, foster parent, and therapist.
- **March 23, 2009:** Gabriel's aftercare provider was changed by the respite care home parents without notification to ChildNet, approved referral or payment verification.
- **March 25, 2009:** Family Services Planning Team (FSPT) was conducted for Gabriel.
 - ❑ Recommendation was for Gabriel to be placed in an Enhanced Foster Home and to receive sexual-specific therapy. The committee did not recommend residential placement.



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4th Placement – Michael & Daver Gould
(Kids In Distress Licensed Home)

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- **March 27, 2009:** Accident/Incident Report from Gabriel’s daycare documented “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:** Gabriel’s in-home therapy is transferred to a new therapist and Chrysalis’ Program Director documented:
 - “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 [not] be conducted, as client changed foster homes and therapist was unable to locate client.”



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4th Placement – Michael & Daver Gould
(Kids in Distress Licensed Home)

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- **March 31, 2009:** Case manager received a telephone call from Gabriel's school stating he was out of control, destroying school property, and stating he wanted to kill himself.
 - Case manager contacted the YES program (Henderson Mobile Crisis).
 - YES team would not come out at this time and suggested the police be called.
 - Case Manager called the police, who sent an officer to the school.
 - Case Manager also called the maternal grandfather in Ohio to ask him to call and speak with Gabriel.
 - The maternal grandfather called Gabriel, and he calmed down somewhat.
 - Case manager spoke with the foster mother, Daver Gould, who was on her way to pick Gabriel up and take him to the psychiatrist, Dr. Punjwani, to evaluate him for a possible change in medication.
 - Case manager shared events with the Kids In Distress foster care program.



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4th Placement – Michael & Daver Gould
(Kids in Distress Licensed Home)

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- Also on **March 31, 2009**: Mr. and Mrs. Gould took Gabriel to Dr. Punjwani. Outpatient progress note, signed by Dr. Punjwani, documented:
 - ❑ The foster parents were present, and Gabriel stated “ ‘I have anger problems’; been at new foster parents for 2 weeks.”
 - ❑ Gabriel’s mood was euthymic, affect Bright/Full, psychosis none, Suicidal/Homicidal Index none.
 - ❑ Dr. Punjwani continued prescription of **Vyvanse** 30 mgs qd [every day] and **Symbyax** 3/25 qhs [every day before bedtime] [3 mg/25 mg].
- **April 6, 2009**: Case manager conducted an announced home visit at the Gould foster home and documented:
 - ❑ Child’s school adjustment was satisfactory and he interacted well with teachers, peers; there had been no disciplinary/behavioral issues.
 - ❑ Gabriel was currently prescribed **Vyvanse** and **Symbyax** and checked off “Yes” for parent consent.
 - ❑ Case manager had been advised the maternal grandparents had taken parenting classes.
 - ❑ Case manager observed “many bruises” on Gabriel but wrote “he does bruise easily, is quite clumsy, falls a lot, and has gotten in minor fights at daycare which was being addressed at the daycare center.” “No abuse call necessary.”
 - ❑ Home was free of hazardous conditions.



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4th Placement – Michael & Daver Gould
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- **April 14, 2009:** Progress note from Kids in Distress documents a telephone call was received from the foster father, Michael Gould, and it was noted “Gabriel had a disruption this morning at school. Michael Gould told the guidance counselor to isolate him and let him “calm down.” It was reported that Gabriel calmed down and took the bus to his aftercare program. It was further documented:
 - ❑ “When Krysal [Krystal] 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.”
 - ❑ The Kids in Distress counselor informed Mr. 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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4th Placement – Michael & Daver Gould
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- **April 15, 2009:** Chrysalis Center’s Licensed Mental Health Counselor went to Gabriel’s school for a crisis meeting with principal.
 - She reviewed client’s records and documented 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 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.”

(continued)



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4th Placement – Michael & Daver Gould
(Kids in Distress Licensed Home)

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- ❑ She met with Gabriel for therapeutic intervention and documented in her 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, he stated no. He was asked if he felt like hurting himself or his body and stated: No.”
- ❑ Therapist was able to engage Gabriel in discussion of his coping skills and their application. Therapist further noted “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, this therapist have taken steps to alleviate client’s stress load” which are further delineated in the report. Specifically, “therapist contacted Guardian 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.”



