

# Children's Justice & Advocacy Report

To promote community responsibility so every Pennsylvania child is protected from child abuse, including sexual abuse.

- In the January 12, 2017 edition:**  
**BECOME A CJAR SUBSCRIBER -**  
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**232 Pennsylvania children experienced a fatality or near-fatality reported as suspected child abuse or neglect in 2016**

Pennsylvania's Department of Human Services' (DHS) data reveals that in 2016, the department received 239 reports stating that a child died or nearly died from what initially was categorized as suspected child abuse or neglect (*Table 1*).

Upon further review of the 239 reports, 7 involving a near-fatality were decertified. PA

<sup>1</sup><http://www.dhs.pa.gov/publications/childfatalitynearfatalityreports/2016childfatalitynearfatalityreports/index.htm>

DHS notes, on its website, that a near-fatality is decertified when a physician "confirms the report was made in error, and either a child was not in serious or critical condition or an abusive act was not suspected in causing the child's condition."<sup>1</sup>

Therefore, the (adjusted) total number of suspected child abuse or neglect fatality and near-fatality reports received by PA DHS was 232.

The numbers remain consequential both in the totality of the number and the tender age of the children experiencing a lethal or near-lethal event.

**Table 1: Reports of Suspected Child Abuse and Neglect Fatalities and Near-Fatalities**



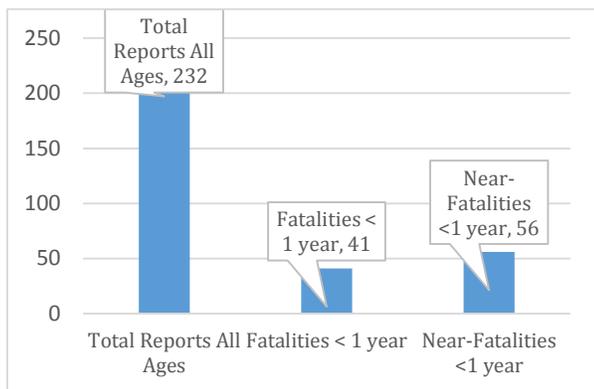
Eventually not all of these child fatalities or near-fatalities will be determined to be child abuse or neglect, but state law requires that PA DHS be informed about and undertake a review (known as an Act 33 review) when the child’s fatality or near-fatality is suspected to be related to child abuse or neglect.

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More than 40 percent of the combined reported fatalities and near-fatalities involved a child who had not yet celebrated a first birthday (*Table 2*).

41 infant deaths and 56 infant near-fatalities were reported to PA DHS as suspected child abuse and neglect. Nearly 75 percent (n=66) of all the reported fatalities and 80 percent (n=116) of the certified near-fatalities involved a child who was 3 years of age or younger.

**Table 2: Reports of Suspected Child Abuse and Neglect Fatalities and Near-Fatalities for Children < 1 year of age**



Researchers and child advocates have long advanced a view that there is as much to be learned from the reports where abuse was initially suspected; as those reports that ultimately will lead to a determination that child abuse or neglect was, in fact, the cause or contributing factor.

In 2016, DHS responded to persistent advocacy that the department be far more transparent about suspected child abuse fatalities and near-fatalities. Also that these sentinel events warrant more real-time public disclosure.

DHS has begun to respond in a promising way.

Beginning last year, upon notification of a suspected child abuse or neglect fatality or near-fatality, PA DHS posted basic data about the incident (e.g., region, county, child’s gender and age) in close proximity to when DHS receives the report. The department is also posting whether or not a district attorney has instructed PA DHS to withhold, from the public, reports produced in response to the child’s fatality or near-fatality.

Still, there are ways in which PA DHS’ approach could be improved. For instance, PA DHS – supported by county children and youth administrators and district attorneys – have opted against listing the date the child died or nearly-died. Instead they list only the date the report was made to PA DHS.

In addition to creating a cumbersome way to cross reference whether a child fatality reported elsewhere was among those PA DHS includes as suspected child abuse or neglect, it undercuts efforts to determine if there are any delays in when an incident occurs and when PA DHS is notified (or not) about the incident.

