

years as workers' salaries have risen and a promotional ladder was constructed within CYF to retain the best ones. Still, they say, bad casework happens all too often.

Allen, who has the longest tenure on the juvenile bench at nearly 11 years, and who worked as a lawyer for CYF for more than a dozen years before that, recognizes the stress under which caseworkers labor, with high caseloads and constant fear that a child will be hurt.

"Most caseworkers try to do the best they can under horrible circumstances," she said. But, she added, "You just never know how far away from a disaster you are."

FAULT ON BOTH SIDES

The Perkins case was relatively simple for CYF. The children weren't in foster care and hadn't missed so much school that they were failing. The mother used drugs but wasn't so addicted that she sold the children's toys to pay for them. And the family had a home, even if it was in a Garfield public housing project liberally splattered with the brown of boarded windows.

Perkins' first caseworker, Juanita Bryant, signed her up for a drug treatment program and set her up with a recovery sister—a former drug addict who acts as a mentor. Bryant also got the family an in-home service worker to visit several days a week and help with budgeting and getting the kids to school.

At that point, however, Perkins' cooperation was not as good as Bryant's casework. She started one treatment program, then left. She attended another, but quit it too. Good caseworkers, like Bryant, know such behavior is typical of addicts. But Bryant would remain on the case only a few months because she is an intake worker. She investigates allegations against parents, then begins help. In August 2001, Perkins' case was moved to Bill Besterman, a family service worker, the kind who assist families through recovery.

Soon after Besterman was assigned to her case, Perkins decided she wanted to go into a 28-day in-patient drug treatment program. She says Besterman frustrated her efforts by losing papers, failing to sign forms and missing appointments.

Besterman is prohibited by CYF policy from speaking about the Perkins family, but CYF is sanctioning him for his handling of this case.

In a review hearing last May, Allen again ordered Besterman to help Perkins get in treatment, to enroll the two younger children, Brandon, 12, and Brittany, 13, in summer camps and help the oldest, Bryan, 15, get a summer job. Juvenile court routinely orders CYF to send teens to camp or summer school to keep them busy and out of trouble. Allen also repeated an order that was by then more than a year old. She wanted CYF to arrange for psychological evaluations of the children.

By July, Besterman hadn't enrolled the children in camp or Perkins in treatment. So Perkins signed up for Zoar New Day program herself. She told Besterman it would require her to be gone for several hours a day, and he told her not to leave the children home alone.

Perkins did it anyway, reasoning that they were old enough, especially since her brother and sister lived in the same housing complex. On Perkins' second day of treatment, Besterman showed up on her doorstep to take the children.

Only the intervention of Perkins' brother and sister, who said they would watch over the youngsters, kept them out of foster care.

Perkins stopped going to treatment while she pleaded with Besterman for a letter permitting her to leave the teens alone. He fi-

nally wrote it, she says, but by then the treatment program had discharged her.

When the case returned to court for review on Sept. 4, Besterman told Allen that Perkins had dropped out of another drug treatment program, but he never mentioned that it was because he'd threatened to take her kids away while she was there.

INFORMATION, DISINFORMATION

The kind of information—or disinformation—caseworkers give judges can be crucial in deciding a case. "If you do not trust the case work done by CYF, and you are not sure of the information presented in court, then you are in a quandary," Mulligan said, "You could get involved in a case with no basis, and that is not fair to the parents. Or you could end up dismissing a case that does have a basis, and that is not fair to the child."

"In a civil case," she said, "if the plaintiff attorney does not present enough evidence, I dismiss, and the plaintiff can go after the attorney for malpractice. But in these cases, the consequences are so scary. You have children's lives at stake. You cannot say, 'I will just dismiss it.'"

One caseworker who simply didn't have the information a judge needed arrived in Allen's courtroom Aug. 21. In March, the caseworker had placed a teenage girl, a runaway who was working as a prostitute, in what was supposed to be a temporary shelter until the teen could be moved to a therapeutic group home. Five months later, the girl remained in the shelter, not placed where she could get help, and the worker couldn't tell the court whether she was receiving any therapy.

