



Lifeway For Youth, Inc.

**Response
Regarding
the
Marcus Fiesel
Case**

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Every person connected with Lifeway joins the public in grief and horror that Marcus Fiesel was killed at the hands of those who were entrusted with his care.

Lifeway has channeled our emotion into reviewing all the details of the case to determine if anything could have been done differently in our agency's handling of the foster parent licensure or case management of Marcus and his placement in this home.

We found that the licensure of the foster parents concerning the criminal background check, medical releases and other screenings was handled, as noted below. Nothing was found indicating any issues of concern.

1. Lifeway screens all foster parents in strict accordance with state regulations and prior to accepting them for state licensure, does a background check with fingerprints. This background check information must be clean before we can completely process their application to foster parent.
 - *The foster parents of Marcus Fiesel, the Carrolls, had a complete background check (BCI&I) prior to licensing. They had no history of criminal charges.*
2. Lifeway inspects the house for adequate repair, space for foster children, cleanliness and safety.
 - *The Carroll's home was in a "nice, middle class neighborhood", and had 5 bedrooms and 3 bathrooms. They reported the home as a new home purchase in October of 2005, indicating their stability. (The Carrolls list two previous addresses between 1999 and October of 2005.)*
 - *The foster children's bedroom had a set of bunk beds and a toddler bed. There was a crib available.*
 - *"The house was appropriately furnished and clean."*
3. Lifeway requires that all prospective foster parents have a complete physical by a licensed physician.
 - *The physician who completed the medical release form for the Carrolls stated that there were no medical reasons to prohibit the Carrolls from becoming foster parents. There was no mention of bipolar disorder.*
4. Lifeway requires references from three sources who can verify that the candidates for licensure possess the qualities to provide good foster care. The state will not allow the references to be family members, and permission must be given to contact these references.
 - *The Carrolls references stated no reason why they could not be suitable foster parents.*

- *References contacted for the Home Study made the following comments: “Liz and Dave have a long and stable marriage”, “Liz and Dave have a loving relationship ... they are both very loving and caring people”, and “Liz and David have a stable marriage and provide children with a lot of hugs and kisses”.*
5. The state requires that all members of the household be reported at licensure, and appropriate background checks and physical screening be completed on all reported individuals.
 - *The Carrolls reported themselves as the adults in the home.*
 - *Other household members were listed a daughter (born in 98), and three sons (98, 00 and 04)*
 - *No other family members in the household were reported to Lifeway’s licensing specialist.*
 6. The state requires that there be sufficient income to meet the needs of the family without the reimbursement for foster care.
 - *The Carrolls were both involved in providing day care as state licensed providers. Liz Carroll listed her employment as Day Care Provider since 2004.*
 - *David Carroll listed his employment as a Subcontractor for Planes United, a moving company, for the past 8 years.*
 - *Their combined household income was reported as \$4,800 per month.*
 - *They list that they receive \$489-722 in “food stamps from Clermont County for food reimbursement” for the child care business expenses. (4C Nutritional Reimbursement for Child Care)*

The Carrolls exhibited no suspicious behavior during the training phase of their licensure. In fact, trainers report that they, “interacted appropriately, were attentive and engaging during sessions.”

7. Lifeway requires that the prospective foster parents complete 36 hours of pre-service training with Lifeway trainers prior to licensure. The training covers appropriate care of the child, his rights, characteristics of children in care, agency, county and state requirements for foster caregivers (including required reporting of new residents of the home and legal charges), as well as other issues related to foster care provision and Lifeway requirements.
 - *The Carrolls completed the entire required training with no issues whatsoever.*

All placements into Lifeway foster homes are carefully considered for the appropriateness. Lifeway continually recruits foster parents from a

diversity of cultures and locations to ensure adequate selection of homes and experience levels for the needs of referred children.