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An example of how not including the date of the incident proves a challenge was provided this week in reporting by the Pittsburgh Post-Gazette.<sup>2</sup>

Journalist Paula Reed Ward was writing about a mother being sentenced in the near-fatality of her 11 month-old daughter last February. During the

<sup>2</sup> [http://www.post-gazette.com/local/region/2017/01/10/Samantha-Krimm-](http://www.post-gazette.com/local/region/2017/01/10/Samantha-Krimm-gets-2-to-4-years-in-prison-for-abusing-infant/stories/201701100050)

[gets-2-to-4-years-in-prison-for-abusing-infant/stories/201701100050](http://www.post-gazette.com/local/region/2017/01/10/Samantha-Krimm-gets-2-to-4-years-in-prison-for-abusing-infant/stories/201701100050)

sentencing the judge noted that absent “medical intervention” the infant would have died.

When Reed Ward checked the PA DHS website she didn’t find the infant “listed on the state Department of Human Services website or in 2016 quarterly summaries.”<sup>3</sup>

Instead this infant’s near-fatality, which occurred in February, is listed with a date of March 14, 2016. PA DHS indicates that was the date the incident was “certified.”

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Given there is no Act 33 report or quarterly summary related to this infant, it then makes it hard (without give-and-take with PA DHS) to see that the infant is captured in 2016 data as a near-fatality.

Something as simple as listing the incident date as well as the report/certification date aids in transparency and research about the scope of child abuse fatalities and near-fatalties in the Commonwealth.

PA DHS is withholding this infant’s Act 33 report at the direction of the Allegheny County District Attorney.

Act 33 reports from the local team are due 90 days after the local Act 33 team convenes and PA DHS’ Act 33 reports are due “as soon as possible,” but not later than 6 months after they received the report of the fatality or near-fatality.

As of January 11<sup>th</sup>, PA DHS had posted 31 reports (out of the 232 total incidents) on its website.<sup>4</sup>

Some DAs routinely certify that the reports should not be released, others determine it on a case-by-case basis.

<sup>3</sup> Ibid.

<sup>4</sup><http://www.dhs.pa.gov/publications/childfatalitynearfatalityreports/2016childfatalitynearfatalityreports/index.htm>

Absent a released Act 33 report, the other way that there can be research into child abuse fatalities and near-fatalties is what PA DHS includes in the quarterly summaries required by the CPSL. By now the fatalities and near-fatalties substantiated as child abuse or neglect between January 1, 2016 and September 30, 2016 should be available on the PA DHS website. Still only the first quarter is posted.<sup>5</sup>

The concept with the quarterly reports – required by the CPSL – is to provide some fuller (and timely) insight into the measurement of the lethal or near-lethal incidents, the demographics of the children dying or nearly-dying and the circumstances that preceded the event.

As significant a number as 232, this reported number of suspected child abuse fatalities and near-fatalties in 2016 is also incomplete.

For example, not captured in that number is the brutal rape and murder of 14-year-old Grace Packer.

Grace was reported as a missing child this summer and her remains were not discovered until October 31, 2016.

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Still she died on July 9, 2016 after her adoptive mother’s boyfriend “strangled and suffocated her until she died.”<sup>6</sup> A day earlier, her adoptive mother watched as the paramour raped Grace. Both the mother and paramour then drugged, bound and gagged her leaving her alone expecting she would die on that day.

<sup>5</sup><http://www.dhs.pa.gov/publications/quarterlysummariesofchildfatalitynearfatality/#.VznFtU32bVg>

<sup>6</sup> Criminal Complaint filed 1/7/17 numbered 99-2016-0748.

## A lens into the child fatalities that fall outside of an Act 33 review

Another fatality outside the 232 number is the death of 5-month-old Summer Chambers in Cambria County.

Summer died in December from dehydration and starvation. She died in a home after her 27-year-old father and 19-year-old mother overdosed and died in the same home.<sup>7</sup>

It is conceivable that county authorities and PA DHS deem this to be an accidental death.

Still a month before Summer died alone and from dehydration and starvation; her father overdosed and required an opioid reversal drug to be revived.

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PA DHS indicates that Summer – either due to that November overdose or at an earlier part in her brief life – was on child welfare’s radar and subject to an assessment or investigation. She also was an infant living in a home where parental substance use was a factor raising questions as to whether she was exposed to drugs prenatally.

