

# State will investigate baby's death

By MARTHA MENDOZA  
Sentinel staff writer

SANTA CRUZ — A homeless infant released to his mother by child welfare authorities died of malnutrition and other causes, law enforcement officials said Thursday.

"Contrary to earlier statements made by other agencies, the cause of death was not Sudden Infant Death Syndrome," said Dr. Richard Mason, the county's forensic pathologist, in a press release issued late Thursday.

Mason said the cause of death was pulmonary hemorrhage "with contributing causes of prematurity, malnutrition and failure to thrive."

Earlier in the day, state investigators said they will come to Santa Cruz to find out whether the baby slipped through the cracks of the county Child Protective Services agency, the public entity responsible for the baby's welfare.

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## Some high-profile cases

By MARTHA MENDOZA  
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SANTA CRUZ — State officials say the county Child Protective Services agency, currently under investigation for the death of a homeless infant, has been under scrutiny for several years.

It marks the fifth state investigation of CPS in two years.

The county itself has asked state investigators to look at the latest incident.

"In any case like this that's likely to be controversial, we ask them to come," said CPS spokeswoman Gail Groves.

The CPS receives about 6,000 calls a year, of which almost half result in home visits.

In the past few years, CPS has had a number of controversial cases.

- In December 1988, 3-year-old Marihia Silvola was drowned by a family friend who held her head under water to silence her cries as he sodomized her in the family bathtub. CPS had visited the home eight days earlier after neighbors complained that the Silvola's three daughters were being abused. Their mother, Leslie Silvola, was later convicted of child abuse.

- In June 1991, Ruby Pointer was arrested after her three daughters — ages 2, 4 and 6 — were taken from their Santa Cruz apartment where police found them cowering under stacks of garbage, filthy and apparently unable to speak. Pointer had a history of child abuse, and neighbors had made repeated calls to CPS complaining that the children were not being cared for. Pointer was later found to be mentally incompetent.

- In December 1991, 11-day-old Cedric Blan died

of heat exhaustion after being left in a van while under the care of foster parent Laura Herrero. His mother, who was serving a sentence at Central California Women's Facility in Chowchilla, visited the baby twice before he died.

Bill Lamb, chief of Child Welfare Service Operations for the state said Thursday that after the Pointer incident, CPS was found "out of compliance" by the state Department of Social Services.

Lamb said problems included:

- Parents' signatures were missing from child-care plans, making it unclear whether parents had seen them;

- Plans didn't have completion dates indicating when CPS planned to close a case;

- There wasn't enough face to face contact with children;

- Children in foster care were not receiving enough visits from their natural parents;

- Parents weren't being notified about latest changes of placement;

- After a year in foster care, social workers were not conducting reviews to see if children should be put up for adoption;

- Parents and children were not being notified about detention hearings.

"It wasn't just an anomaly with the Pointer case," said Lamb. "There were seven areas where they were out of compliance."

CPS was ordered to come up with remedies, and told to report periodically to the state on its progress, said Lamb.

"We have seen improvement, but I can't speak to their current level," he said.

## Homeless baby's death

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"We will take a look to see if it was an appropriate decision to release the baby to its mother, or whether that decision may have put the baby at risk," said Bill Lamb, chief of Child Welfare Service Operations for the state.

In a separate review, the county District Attorney is looking at information compiled by Santa Cruz police detectives to see if the baby's mother, Lynn Rubin, should face criminal charges for neglecting the infant.

"We're not ready to say anything quite yet," said District Attorney Art Danner.

The baby, named Cricket, was born prematurely in the woods near Santa Cruz on Sept. 2. He died 27 days later at the Blackburn House Motel, where his mother's room was paid for with county vouchers.

"A kid dying is like the worst thing that can happen in this business," said County Human Resources Agency Director Will

Lightborne, who oversees CPS.

A few days after the baby's death, CPS spokeswoman Gail Groves said investigators believed the baby had died of Sudden Infant Death Syndrome, or SIDS.

Child Protective Services was alerted to the case when two Santa Cruz women found the newborn and his mother in a local park and took the pair to Dominican Santa Cruz Hospital.

The baby, who weighed four pounds when he was admitted, spent a week at the hospital being treated for jaundice and other medical problems before being released to Rubin, who was assigned a CPS social worker. The baby's mother also stayed at the hospital during that week.

Lightborne says social workers, nurses and doctors checked Rubin daily either by telephone or in person to make sure the baby was being fed and cared for.

"It was coverage by the book.

We were all over this case," said Lightborne in an interview Thursday after reviewing a file on the baby containing daily entries about his condition and care.

But the women who took Rubin to the hospital said the mother had little interest in caring for the baby. She wouldn't change his diapers and didn't want to feed him, they said.

Several nurses, who have spoken to the Sentinel on the condition that their names not be used, say Rubin was uncooperative during her stay at the hospital, and reluctant to feed the underweight baby formula or breast milk.

Lightborne said Rubin took at least two parenting classes about how to feed, dress, clean and care for the baby before the he was released to her.

State officials say they hope to conclude their investigation in the next two to three weeks.