The child's lawyer asked, "is she getting therapy?"

The caseworker replied, "I know she is in a shelter."

Allen pressed, "You are not sure if she is getting mental health services?"

"I am not sure. She should be getting it," the worker said. She told the judge she did know the child was taking medication. "For what," Allen asked. "I am not sure," the worker said.

FRUSTRATIONS ON THE BENCH

As Besterman testified at the Perkins review hearing in September, Allen grew increasingly red in the face. It wasn't so much what he didn't know as what he hadn't done.

Allen asked Besterman if he'd set up drug screens for Perkins at the Allegheny County Health Department, as the judge had ordered repeatedly for a year. "It was never done, I don't think," Besterman said.

Had Besterman arranged psychological evaluations of the Perkins children? Allen asked. That was never done either, Besterman said. How about helping the older Perkins boy get a job? Besterman had done nothing more than get a copy of his birth certificate.

Besterman also admitted he never enrolled the two younger children in camp.

Finally, Allen told him, "Mr. Besterman, it just seems as though nothing happens in this case. We drag these people in here every three months and nothing has happened."

That frustration is a common one for judges and families alike: The work just doesn't get done. Caseworkers don't return phone calls, don't process payments, don't follow court orders.

The claims of ignored phone calls are so commonplace that judges don't doubt them. In one case, CYF wanted Common Pleas Judge Robert Colville to relieve the agency of its duty to work toward reunification for a father who hadn't visited his baby. Colville refused after the father testified he'd repeatedly called his caseworker, left message after message and none was returned.

"It is a plausible, credible scenario that he called through December and no one an-

swered his phone calls," Colville said. The failure of the agency to make various types of payments is just as problematic.

In one case, a judge ordered CYF in June to cover the rent of a 17-year-old girl for three months until she turned 18. CYF was responsible for her until then, and the program that was supposed to teach her independent living skills while she lived in an apartment had closed down. CYF did not pay the rent, however, and the landlord threatened to evict the girl and her 10-month-old baby. Though ordered again in September to pay, CYF still hasn't done it.

In another instance, a caseworker refused to provide bus passes for a low-income mother who needed to take two buses to get to her court-mandated drug screens. Though the agency routinely provides such passes, this caseworker refused. The mother pleaded for Allen to order it. She did.

In a more egregious case, CYF failed to provide payments to a woman who was caring for her three nephews, even though they received Social Security, which was forwarded to CYF when the boys were removed from their mother. For months, the aunt cared for the boys without getting either foster care payments or the Social Security money.

Finally, the financial stress in the household prompted the aunt to ask the caseworker to move the boys. A month later, CYF paid the \$4,392 it owed her.

Marc Cherna, Allegheny County's director of Human Services, conceded casework could be better. "Not every case is handled as well as it should be," he said. "I am very realistic about this stuff. I get the stack of complaints from the Director's Action Line."

Still, he noted, the agency is always trying to improve the quality of casework, and the good work of the agency should not be forgotten.

"We do things that other places do not do," he pointed out. And if the agency is a little slow in providing these services—such as bus passes—it should still be commended for doing it at all.

He stressed that he believes most caseworkers handle the job with empathy and professionalism.

Perkins' new caseworker, Nadiyah McLendon, is among those. She took over the case after Besterman was removed in September.

She helped get Perkins re-enrolled at Zoar, which will also do the drug screens, saving Perkins extra trips to get them. And she got the psychological evaluations of the three children done.

She did everything she was supposed to do, fulfilling the duties of CYF. Allen reminded the agency at Perkins' September hearing that it must be accountable: "Once kids are brought to court, CYF has some responsibility."

