

Abused Children, Official Silence

By David Hechler

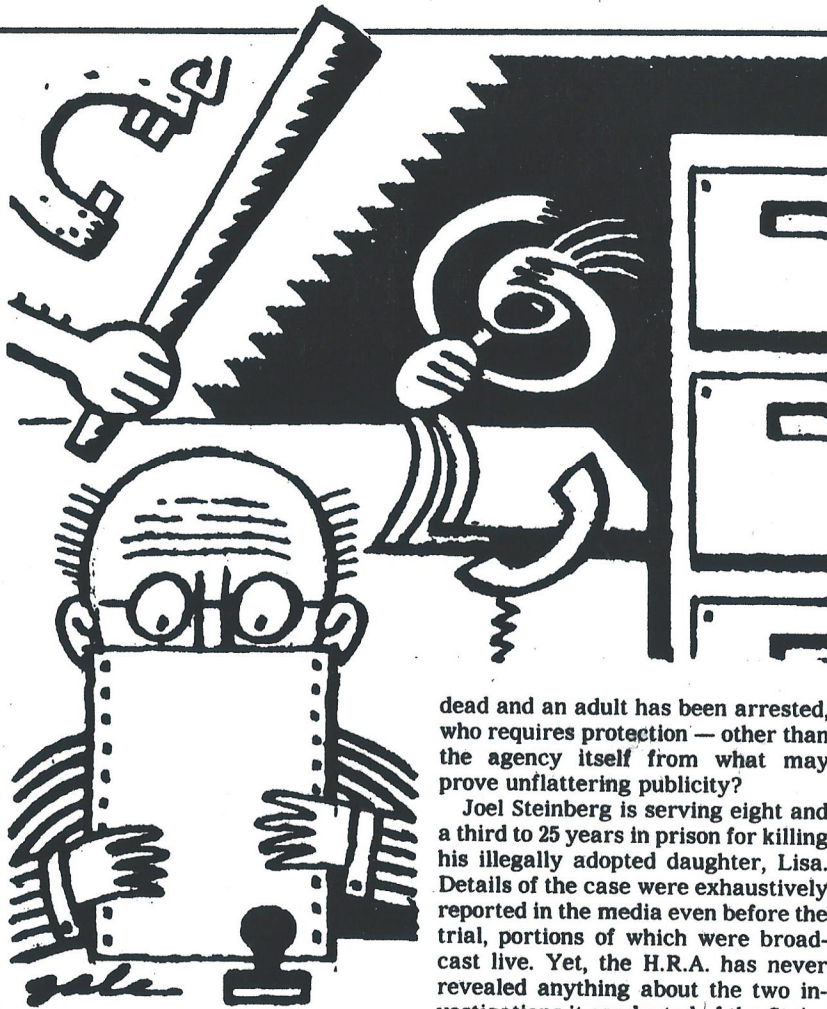
What if, after the Challenger disaster, NASA officials had greeted a standing-room-only news conference by saying: "No comment. The law prevents us from discussing any aspect of this incident."

And what if they were right — if there really was such a law? That would be a strange law, wouldn't it? After all, how could NASA expect billions of tax dollars if it wouldn't — or couldn't — discuss its most visible failures?

Yet this is precisely the case of New York City's Human Resources Administration. Its latest public disaster was the death this month of Ashlei M. Orellane, an 8-month-old Bronx baby who was allegedly killed by her mother. The infant died 10 hours after a caller reported his suspicion that she was being abused to the state's child abuse hotline — and two months after hospital employees who treated her for severe bruises told child welfare officials they suspected abuse.

And what does the H.R.A. have to say? Nothing. No comment. Confiden-

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tiality laws prohibit response.

If all this has a familiar ring, it should. The names change but the issue doesn't. The name in the headlines a year ago was Yaakov Riegler, an 8-year-old Brooklyn boy allegedly beaten to death by his mother — who had previously been convicted of assaulting another son. In that case, neighbors said they reported the abuse repeatedly; teachers said they did the same. Politicians asked how many calls had to be made. And the H.R.A., as usual, said nothing.

Granted, in most instances the H.R.A. has to shield identities to protect both innocent adults and child victims. But in cases where a child is

dead and an adult has been arrested, who requires protection — other than the agency itself from what may prove unflattering publicity?

Joel Steinberg is serving eight and a third to 25 years in prison for killing his illegally adopted daughter, Lisa. Details of the case were exhaustively reported in the media even before the trial, portions of which were broadcast live. Yet, the H.R.A. has never revealed anything about the two investigations it conducted of the Steinberg household prior to Lisa's death. Why? It must guard the Steinbergs' "confidentiality."

Thirteen months after Lisa died, 5-year-old Jessica Cortez was beaten to death by her mother's live-in companion. Jessica, too, was known to the H.R.A., and a storm of criticism followed her death. William Grinker, the H.R.A. commissioner at the time, said he wanted to respond but was blocked by Section 422 of the state's Social Services Law. He said he favored a loose interpretation of this law when a child had been killed, but his boss, the State Social Services Commissioner, Cesar Perales, did not. He wanted the law changed, Mr. Grinker added, but he couldn't find a

politician to sponsor his proposal.

At the time, many people seemed to support legislation that would ease the confidentiality laws. Voices were raised, editorials written. But that was three years ago — a year in which 130 New York City children died of suspected abuse or neglect — 58 of them known to the H.R.A. (In 1989, when statistics were last released, 111 children died, 42 of them known to the agency.) Since then, the administration has changed but not the law. Mr. Grinker has been replaced by Barbara Sabol, who isn't likely to challenge Mr. Perales, for whom she once worked.

So now we read about another child's death. We wonder what went wrong, and we're frustrated once again by a law that stymies our right — and need — to know.

Not all disasters are preventable. It would have been unthinkable, however, for NASA to launch another shuttling without so much as a public inquiry during which one or two questions could be raised about O rings. Yet — such is the logic of our present law — what was unthinkable for NASA is for the H.R.A. a mandate. □