Lifeway reviews all available homes for the best “match” for the ability and location of the foster home, their experience and their current home composition (biological and other foster children). The potentially placed child and his stated and possible issues are presented to the selected foster parents to determine if they are willing to provide care for this child. Upon their agreement, the profile of the foster parents selected is presented to the county worker making the referral of the child. The county worker makes the final selection based on this information.

8. Lifeway presented the Carroll home as a potential placement for Marcus to a team of Butler County and other treatment professionals associated with this case.
 - *The Treatment Team was determined to find a suitable home for the child, asking Lifeway to, “present the whole package”, and “tell us all the details of the home.”*
 - *Lifeway presented the Carroll home to Butler County as a placement option.*
 - *The Treatment Team evaluating the placement included three Lifeway For Youth staff, a representative from “Help Me Grow”, an administrative official from Butler County DJFS (the placing agency), and the Butler County case worker monitoring the case.*
 - *No evidence or suspicions had been presented to Lifeway which would disqualify the Carrolls as appropriate placement for Marcus.*
 - *The Treatment Team accepted the placement in the Carroll foster home.*
 - ***Marcus was placed in the Carroll home on May 5, 2006. The county case worker and the Lifeway Case Manager were present during the time of placement.***

During the time of any foster parent tenure with Lifeway, they are required to report any issues within that home. These include job loss, divorce or separation, moving, new adults living in the home, any illness, births, damage to the home, or involvement with law enforcement or any other significant issues. Children in placement may be removed from that home if the issue warrants.

9. Lifeway requires that all charges of criminal activity be reported to the agency.
 - *The Carrolls did not report any charges of domestic violence during the time after their licensure with Lifeway. There was no evidence or rumor to make the case worker suspect such charges had been brought against the foster father.*

- *To completely rule out any new charges since licensure, an agency would have to check with all law enforcement agencies in all cities in Ohio, and in other states, daily, on all foster parents to completely rule out the possibility of any such charges. Law enforcement agencies do not report charges to the county or placing agency, indeed, they likely have no idea that the person is a foster parent. Ohio does not require background checks after licensure; the system relies on self-reporting by the foster parent.*
- *Ohio requires a re-licensure every 2 years. A fingerprint check is not required then, or at any time following initial licensure. Lifeway has now adopted a policy that we will check every year.*
- *The Carrolls were licensed in January of 06. They had the domestic violence charge in June of 06. Even if we were doing annual rechecks of background, we would not have known until next January, a full 6 months after the charge.*

10. Lifeway requires that all adults living in the home for more than 14 days be reported to Lifeway and are required to have background checks and medical clearance.

- *The Carrolls did not report at any time that they had an adult living in the home at any time during their licensure.*
- *The Case Manager visited the home weekly, but had no reason to suspect that there was another occupant of the home. There was nothing to indicate another person residing there.*

Lifeway states to foster parents that a foster child in placement should be treated as part of the family, and as such, should be included in family events and vacations, whenever possible. However, respite care is available for all foster parents for such times when the family cannot have the child with them. If there is stress within the home, and the family needs to have a “break”, respite care is available. In cases where the Treatment Team sees stress, they can recommend that respite is taken.

11. The Carrolls knew that respite was available from Lifeway.

- *The Carrolls used Lifeway respite services twice during the time Marcus was placed in their home.*
- *The Treatment Team did not see evidence for suggesting respite for the child at any other time.*
- *The Carrolls did not ask for respite for any time in August.*

Lifeway typically visits the homes weekly for all placed children. The case worker visits with the foster parents and the child and evaluates the progress of the child in the home.

