

My name is Trina Porter and I am a non-practicing attorney, residing in Maryland. I have traveled far with due expense and speak on behalf of my family and my brother-in-law and sister-in-law the Massey's who desired to adopt my niece – Isabella. The Massey's are extended family, connected to me by marriage and the fact that Promila Massey is my son's Aunt and therefore, half blood connected to Isabella through my son.

My niece was seized by caseworker Michele Gargiulo of the Middletown DCF office around November 4, 2006. We were advised by DCF that the only way to get Isabella was to file an Interstate Compact Agreement (ICPC). The entire ICPC background casework, fingerprinting and requisite foster parenting training was completed by my sister-in-law and brother-in-law and sent by Maryland to Connecticut in early April, 2007. (Please see the attached chronology). During this time the birth parents were still trying to complete their "reunification programs." In May, less than 5 months after Isabella had been with the present foster parents, DCF without the Mother's lawyer - Ryan Ziolkowski being present, decided that Isabella was to be given to the present foster parents for potential adoption. DCF ignored the ICPC as well as our desire for Isabella to go to the Massey's who at this stage in their life would have given her the care, stability, and love that she needed. Their adoption of Isabella would also allow her to remain within the entire family. She would be able to see all of her grandparents, aunts, cousins and great-grandmother. In July, both birth parents relented and gave up their respective reunification programs and desired that Isabella be given for adoption to the Massey's.

DCF ignored our pleas through the entire process for family visits with Isabella. It took them 90 days to respond to my request for a visit.

DCF allowed the Massey's only two supervised visits but for the unfair purpose of a future psychological interactive analysis.

DCF knew that two visits to be held once a month would not allow for relationship that could be compared against the present foster parents who saw cared for her on a daily basis.

DCF failed to comply with federal law as well as its own statutes to place the child with relatives versus non-related caregivers.

DCF's Ombudsman's office failed to respond to my protests and after 89 days, I contacted Ms. Flowers who had no comments or answers for me.

DCF failed to honor the birth parents' desires that Isabella remain with her family and be adopted by the Massey's.

The court determination recognized that the Massey's had been unfairly prejudiced throughout the process, but still favored giving the child to the present foster parents by justifying that it was "in the best interest of the child to place with the family that she had developed ties with."

DCF failed to recognize that children are often with foster parents from 1 to 2 years (ACF statistics) and that first priority should be given to the child's family. Children establish connections to foster parents, but in most cases, they are returned back to their parents or family members. Why is Isabella such an unusual case that it was decided by DCF that she remain with the foster parents after only five months?

DCF explicitly misled the Massey's and me as to the true desires of the foster parents who wanted to adopt Isabella.

DCF had denied Isabella's maternal Grandmother and family members a chance for a final visit to say good-bye and give her the gifts that they had bought for her. While I am aware that there may not be any form of redress for our case, my entire family protests the giving of our federal tax dollars to state programs like that of Connecticut's DCF that has forgotten the intent behind the

statutes designed to protect the sanctity of children and their families. I charge the State of Connecticut with failure to recognize and render judgment for major revisions to a State program like Connecticut's DCF program and its staff who take advantage of their omnipotent and retributive powers in the mantra of "what is in the best of the child." Isabella and her family have been subjected to a travesty of injustice. We have been "blacklisted" lawyers we call suddenly disappear and refuse to return our calls after agreeing to a price and a location to meet, Our queries and challenges have been ignored, we are a voice in the forest, with no one to hear our pleas for help. I challenge this Legislature and DCF to provide substantive information as to how many children of other races are so readily stolen from their families after just five (5) months in foster care with an ICPC processed and waiting.

How will Connecticut justify their treating Isabella like an orphan, taking her from her family without any true or fair justification and simply giving her to a non-related caregiver? I speak on behalf of Isabella's family and for Isabella who has no true voice. We seek justice so that no other family will suffer as we have suffered and will continue to suffer. This Legislature needs to revise the laws to give families like us a chance without loopholes, to retrieve our children from being falsely designated orphans, without a voice, without a chance to grow up as all children desire to be with their own families.