HONORING THE AMERICAN-ARAB HERITAGE COUNCIL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 2002

Mr. KILDEE. Mr. Speaker, I rise today to pay homage to the 2002 honorees of the American-Arab Heritage Council in my hometown of Flint, Michigan. The Council is an organization committed to promoting the American-Arab community. They also seek to preserve their culture for future generations. On October 18th the Council will be hosting the

6th annual Ensure the Legacy Banquet to pay tribute to the following men and women of the Arabic community that have significantly contributed to Genesee County.

The Council has chosen John Henry as "Community Leader of the Year." Mr. Henry is the Executive Director of the Flint Institute of Arts and was the driving force behind "The Arab Influence" project. He has worked for the last two years on the exhibit that involved fifteen institutions and was designed to safeguard Arabic history and promote understanding. This exhibit has educated thousands about the contributions of the Arab world to art, science, literature, and religion. Through exhibitions like the "Khalil Gibran: Images of a Poet" and "The Arts of Islam: The Word of God, The Works of Man" many Americans have been exposed to the interweaving of art into the everyday life of the Arabic world.

Fay Joseph was chosen as the "Community Volunteer of the Year." Fay has donated her time, energy, and money to the causes she believes in. The list of organizations benefiting from her largesse is extensive. Honored by many groups for her work, Fay exemplifies the commitment that pervades the Arab community in Genesee County. Never content to accept the status quo, Fay is always looking for ways to make her hometown a better place. Going quietly about her work, Fay portrays the positive image of Arab-Americans.

Dr. Farouk Obeid is being honored as the "Physician of the Year." He is the Director of Trauma, and Surgical Care at Hurley Medical Center in Flint in addition to being Head of Trauma and Critical Care at Henry Ford Hospital. Originally from Syria, Dr. Obeid came to this country to complete a residency in General Surgery and a fellowship in Vascular Surgery. He is the president of the American Arab Syrian Culture Society of Greater Detroit and has devoted countless hours to numerous nonprofit groups. He has contributed to several surgical textbooks and works as a professor of Surgery at Michigan State University, associate professor of Surgery at Case Western Reserve University and clinical professor of Surgery at Michigan State University.

In their promotion of education, the American Arab Heritage Council offers an annual scholarship to a student achieving high academic standards. This year's recipient is Candi Rishmawi a student of medical technology at the University of Michigan-Flint.

Mr. Speaker, I ask the House of Representatives to join me in congratulating these four individuals. I would like to commend them and the American Arab Heritage Council for their hard work this past year. Through their efforts Americans can come together in peace and understanding and our society is enhanced.

TRIBUTE TO BRAD ANDERSON

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 2002

Mr. OBERSTAR. Mr. Speaker, I rise today to pay tribute to an American hero. Deputy Brad Anderson, a member of the St. Louis County Sheriff's Department, died on Labor Day, September 2, 2002, while answering a call in rural northeastern Minnesota. Deputy Anderson, of Aurora, Minnesota, was tragically

killed in the line of duty when his squad car collided with another vehicle. He leaves behind his wife Gale and two sons, Kyle and Conrad.

Deputy Anderson's co-workers described their fallen colleague as "tenacious" and "extremely dedicated." If you were the victim of a crime, Deputy Anderson was the type of law enforcement professional that you wanted to have working on your case. He was thorough and never quit on any of his investigations, and he came to work every day with the belief that he was protecting and serving the public.

Deputy Anderson shared a deep concern for the children of the community, and he dedicated himself to keeping them safe. Many a young person is alive today because Deputy Anderson took the time and made the effort to take action when he saw that they were in trouble and needed guidance. I know that there are many parents who are grateful for his dedicated and timely actions.

In addition to his duties as a deputy sheriff, Brad Anderson taught firearms safety courses to students of all ages. He was also a member of the Iron Range Disaster Committee and spent many dedicated hours working with fire departments, ambulance services and public safety organizations. Those whom he worked with always appreciated his experience and skills. His knowledge in handling large-scale emergency situations will be greatly missed.