12. The Lifeway Case Manager held both scheduled and unscheduled visits in the home.
- *The Case Manager visited the home on the day of Marcus' placement (May 5), May 11, and May 18 as scheduled visits. She dropped by unannounced on May 24. She visited with the family and Marcus on each occasion.*
 - *In June, the Case Manager visited the home on June 1, June 15, and June 22 as scheduled visits. On June 13 and June 16, she saw Marcus at unannounced times, and on one of those occasions, was alone with Marcus during a transport, allowing him to reveal anything he had the ability to share.*
 - *In July, the Case Manager visited the home on July 7, July 13, July 20 and July 27 as announced visits. On July 11, she did an unannounced visit, but found no one home.*
 - *The Case Manager visited the home on August 10, after the alleged criminal negligent death of the boy, and Liz Carroll spent a great deal of time sitting at the kitchen table with the Case Manager, talking about Marcus' progress toward his goals, and discussing his upcoming MRI (9/12). She gave the Case Manager medical information for this visit that she had copied on her computer. She was "perky", and unrushed. The foster child who was in respite was present during the visit. When the Case Manager asked where Marcus was, Liz Carroll replied that he had been "up and down all night" and that two of her children had the same thing. She said that he was finally better, and was asleep. With no indication that there was any issue with the care of the child as evidenced from her previous visits, the Case Manager left the home. The foster mother neither urged her to look, nor discouraged her from looking in on Marcus.*
 - *According to police reports, Marcus was not in the home at the time of this last visit.*
 - *The Case Manager made 15 visits with the child during his placement with the Carrolls, including a meeting with other treatment professionals at the Cincinnati Children's Hospital, noted in a subsequent section.*
 - *On July 13th, the Carrolls requested travel authorization for Marcus to attend a Williamstown KY reunion, set to occur 8/4/06.*

Lifeway evaluates the foster homes at each visit to verify that the home continues to be an appropriate placement for the child.

13. The Lifeway Case Manager reported nothing amiss during her visits with the foster father, mother, Marcus and other children in the home.
- *The Carrolls reported taking Marcus to family outings, in the Park, the YMCA and King's Island.*

- *The Case Manager reports on her Monthly Treatment Status Report that in July, “Marcus seems to be adjusting well to the foster home”; in June, “Marcus seems to be doing fantastic at the Carroll home”; and in May, “For weekly home visits, he greets the CM (Case Manager) at the door with hugs and kisses, seems appropriately affectionate with the family members, and has not demonstrated any physical aggression toward the other children in the home...”.*
- *The Lifeway Case Manager did not at any time see anything to indicate that there was harm to the child or suspicion of abuse, neglect or mistreatment. In fact, she has stated that the Carrolls were very supportive, and open to suggestions for the boy’s care, and eager to involve other professionals who could offer him support in his growth and development.*

Lifeway interfaces on each case with a team of professionals connected with that child’s care. Among these professionals are county workers, supervisors, treatment and mental health professionals, MR/DD professionals, educators and any other party associated with the care of the child. All such professionals are MANDATED REPORTERS for any issues concerning the health and safety of children.

14. Lifeway interacted with all treatment professionals in all aspects of Marcus’ care during the time he was in the Carroll home.
 - *Marcus had a psychiatric evaluation by the Board certified Child and Adolescent Psychiatrist with whom Lifeway contracts, on May 3, two days before his placement with the Carrolls. He was scheduled for a medication review on August 2, which the Carrolls asked to reschedule due to a conflict. The rescheduled date was August 30.*
 - *Marcus was seen by a county health nurse on May 4, the day prior to his placement with the Carrolls.*
 - *Marcus was seen by a pediatrician on June 6, one month after the placement with the Carrolls. She reported no findings or suspicion of abuse, and noted concerns with his developmental issues, possibly indicating fetal alcohol syndrome.*
 - *Marcus had an evaluation by the “Help Me Grow” program of Clermont County on June 16 for a skills evaluation. There were a number of professionals who interacted with Marcus and Liz Carroll on that date. There were no reports of any suspected inappropriate issues.*
 - **On August 3, the DAY BEFORE MARCUS IS ALLEGED TO HAVE BEEN LEFT ALONE IN THE CARROLL HOUSE, he was evaluated by DDBP (Division of Developmental Behavioral Pediatrics of Cincinnati Children’s Hospital) for at least two hours, by a team**

of professionals, among them a psychiatrist, a physician, a speech therapist, and an occupational therapist. All professionals observed the interaction of Marcus with Liz Carroll, and none of them, as mandated reporters, voiced any concern.