Given the far-reaching effects of Pennsylvania’s opioid crisis and the involvement of child welfare in her brief life, it is reasonable to question whether the parameters of Act 33 reviews are too limiting.

It might be time to consider whether a child’s death or near-death that involves a child known to the child welfare system, particularly during the investigative or assessment phase should trigger a multidisciplinary review similar to those required by Act 33 of 2008.

<sup>7</sup> <http://www.tribdem.com/news/baby-dies-after-parents-od-officials-say-adults-deaths->

## Emerging details about the life, rape and murder of Grace Packer raise alarm and mounting questions

Lehigh County District Attorney Jim Martin has confirmed something the media and child advocates suspected – the rape of 14-year-old Grace Packer immediately before she was killed this past July was not the first time this child was sexually assaulted.

Martin’s decision to disclose that Grace was previously sexually assaulted by her adoptive father arrived at the same time so many other key details are being denied due to confidentiality provisions of the state’s Child Protective Services Law (CPSL).

Martin said he felt it appropriate to disclose her adoptive father sexually assaulted her, because she was now deceased.

Included in today’s Children’s Justice and Advocacy Report (CJAR) is a look at the details that are known and some of the questions those details invite.

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Immediately, Grace’s death raises an invitation to better understand all the dynamics of Sara Packer’s employment with a child welfare agency and how that might have influenced her (and David Packer’s) access to children and approval as a foster and adoptive parents.

A foundational question in need of an answer is this:

- Was Sara Packer was ever named as a perpetrator of an indicated or founded child abuse report?

In close proximity to a criminal investigation unfolding into allegations that David Packer

[likely/article\\_b808f94a-c94e-11e6-81c3-238ffa361c80.html](likely/article_b808f94a-c94e-11e6-81c3-238ffa361c80.html)

sexually abused two children (Grace being one of them), Sara Packer was being terminated from her job with Northampton County Children, Youth and Families (NCCYF).

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According to a letter dated April 15, 2010 from Kevin Dolan, Administrator of NCCYF addressed to Sara Packer, the termination was “based on the seriousness of these allegations of misconduct.”

The letter further states that her “undisputed actions” violated Northampton County Policy Codes 3.107 and 3.14. Based on the Child Protective Services Law (CPSL) Section 6344 b (2) and NCCYF Policy and Procedures Section II A & D.”

§ 6344 of the CPSL in 2010 and still today addresses “Employees having contact with children; adoptive and foster parents.” It is this Section of the CPSL that subjects employees, foster parents and adoptive parents to having to submit to (and pass) specific background checks.

In 2010, 6344 (b)(2) stated:

*“A certification from the department as to whether the applicant is named in the central register as the perpetrator of a founded report of child abuse, indicated report of child abuse, founded report for school employee or indicated report for school employee.”*

In other words, an employee seeking to work with children must be able to show that PA DHS had checked the child abuse registry (now called the statewide database) toward revealing if the employee (or applicant for employment) is listed as a “perpetrator” on that registry. Speaking to a reporter this week, Martin said he “hesitated to put too much emphasis” on what role (if any) Sara Packer might have played in the sexual abuse of foster and adopted children in the home she shared with David Packer.

He then said it may “have been a situation where she may have had some awareness but failed to act on it.”

Martin’s response leaves open speculation as to whether that was a statement about what can happen in child sexual abuse cases generally versus specific to the Packer case.

In other words, it is unknown whether, during the investigation of child sexual abuse perpetrated by David Packer, there was *substantial* evidence for child welfare authorities to name Sara Packer as a perpetrator of child abuse not necessary as someone who sexually assaulted a child, but instead failed to act to stop any such abuse (perpetrator by omission).

Given that Grace and her younger brother (and maybe other children) remained in the home after the criminal investigation (and conviction of David Packer), it is critical to sort through if she was ever named as a perpetrator and still retained access to the children.

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There will likely be many more questions if she was named as a perpetrator and the living status of the children was unchanged. Additional questions include:

- Were all children in the home, at the time of the investigation into sexual abuse perpetrated by David Packer, interviewed and provided a medical exam at (or outside) a children’s advocacy center. In other words did the investigation consider all the children whom David had contact with or just the immediately known victims?
- Was the 2010 investigation conducted jointly so that child welfare, law enforcement and a health care provider (all legally required members of the investigative team) were in the loop?