Deputy Anderson was dedicated to his country and its armed services. He was extremely proud of his service in the U.S. Air Force and later the U.S. Air Force Reserve. He was honored to be an American and an American Veteran.

Northeastern Minnesota has indeed lost a true professional with the death of Deputy Sheriff Brad Anderson. Our region will profoundly miss this dedicated hero.

SUPPORTING UKRAINIAN JOURNALISTS AGAINST OPPRESSION OF FREE SPEECH

HON. BOB SCHAFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 17, 2002

Mr. SCHAFER. Mr. Speaker, I rise today in support of restoring free speech in Ukraine. Democratic societies should cherish freedom of speech, not fear it. Current efforts in Ukraine to suppress this fundamental human right undermine every other human liberty for the Ukrainian people, and thus, must not continue. I call upon our friends in the Ukrainian Verkhovna Rada, and Ukraine's government leaders to defend the human rights of Ukrainian citizens, and to ensure Ukrainian journalists are permitted to report news truthfully and accurately, free from fear of harassment, molestation, imprisonment and physical harm.

The chairman of the Rada's Committee on Freedom of Speech and Information, Mykola Tomenko, last month, said guidelines on covering politics were routinely being sent to media chiefs. He told a press conference he had received such a document from a TV channel head who indicated he receives such a document every week from the president's administration.

Blatant incidents of media censorship in Ukraine are increasingly indicating an orches-

trated campaign to control information and news of public interest. These events cast grave doubts upon the sustainability of Ukraine's development as a democratic society, and upon the government's commitment to the constitutional rights of its citizens. This increased oppression on Ukrainian media has precipitated the formation of a journalist's union, organized to fight political censorship. I commend these journalists for their courageous defense of democracy and human freedom.

On September 24, 2002, the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe held a roundtable discussion focusing on Ukraine's current media regulations and whether they adhere to Western standards. Ukrainian parliamentarians, government officials, media professionals, international experts and diplomats took part in discussions. The OSCE representative on freedom of the media pointed out that Ukraine's law on the procedure of coverage by mass media on state authorities and local self-government "raises very serious doubts about [Ukraine's] compliance with international human rights standards on freedom of expression."

On October 3rd, 2002, journalists participating in the roundtable signed the "Manifesto of Ukraine Journalists on Political Censorship." The proclamation reads as follows:

MANIFESTO OF UKRAINE JOURNALISTS ON POLITICAL CENSORSHIP

We, the journalists of Ukraine, fully realizing the unique role of a truthful word for development and consolidation of our Motherland, realizing our personal responsibility as journalists for giving unbiased information, understanding that fear will impede some of our colleagues to sign the Manifesto, proclaim:

(1) Political censorship does exist in Ukraine and it is realized through orders or upon consent of the Power in regard to television and radio programs, articles in newspapers through illegal pressure of all kind on journalists and individual mass media that try to highlight social and political life in the country.

(2) Political censorship humiliates journalists and people of Ukraine.

(3) Political censorship is illegal: while exerting political censorship the Power attempts to restrict constitutional right of citizens for freedom of speech, which is stipulated in the Constitution of Ukraine, laws of Ukraine, international legal documents ratified by Ukraine and hence binding on its territory. It is worth stressing that the right for freedom of speech is an integral right of Ukraine citizens. Thus, it is a harsh violation of one of the most important fundamental principles of the Constitution of Ukraine. The fact that with the flagrant examples of political censorship in Ukraine no one has been brought to trial we retain as scoffing the Law and the rights of Ukraine citizens.

(4) We, the journalists of Ukraine, identify ourselves with resistance of our colleagues and greet the tendency when along with intensification of political censorship in Ukraine journalists shift from protests of individuals to mass joint actions.

(5) We, the journalists of Ukraine, proclaim our readiness to an all-Ukraine strike for whose preparation and for preparation of other joint actions of journalists in support of their colleagues the initiative group is being established.

(6) We, the journalists of Ukraine, will look for every means to support our colleagues