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4th Placement – Michael & Daver Gould
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- Also on **April 15, 2009**: After her meeting with Gabriel, the Licensed Mental Health Counselor followed up with the case manager and foster father.
 - Her clinical progress note stated: “Therapist spoke with Child Find [believed to mean ChildNet] Guardian [case manager] 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 [case manager] 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 [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).” She indicated intervention was necessary to maintain this level of care. Gabriel “has not to date met 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.” (continued)



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4th Placement – Michael & Daver Gould
(Kids in Distress Licensed Home)

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- ❑ 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 stated urgent need for EH (Emotionally Handicapped) school placement and medication management and "encouraged both parties' participation with such a plan within the coming week. Both parties agreed." An overview of Gabriel's recent sessions was given and she noted 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."



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Department of Children and Families

4th Placement – Michael & Daver Gould
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- **April 16, 2009:** As reflected by Broward County School Board Virtual Counselor, Gabriel was reported as being full day excused.
 - ❑ The Margate Police Department was dispatched to 6501 NW 9th Street after a 911 caller reported that a child had hanged himself. As stated in the Margate Police Department Incident Report, Officer Williams recorded “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 [GM] 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 foster father, Michael Gould.
 - ❑ The most recent relicensing study did not show Miguel as a household resident, frequent visitor or approved substitute caretaker, yet he was the only adult in the home when Gabriel was found hanging in the bathroom.



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4th Placement – Michael & Daver Gould
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- Also on **April 16, 2009**: The Broward Sheriff's Office Protective Investigations Division received an abuse report alleging that Gabriel was the subject of inadequate supervision and death. The report alleged "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 [Miguel] Gould while the mother was at work. Gabriel became upset when Michael [Miguel] 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 [Miguel] Gould that he was going to kill himself. Michael [Miguel] Gould called his mother and informed her of what Gabriel said about killing himself. When Michael [Miguel] Gould was able to get into the bathroom, Gabriel was found unresponsive and law enforcement was contacted." This investigation is currently open.



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4th Placement – Michael & Daver Gould
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- **April 22, 2009:** The Child Protective Investigator spoke with Detective Efram Suarez, Margate Police Department, who stated “Gabriel’s cause of death is consistent with his hanging. The manner of death is pending.”
- **As of the date of this Taskforce Meeting:**
- **The Broward County Medical Examiner’s Report is pending, awaiting toxicology test results.**
- **The Child Protective Investigation is pending.**
- **Interviews and access to some individuals and records was prohibited by law enforcement because of an on-going criminal investigation. Portions of Gabriel’s Child Resource Record, containing medical information, was released the week of May 11.**
- **Detective Suarez advised he will be consulting with Broward County State Attorney’s Office regarding the criminal investigation.**



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Strengths

- ❖ The Broward Sheriff's Office appropriately involved the Child Protection Team for medical examination and/or forensic interview on two separate occasions.
- ❖ ChildNet completed a Therapeutic Intervention Emergency Services assessment on Gabriel upon his removal on June 29, 2008.
- ❖ ChildNet placed Gabriel in a Kids in Distress licensed foster home on June 29, 2008 and when the placement with his uncle and aunt broke down, they returned Gabriel to this same foster home.
- ❖ Gabriel received a Child Health Check-up (EPSDT) within the required 72 hours and medical/dental follow-up was obtained.
- ❖ The Broward Sheriff's Office identified a potential relative placement with Gabriel's uncle and aunt, Johnathon and Elizabeth Myers; completed a preliminary home study; and, recommended placement with the family.



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Strengths

- ❖ Gabriel was placed with fit and willing relatives, the Myers.
- ❖ The ChildNet case manager completed a supplemental reunification/caregiver home study and concurred with relative placement.
- ❖ Smith Community Mental Health Center completed a Comprehensive Behavioral Health Assessment for Gabriel within the required 30 days.
- ❖ Gabriel's uncle and aunt obtained mental health treatment for Gabriel from a private Licensed Mental Health Counselor and enrolled him in private school.
- ❖ The foster parents (McGuigan and Gould) took Gabriel to psychiatric appointments as required and provided information regarding his behaviors.
- ❖ Chrysalis Center completed a psychosexual evaluation of Gabriel and provided weekly, sometimes twice weekly, in-home and in-school therapy with a Licensed Mental Health Counselor.