- Did law enforcement and child welfare officials know of Grace’s earlier child welfare history, including whether she had previously been a victim of child abuse?

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- What type of services and supports (and for how long) were provided to Sara and her family, especially as she remained in the home where she was sexually assaulted.
- After the child sexual abuse investigation in 2010, were any additional children placed in the care and custody of the Packers?
- In 2015, Grace spends nearly a year living in another state with a relative of her adoptive father, what precipitated that living arrangement?
- During the 2016 law enforcement investigation into Grace’s disappearance, did they know Grace had earlier been a victim of child sexual abuse, at the hands of her adoptive father?
- Was a children and youth agency ever contacted about the disappearance of Grace particularly after, it appears, law enforcement felt Sara Packer was being uncooperative in the investigation? This seems worthwhile to understand given

<sup>8</sup> For Grace Packer's birth parents, their daughter's killing evokes grief and anger by Michael Yoder published in the Reading Eagle on January 11, 2017. Retrieved at <http://www.readingeagle.com/news/article/for-grace-packers-birth-parents-their-daughters-killing-evokes-grief-and-anger>

<sup>9</sup> Wage and Salary History for Sara Packer, employee number 7518, supplied by Northampton County under a Right to Know request.

<sup>10</sup> Ibid.

that Grace was not the only child who lived in the home with Sara Packer.

Below is an effort to recreate a timeline of Grace’s life as well as the investigation into her death with the caveat that is remain an evolving investigation.

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- 8/14/01** Grace was born premature in Montgomery County to Rose and Rodney Hunsicker.<sup>8</sup> Her biological parents name her Susan Hunsicker. Several years later, upon her adoption by Sara and David Packer, she is renamed Grace Packer.
- 1/13/03** Sara Packer, who along with her husband David will later adopt two of the Hunsicker children, is hired as a caseworker for Northampton County Children, Youth and Families (NCCYF).<sup>9</sup>
- 7/12/03** Sara Packer moves from probationary to regular status employment with NCCYF.<sup>10</sup>
- 2004** Grace Packer, an older sister and younger brother are removed from the care of their parents.<sup>11</sup>
- 8/5/04** A petition for involuntary termination of parental rights is filed in Berks County Court related to all three children of Rose and Rodney Hunsicker.<sup>12</sup>
- 9/12/05** Sara Packer is now a caseworker III with NCCYF.<sup>13</sup>

<sup>11</sup> Ibid.

<sup>12</sup> For Grace Packer's birth parents, their daughter's killing evokes grief and anger by Michael Yoder published in the Reading Eagle on January 11, 2017. Retrieved at <http://www.readingeagle.com/news/article/for-grace-packers-birth-parents-their-daughters-killing-evokes-grief-and-anger>

<sup>13</sup> Wage and Salary History for Sara Packer, employee number 7518, supplied by Northampton County under a Right to Know request.

**6/5/06** The parental rights of Rose and Rodney Hunsicker are involuntarily terminated in Berks County.<sup>14</sup> In an interview with the Morning Call, Rose Hunsicker indicates that the removal of her children and the involuntary termination of parental rights was linked to the fact the parents “could not provide a safe home” for the children “due to Rose Hunsicker's mental illness and her husband's intellectual challenges.” It was further reported that Rose “did not consistently take the medication prescribed for several mental illnesses, including bipolar disorder and anxiety, when her children were young.”<sup>15</sup> In a separate interview, a lawyer for Rose and Rodney Hunsicker said that among the reasons the children were removed from the parent’s care was that “other adults were sexually abusing their young children.”<sup>16</sup>

**1/1/08** Sara Packer is listed as a Casework Supervisor I within NCCYF.<sup>17</sup>

**1/19/10** Allentown police begin a child sexual abuse investigation involving David Packer as the alleged perpetrator. David is the husband of Sara and adoptive father of Grace. The Associated Press reports that Grace was one of the victims – victimized at the age of nine. The other victim is

reported to be a 15-year-old foster child.<sup>18</sup> Lehigh County District Attorney Jim Martin confirmed to WFMZ that Grace was sexually assaulted by her adoptive father.<sup>19</sup> Martin said he chose to release that information given Grace was deceased. WFMZ also reported that Sara Packer was a foster parent in Lehigh County.