- Marcus was represented by a GAL (guardian ad litem).
- Marcus was scheduled for a medication review with the psychiatrist on August 30, an eye exam on 8/24, an MRI on 9/12 and an MFE for preschool that would involve the placing agency, the school, MR/DD and the GAL.

15. The input of all treatment professionals is compiled with the results of the Case Manager visits and interactions with the child and foster family during the previous month, and noted on the Treatment Status Report, which is sent to the placing agency and placed in the child's file.

During visits to foster homes, Lifeway Case Managers evaluate safety issues.

16. There were no indications of concerns in checks of the Carroll's home.

As part of a continuous quest for quality in all aspects of Lifeway, but particularly the care of children in Lifeway homes, Lifeway maintains a system of checks and balances.

17. Lifeway conducts supervisory reviews with all case workers, typically on a weekly basis. Supervisory staff meet with each Case Manager and review each case to address issues and potential problems.
 - *There were no indications of problems with the case of Marcus Fiesel.*
 - *The Lifeway Case Manager maintained frequent (almost daily) contact with the placing agency and the other professionals on Marcus' Treatment Team.*
18. Lifeway is required to have a photo of the child in his case file.
 - Lifeway had not yet filed his photo in his case file, although the photo was available in the Lifeway office.
19. Lifeway has a system of random quality assurance checks to review all foster parents and child files on a rotating basis. The person conducting these QA reviews is not connected with the case management or case review.
 - *Marcus's file and the Carroll's foster file had not yet been selected in the random audit.*

Additional items of interest in this case:

20. The Carrolls were licensed as Day Care Providers with Clermont County. According to reports, there were children in their Day Care at the time of Marcus' placement.

- *The screening process for Day Care providers is similar to that of foster parents. Based on our information, the Carrolls were in good standing as certified Day Care Providers.*

21. During the unfolding of the tragic events of the Marcus Fiesel case, Lifeway was prohibited by the rules of confidentiality and contractual obligation from making public statements regarding this case.

- *Lifeway is prohibited by confidentiality requirements from discussing any issues related to the child or to the foster home with anyone other than the treatment team members, or state and county investigators. When legal entities are involved, we are required to disclose information to them. We cannot comment on these issues for the press, regardless of the impression the press gives to the public on our silence.*
- *We also cannot breach confidentiality on former employees who were fired for nonperformance of their duties, even when they choose to make disparaging comments about Lifeway and our foster homes.*

In summary, Lifeway believes that all aspects of Marcus' care were fully attended, and that no one "dropped the ball". All professionals were passionate about serving Marcus and his needs; the Butler County case worker and administrative staff were vigilant in responding to the complexities of his continued care, and state rules for foster care reflect the difficult issues inherent in such provision of care in private homes.

Foster homes are not institutions. The purpose in placing children in the "least restrictive environment" is to allow them a place to belong, a place to find consistency and to find the love of a family. There is no way to enforce security by any means other than planned and drop-in visits; no way to guarantee that foster parents will not lash out in some unspeakable act; no litmus test for crazed actions; no way to legislate morality.

In an imperfect society where over half a million children are abused or neglected every year, we offer an imperfect, though well-administrated system, hoping to rescue as many of these children as we can.

The final statement on the last report on Marcus Fiesel by his case worker states:

“Marcus was a special child whom this CM (Case Manager) came to love very much since he was first placed... I transported him in my vehicle; I sang him children’s songs in the van to pass the time and to comfort him the day I took him to be placed in the Carroll home. I transported him home from visitations that his biological mother missed. I cried for him when he had his final visit with his mother and siblings. I advocated for him, I arranged services for him, I collaborated with his county worker, who likewise worked for Marcus tirelessly. Finally, sadly, I searched for him along with thousands of others who did not even know him. Marcus will be missed.”