Chronology of Efforts for Isabella Olbrias

- 11/3/06 Michele Gargiulo, DCF caseworker visits w/ Olbrias's concerning their granddaughter Isabella. Ms. Gargiulo was also told by Robert Mitchell, Isabella's maternal grandfather that he would pick her up on 11/9/06.
- 11/5/06 Isabella Olbrias's birthday
- 11/7/06 Without any notice to any of her grandparents, DCF seizes Isabella and places her into foster care.
- 11/8/07 I was notified by my Father that Isabella was under the State of Connecticut's (Ct.) protection
- 11/11/07 I contacted Ms. Gargiulo to find out if we could come and get her and was told no, that it was too late. Someone would have to go through foster parenting training and be approved by Ct. before Isabella would be released back with her family members.
- 11/14-17/07 Began process of locating a Maryland foster parenting class for the Massey's. Contacted the Howard County Caseworker Supervisor, Brenda Corsi about Maryland's (Md.) Interstate Compact Agreement Process (ICPC). Contacted Montgomery County, Howard County, Baltimore County and Prince Georges County Social Service departments concerning foster parent training. Also spent numerous days discussing the foster parenting process and prerequisites, caseworker home study, and licensing by Md.
- 11/21/06 Guardian ad litem appointed for Isabella
- 11/27/06 E-mail sent to Ms. Gargiulo for our family to visit with Isabella. Ms. Gargiulo notified me that since Isabella was under an Order of Temporary Custody, out-of-state visits or unsupervised visits were prohibited until all checks were cleared.
- 11/28/06 Sent an e-mail to Michele for her address to send a formal letter notifying Ct. DCF of the Massey's intent to adopt Isabella and of her parent's and family members' desire for them to adopt Isabella.
- 11/30/06 Isabella would go through an MDE (medical, and psychological review of her status). I was also told that Ct. would go for temporary foster care to permanent parenthood.
- 12/01/06 E-mail from Ms. Gargiulo stating that the ICPC request was received but the Massey's being not blood related as a first degree relative and would not be eligible for TANF. Massey's are blood related through my son Joel Porter. This was contrary to our earlier conversations and letter sent to Ms. Gargiulo. Had I

known this in the first place, than I would have altered our tactics in trying to get the baby back.

- 12/14/06 Letter from Ms. Gargiulo to me with pictures of Isabella.
- 1/25/07 E-mail sent to Ms. Gargiulo about how long it would take for Ct. to respond to bringing Isabella down to Md. once the ICPC was approved.
- 3/16/07 E-mail received from Ms. Gargiulo that Ct. had not received the ICPC from Md. I immediately began checking on the status of the ICPC in Md.
- 3/21/07 E-mail response to my e-mail on the status of the ICPC in Md. Ms. Gargiulo clarified that the visits would start until the ICPC was in the DCF's hands. Isabella would not be placed until the ICPC was completed and approved by both states. A weekend visit may be able to be worked out if approved by DCF administration.
- Follow-up e-mail response by Ms. Gargiulo affirmed the fact that the Massey's are not "blood relatives" but once approved, the Massey's would be licensed as "complete foster parents." The standards for relative foster placement are the same.
- E-mail concerning ICPC questions and Ct. allowing for weekend visits since we have to travel so far.
- 4/16/07 E-mail concerning some questions about Isabella's birth parents. Ms. Gargiulo responded that she could not respond due to Privacy Act issues after having talked to me about the case for the last 6 months.
- Received two e-mail responses back from Ms. Gargiulo's Supervisor Michael Brzankalski prohibiting me from asking questions concerning the case. My sister has already given permission for me to work on the case so this prohibition was, in my opinion, unnecessary. It is strange how the Privacy Act is called into use when it is convenient. Ms. Gargiulo provided quite a bit of information concerning my sister, her daughter and the baby's father to another party not of this jurisdiction.
- 5/15/07 Received response to my earlier e-mail to Ms. Gargiulo and Supervisor Ms. Cygan concerning the parents' reunification plans which, as I stated, sort of negates the ICPC. I also raised my concerns about Ct.'s plan to keep Isabella despite our viable interest in getting the baby as foster parent's and later adoption. Everyone in Ct. involved with this case was made aware of the Massey's intent to foster and later adopt Isabella.

- 5/15/07 E-mail from Ms. Gargiulo that visits would not be allowed until the ICPC was completed which must be approved by her program supervisor. Isabella's attorney would need to be in agreement with the visits. **(This is contrary to the date stamp of 4/4/07 by DCF having received the ICPC and being told that the ICPC had not been received. Even if it had been received by the ICPC Office of Ct and not DCF, a simple phone call would have confirmed the receipt of the ICPC).**
- 5/22/07 Left numerous voice mails and finally received an e-mail from Ms. Gargiulo that only "parents and occasionally grandparents" could visit with Isabella. That would leave out the Massey's and me from being able to visit Isabella.
- 5/24/07 E-mail response to my e-mail that Ms. Gargiulo would get back to me concerning my desire to visit Isabella.
- 6/1/07 First week of June, the baby's Mother agreed to the Massey's adopting the baby.
- 8/6/07 First e-mail from Ms. Gargiulo scheduling visits for us with Isabella and notification concerning the psychological interactive meeting with Isabella and hearing status.
- 8/9/07 Letter outlining my serious concerns to Governor Rell, Ct. Attorney General, and the Commissioner of DCF. I received e-mail acknowledgements but no one followed-up with me or wrote on my call for help.
- 8/8-15/07 Interactive e-mails concerning the dates and times, locations of the visits and future psychological interactive meeting with Isabella and our disadvantage of not having had the chance to visit with her as compared to the present foster parents who have her everyday. I thought that we were going to be allowed real visits with Isabella but were told we were not allowed. These planned two visits were only to establishing a basis for the pending psychological interaction.
- 8/15/07 Discussion with Ms. Leins Howard County caseworker for the Massey's regarding updating the ICPC which will expire and the psychological interactive meeting with Isabella and our concerns.
- 11/14/07 Lisa Flowers, DCF Ombudsman finally called me back. More than 90 days after receipt of my letter. Ms. Flowers promised to respond to my questions about Isabella's status and what has happened.
- 11/21/07 Ms. Flowers calls me back with no response to my questions. She stated that it took her 5 days to get a response from Ms. Tina Cygan, DCF Supervisor, Middletown Office. No answers to any of my questions nor an offer of help.