**1/20/10** Sara Packer is suspended without pay from her job with NCCYF.<sup>20</sup>

**4/15/10** NCCYF terminates Sara Packer. According to a letter dated April 15, 2010 from Kevin Dolan, Administrator of NCCYF addressed to Sara Packer, the termination was “based on the seriousness of these allegations of misconduct, you were suspended without pay effective January 20, 2010, pending completion of the investigation. The letter further states that her “undisputed actions” violated Northampton County Policy Codes 3.107 and 3.14. Based on the Child Protective Services Law (CPSL) Section 6344 b (2) and NCCYF Policy and Procedures Section II A & D.” Dolan’s letter was copied to Ross Marcus (Director of Human Services) and Lorraine Schintz (Deputy Director of Human Resources).

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<sup>14</sup> For Grace Packer's birth parents, their daughter's killing evokes grief and anger by Michael Yoder published in the Reading Eagle on January 11, 2017. Retrieved at <http://www.readingeagle.com/news/article/for-grace-packers-birth-parents-their-daughters-killing-evokes-grief-and-anger>

<sup>15</sup> For birth mother, Grace Packer homicide is second heartbreak written by Laurie Mason Schroeder and published in the Morning Call on January 11, 2017 retrieved at <http://www.mcall.com/news/local/police/>.

<sup>16</sup> <http://news4sanantonio.com/live/national/girl-killed-in-rape-murder-fantasy-endured-life-of-abuse>

<sup>17</sup> Ibid.

<sup>18</sup> <http://news4sanantonio.com/live/national/girl-killed-in-rape-murder-fantasy-endured-life-of-abuse>

<sup>19</sup> <http://www.wfmz.com/news/lehigh-valley/grace-packer-sexually-abused-for-years-by-adoptive-father-david-packer/263322921>

<sup>20</sup>Ibid.

**9/23/10** David Packer is criminally charged with indecent assault of a person less than 13 years of age in Lehigh County.<sup>21</sup>

**11/24/10** David Packer is criminally charged with Involuntary Deviate Sexual Intercourse, Statutory Sexual Assault and Corruption of Minors in Lehigh County.<sup>22</sup>

**6/21/11** Through a negotiated plea deal, David Packer is convicted of two felonies (indecent assault involving a child under the age of 13 and statutory sexual assault).<sup>23</sup>

**9/12/11** David Packer is classified as a Sexually Violent Predator.<sup>24</sup>

**1 - 11/15** According to the Bucks County District Attorney, Grace returns from a stay with relatives in North Carolina.<sup>25</sup> The affidavit filed by police on 1/7/17 indicates that Grace had stayed with Karie Heisserer – a cousin of David Packer – for ten months.<sup>26</sup>

**6/16** David Packer files for divorce from Sara Packer.

**7/4/16** Relatives of Grace report that she attended a family picnic in Lehigh County.

**7/8/16** The Bucks County District Attorney reports that on this date Grace was taken by Sara Packer and Jacob Sullivan to a new home in Bucks County. Upon entering the home, Sullivan reports that he

“struck Grace several times in her face, splitting her lip.” Sullivan and Sara Packer then take Grace “to the third floor of the residence, where Sara Packer watched as Sullivan raped her daughter.” Jacob Sullivan will later tell law enforcement that he took a Viagra pill before the rape and that Grace was “conscious during the sexual attack.” Later Grace is given drugs by Sara Packer and told they would “help minimize her pain.” Grace is then bound, gagged and left to die in the attic.<sup>27,28</sup>

**7/9/16** Sullivan and Sara Packer return to the Bucks County home and find Grace is still alive. Sullivan reports to law enforcement that is then that he “strangled and suffocated her until she died.” The adults are then said to have “packed Grace’s body in cat litter to mask the odor and left it in the attic for three months.”<sup>29</sup>

**7/11/16** Sara Packer files a missing person report with the Abington Township Police, Montgomery County. According to the Probable Cause Affidavit prepared by law enforcement on 1/7/2017, Sara is reported to have told an officer that she found Grace missing from her bedroom on Saturday, July 9, 2016. Sara indicates Grace took \$300 in cash

<sup>21</sup><https://ujportal.pacourts.us/DocketSheets/MDJReport.ashx?docketNumber=MJ-31102-CR-0000444-2010>