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Strengths

- ❖ The ChildNet case manager went to the foster home to meet with Gabriel and his foster parent and entered into signed Family Safety Contracts with each placement.
- ❖ The ChildNet case manager and Mr. McGuigan took Gabriel to visit his mother in jail.
- ❖ ChildNet appropriately placed “Alerts” on Gabriel as his sexual behaviors were known.
- ❖ A Multi-Disciplinary Team staffing was held to discuss Gabriel’s needs.
- ❖ Mr. McGuigan and the case manager appropriately contacted the Henderson Mental Health Center’s Youth Emergency Services (Y.E.S.) Team (a.k.a. Mobile Crisis Unit) when Gabriel’s behavior was out of control.



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Deficiencies

- None of the mental health professionals involved with Gabriel found he met the criteria for Involuntary Inpatient Commitment, Chapter 394.467, F.S., despite several occasions where he threatened, through word or action, to kill himself and/or others.
- A Family Services Planning Team (FSPT) meeting was not held until March 25, 2009, even though the private clinician hired by the uncle recommended residential placement of Gabriel on August 21, 2008.
- Case work practice and documentation indicate there was insufficient supervisory oversight from the ChildNet case management supervisor.
- Overall, the ChildNet case manager's documentation was poor, and the visitation forms contained boilerplate and inconsistent information.
- There was insufficient communication/coordination between the professionals involved with Gabriel.
- The ChildNet case manager and Kids in Distress took no documented action to preserve Gabriel's placement when Mr. McGuigan's emails clearly signaled the placement was in jeopardy.



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Deficiencies

- The ChildNet case manager did not obtain Informed Parental Consent or Court Order for Gabriel's psychotropic medication as required by Chapters 39.407(3)(b)3, 394.455(9), and 394.459(3)(a), F.S.; and ChildNet Operating Procedures CN 003.052 and CN 003.054.
- The Broward Sheriff's Office protective investigator had the mother sign a consent form for medical treatment on which the line to document the specific nature of the treatment was left blank and the mother's capacity to sign was questionable given her extensive drug use. This practice was not consistent with requirements in Chapters 394.455(9) and 394.459(3)(a), F.S.
- The Office of the Attorney General did not pursue with the ChildNet case manager the need to obtain informed consent or a court order for the medication (as required by Chapters 39.407(3)(b)3, 394.455(9), 394.459(3)(a), F.S.), even though the Judicial Review and Social Study Reports indicated Gabriel was taking psychotropic medication.
- There is no documentation Mr. McGuigan's actions in removing toys, Mohawk haircut, etc. from Gabriel and using the vacation to Massachusetts and Connecticut as leverage to get him to improve his behavior was discussed with or approved by the child's therapist prior to the action.



State of Florida
Department of Children and Families

Charlie Crist
Governor

George H. Sheldon
Secretary

Jack L. Moss
Regional Director

Deficiencies

- The ChildNet case manager did not make the school aware of the Therapeutic Intervention Emergency Services June 2008 recommendation that Gabriel would benefit from an Individual Educational Plan.
- Neither the Broward Sheriff's Office protective investigator nor Child Protection Team case coordinator generated an abuse report to Ohio after Gabriel said he had seen movies with nude "boys and girls" while with his maternal grandfather. This is required by Chapter 39.201, F.S. and Chapter 65C-29.002, F.A.C.
- The Broward Sheriff's Office protective investigator did not advise Ohio law enforcement after Gabriel stated he had a sexual encounter with a 12-year-old boy in Ohio. Ohio did not investigate this allegation until March 2009 when they were notified of the incident by the maternal grandfather. The allegation was substantiated.
- Neither the Broward Sheriff's Office protective investigator nor ChildNet case manager obtained a copy of Gabriel's Ohio child welfare history until after his death.
- The Gould foster parents did not comport with requirements under Chapter 65C-13, F.S.C. or the Bilateral Service Agreement.