- 12/07 Termination of Parental Rights (TPR) hearing scheduled for early December cancelled because my sister's mental health collapsed and she took an overdose of pills and was incoherent for the date of the hearing. Hearing to be rescheduled sometime in 2008.
- 3/3/08 E-mail discussions with the Mother's attorney R. Ziolkowski concerning legal status of the case, our standing concerning our chances of adopting Isabella, issues concerning court strategy and law, my sister's mental competency, trial dates, Motions, etc...
- 4/21/08 I sent a series of letters describing our case history to Colin Poitras, Hartford-Courant newspaper who had written the articles about the Tallaksen family. He wrote back that he was no longer interested as he had been switched to a different reporting desk.
- 5/1/08 The date of the hearing, held in Willimantic, Ct. with Judge Francis J. Foley, III presiding. The Masseys' and my other sister-in-law Anita Bali attended the hearing and testified. I also provided additional evidence as to the safety and care that could be provided for the baby and the fact that children know their own family and the pictures taken during our visit clearly shows a connection and familiarity for a child so young. I also argued that children adapt to changes in their lives. If she were to be given to her foster parents she would lose all of her blood and extended family relations. How would you explain this to her when she was older. **Finally, in most cases of this nature, children are placed into foster homes. Does this mean that all of the children in foster care are automatically adopted because of their attachment to their foster parents?**
- 7/2/08 The Court ruled in favor of adoptive parents having the child as being in the **"best interest of the child"** since she has established emotional ties with the foster parents. The Court agreed that **we had been unduly "prejudiced"** and it would have been better for her to be with her natural and extended family. The court recognized the extensive efforts made by the Masseys' traveling to Connecticut, the CPR and foster parenting training, passing the Maryland's Interstate Compact prerequisites and having their finances subjected to judicial scrutiny. **They were found to be suitable and worthy persons for the placement of a child.** The Court brings up the child's resistance to the Massey's which is not accurate. How can you compare a few visits with an infant where we were allowed only 2 visits, a month apart, all leading to a psychological evaluation against foster parents who are the constant caregivers a fair assessment of the attachments the Massey's had with Isabella? The Court appointed psychologist was not always in attendance and the fact that Isabella would not come to the Massey's is natural at that age. The Court sites that the Massey's have been "plagued by distance, delay and by a lack of previously established relationship with the child." All of these factors would have been eliminated had we been allowed to have Isabella at the onset parental acquiescence and completion of the ICPC back in 7/07. **The case was stalled not on our behalf but by DCF.** Once both parents agreed and

demonstrated a clear desire that the child remain with the family, DCF should have placed her with her family.

7/9/08 I sent an e-mail to Oprah Winfrey with acknowledged receipt of case history seeking her help on what has been going on in Connecticut. No further response.

7/9/08 E-mail to Seven on Your Side, I received no response.

9/29/08 Submitted an outline of our case to Ms. Mickey Kramer, Associate Child Advocate who upon reading our situation agreed that we should be allowed some "family visits." She was going to follow-up with State's Chief Child Protection Attorney, Carolyn Signorelli and request that she evaluate the quality of Isabella's representation. After three e-mail discussions, I never heard from Ms. Kramer again.

9/17/08 I sent an email to Mr. Bob Cavanaugh, Director, ACF, Region 1. I sent an overview of the case to Mr. Cavanaugh seeking adoption status on Isabella because I could not get clear responses from DCF to any of my questions. The DCF case worker was less than cordial and any question I raised for visits or communications was prohibited. My Mother's request to visit one last time with Isabella was negated. The promised mail box that would have allowed us to send gifts and good-by letters had suddenly been cancelled. Everything was subject to the **whim** of the caseworker Ms. Gargiulo.