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PRACTICE FOCUS: CHILD WELFARE



Howard Talenfeld

One can only hope that new penalties and the threats of punishment will lead to a shortened list of missing children and a safer environment for all of Florida's at-risk youth, writes Howard M. Talenfeld of Colodny, Fass, Talenfeld, Karlinsky, Abate & Webb. **A8**

Rilya Wilson verdict provides no answers

By Howard M. Talenfeld



The Florida Department of Children and Families has 193 names of children listed as 'missing,' just like Rilya Wilson, above. One can only hope that new penalties and the threats of punishment will discourage some from abusing kids in the future, writes Howard Talenfeld.

The Missing Children List from the Florida Department of Children and Families is as lengthy and disturbing as it is damning about our lack of knowledge of the condition of many of Florida's foster and at-risk children.

The list — 193 names long — scrolls on and on with names of missing, minor children. Most were born in the 1990s; one was born as recently as last June. They share one common theme: All are listed as "missing" by the Florida DCF — just like Rilya Wilson.

Ironically, though, Rilya — the little girl whose name itself came to symbolize the state of care for kids under the supposedly watchful eye of DCF — is missing from the list itself.

Last seen more than a decade ago, the then-4-year-old child is presumed dead. Justice — in some minimal sense — was served last week when a Miami-Dade County jury convicted Rilya's foster mother, Geralyn Graham, of abusing and kidnapping the child. They deadlocked on a murder charge. Though a mistrial was declared on that count, Graham still faces decades — at 67, a lifetime for the "caregiver" — behind bars.

"Caregiver" is a misnomer in this case — and in many such cases. As we learned in during the eight-week trial, Rilya was subjected to a harsh life, abused, restrained and caged.

The same can be said for many kids, some who weren't on the list but were supposedly under the DCF's purview. Consider the sad lives of Nubia and Victor Barahona. Adopted by Jorge and Carmen Barahona, the twins allegedly were abused before the decomposing body of Nubia, then 9, was found in the bed of Jorge Barahona's pick-up truck. Victor was in the cab suffering inhalation of toxic fumes. The couple face charges of first-degree murder, aggravated child abuse and child neglect — and the death penalty if convicted.

In Rilya's situation, the case against Graham was yet another harsh rebuke of the way DCF handles the cases of such children in its care. For Rilya — an acronym from her birth mother for "Remember I Love You Always" — was last seen by a DCF case worker almost two years before DCF realized she was missing. Graham's defense was that a DCF worker had taken Rilya. She hasn't been seen since.

Claiming to have heard the message from the report of an independent blue-ribbon panel created after Nubia's death, DCF redirected millions of dollars to update its technology, including giving mobile devices to newly hired and trained case workers and investigators to use to watch over those in their care. DCF also beefed up staffing and awareness of the Florida Abuse Hotline. Along those lines, the state made it a felony — with increased fines — to not report suspected child abuse.

DCF Secretary David Wilkins spoke of these changes before several legislative committees. He said the agency was fixing the state of oversight and solutions it deploys in watching kids in its care.

Yet, consider again the 193 names of missing kids on the DCF website and we know much remains in disrepair. Aged 6 through 18, they are anonymous, missing, run away or lost in the system. The public has no idea how long each of these children has been missing. In some situations, DCF itself doesn't know.

How many other Rilya Wilsons are out there? How many will perish, like Nubia Barahona — a child whose teachers had witnessed her stealing food and whose medical professionals had reported suspected abuse, only to have the reports go ignored by authorities?

How many of these children live in unspeakable horror, are on the streets, have been abducted by abusive parents or are victims of physical and sexual assault? How many are in harm's way?

The real question we're left with is whether the DCF and its community based partners are truly learning the lessons being given to us.

"Shame on us if we cannot get justice for this little girl," blue ribbon panelist and South Florida child advocate David Lawrence was quoted in the Sun-Sentinel regarding Rilya Wilson and Nubia Barahona. "Two precious lives were lost, and in both cases that did not need to be."

One can only hope that new penalties and the threats of punishment will discourage some from abusing kids in the future, encourage others to report what they see, and that the lessons we've been taught eventually will lead to a shortened list of missing kids, and safer environment for all of Florida's at risk children.

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