<sup>22</sup><https://ujportal.pacourts.us/DocketSheets/MDJReport.ashx?docketNumber=MJ-31102-CR-0000548-2010>

<sup>23</sup><https://ujportal.pacourts.us/DocketSheets/CourtSummaryReport.ashx?docketNumber=CP-39-CR-0001248-2011>

<sup>24</sup><https://www.pameganslaw.state.pa.us/Reports/ReportViewer.aspx?ReportType=OffenderPublicRpt>

<sup>25</sup><http://www.buckscounty.org/government/RowOfficers/DistrictAttorney/NewsReleasesDA/2017/01/08/mother-boyfriend-charged-in-homicide-of-grace-packer-14>

<sup>26</sup> Criminal Complaint filed 1/7/17 numbered 99-2016-0748.

<sup>27</sup><http://www.buckscounty.org/government/RowOfficers/DistrictAttorney/NewsReleasesDA/2017/01/08/mother-boyfriend-charged-in-homicide-of-grace-packer-14>

<sup>28</sup> Criminal Complaint filed 1/7/17 numbered 99-2016-0748.

<sup>29</sup><http://www.buckscounty.org/government/RowOfficers/DistrictAttorney/NewsReleasesDA/2017/01/08/mother-boyfriend-charged-in-homicide-of-grace-packer-14>

from the home and also indicates that Grace has left the home “for days at a time” in the past. Sara describes Grace as having “behavioral disorders” and that she becomes uncooperative “when she does not get her way.” Grace is entered into the National Crime Information Center's (NCIC) as a missing person.<sup>30</sup>

**7/12/16** Law enforcement reach out to Sara Packer and request recent photos of Grace to aid in finding her.<sup>31</sup>

**8/2/16** Sara Packer withdraws Grace and her younger brother from the Abington School District.<sup>32</sup>

**8/8/16 - 9/7/16** Police indicate they “made numerous attempts to contact Sara Packer regarding the Grace Packer missing person investigation.”<sup>33</sup>

**9/7/16** Receiving no response from Sara Packer, a detective goes to the home in Montgomery County and finds the residence “vacant.” The detective then contacts Abington School District discovering that Grace and her young brother “had been withdrawn” from that school on August 2, 2016. No forwarding information was provided by Sara Packer. The detective then discovers that Sara Packer enrolled Grace’s 12-year-old brother at the Quakertown School District on August 24, 2016. Eventually Sara Packer calls the detective on this date to apologize

<sup>30</sup> Criminal Complaint filed 1/7/17 numbered 99-2016-0748.

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

**10/5/16**

**10/11/16**

**10/16/16**

**October 2016**

for not notifying him of the changes.<sup>34</sup>

A detective speaks with Karie Heisserer – the cousin of Grace’s adoptive father – who Grace had lived with between January and November 2015. Karie is unaware that Grace is the subject of a missing person’s report.<sup>35</sup> Detectives meet with Sara Packer at the Bucks County home. Detectives see Grace’s 12-year-old brother during this visit along with Jacob Sullivan and Katherine Albright. Detectives ask for and receive information about Grace’s medical providers and get a signed consent for her medical records. Detectives question Sara about where Grace’s clothing and personal items are to which Sara informs them she and Grace “usually shared clothing (including underwear and bras).”<sup>36</sup>

The police affidavit filed on 1/7/17 indicates that detectives found a receipt from this date showing that a “bow saw and two extra blades” were purchased. Law enforcement would later secure video from the store showing Sara Packer “buying the aforementioned bow saw and two extra blades.”<sup>37</sup>

Detectives contact a number of relatives of Sara Packer, including her father (Franklin Pielact) and brother (Jason Pielact) to inquire what they know about Grace’s disappearance. Franklin indicates he saw Grace at a family picnic in Lehigh County on July 4, 2016.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Criminal Complaint filed 1/7/17 numbered 99-2016-0748.

**10/31/16** Grace's decomposing and dismembered body is discovered by hunters in Luzerne County in an area adjacent to the Francis E. Walter Reservoir.<sup>38</sup>

**11/1/16** An autopsy is performed by a Lancaster County pathologist. In his report he "opined that the remains were that of a female and that the arms and legs had been forcibly removed from the torso." Grace was discovered "unclothed" and with no jewelry on her.

**11/8/16** The "torso recovered on October 31, 2016 was positively identified as Grace Packer." She was identified through dental records and a medical implant device.

**12/30/16** Jacob Sullivan is hospitalized after an apparent drug overdose. Later that same day, Sara Packer is discovered "unresponsive" in the home's bathroom. Sullivan and Sara Packer reportedly entered into a suicide pact.<sup>39</sup>

**1/6/17** Jacob Sullivan discloses to staff at Abington Memorial Hospital that he was "responsible for the murder of Grace Packer." He also admitted that Sara Packer was his "accomplice." He also indicates that the rape of Grace on 7/8/16 was not the only time he sexually assaulted her. According to the police affidavit, "he admitted that on two prior occasions in the days leading up to the murder he had sexual contact with Grace."<sup>40</sup>

**1/8/17** The Bucks County District Attorney announces that Sara Packer and Jacob Sullivan have been arrested and criminally charged. Sullivan is charged with

homicide, rape, involuntary deviate sexual intercourse, unlawful restraint, kidnapping, possessing instruments of crime, endangering the welfare of a child, abuse of corpse, simple assault, tampering with physical evidence, and corresponding conspiracy charges. Packer is charged with homicide, kidnapping, unlawful restraint, possessing instruments of crime, endangering the welfare of a child, abuse of corpse, simple assault, tampering with physical evidence, and conspiracy to commit rape and each of the above crimes.<sup>41</sup>

**1/2017** Grace's older biological sister is reported to be 18 years old and her younger biological brother is 12 years old.

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**Renewed calls for legislative oversight and an independent Office of Child Advocate**

Grace Packers death, the near-death of children recently rescued in Dauphin County, sexual assaults and then death of a teenager within a publicly funded residential facility late last year have provided renewed calls for an independent Office of Child Advocate (or what some call an Ombudsman).

In 2000, legislation was first introduced to create an independent Office of Child Advocate.<sup>42</sup>

In 2002, an Advisory Committee on Services for Children and Youth – a committee authorized by the Pennsylvania General Assembly and

<sup>38</sup> Ibid.  
<sup>39</sup><http://www.buckscounty.org/government/RowOfficers/DistrictAttorney/NewsReleasesDA/2017/01/08/mother-boyfriend-charged-in-homicide-of-grace-packer-14>  
<sup>40</sup> Ibid.

<sup>41</sup><http://www.buckscounty.org/government/RowOfficers/DistrictAttorney/NewsReleasesDA/2017/01/08/mother-boyfriend-charged-in-homicide-of-grace-packer-14>  
<sup>42</sup><http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=1999&sind=0&body=H&type=B&bn=2822>

convened by the Joint State Government Commission – echoed the call for such an office.

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Since 2002, legislation to create an independent Child Advocate has been introduced and then stalled in the Pennsylvania House of Representatives. Republican Scott Petri's (R-Bucks) last version of the bill envisioned the independent office as housed within the Office of the Attorney General.<sup>43</sup>

In 2010, the Harrisburg Patriot News editorial board citing the "horrible" Kids-for-Cash scandal asked 'Children in trouble: What's happened to ombudsman's office?'<sup>44</sup> The editorial board framed the independent office as one that "would handle and investigate complaints related to abuses against children who are involved in government services and the justice system." They concluded, "Other states have realized they need a children's ombudsman office so abuses do not fall through the cracks. Pennsylvania should follow their lead."

In 2012, diverse stakeholders wrote to members of the Task Force on Child Protection:

*"The Sandusky case in and of itself provides sufficient evidence of the need for an independent Children's Advocate. Consider that in 1996 the biological mom and juvenile probation officer for one of Mr. Sandusky's eventually adopted sons repeatedly raised concerns about the placement of the child in the Sandusky home. As more red flags went up, they had nowhere to turn but the very system that was responsible for and satisfied with the child's placement. We also now know that young man was himself abused by Mr. Sandusky. Without an independent Children's Advocate, child victims like him - and all of Pennsylvania's children*

<sup>43</sup><http://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2011&slnd=0&body=h&type=b&bn=2302>

<sup>44</sup>[http://www.pennlive.com/editorials/index.ssf/2010/03/children\\_in\\_trouble\\_whats\\_happ.html](http://www.pennlive.com/editorials/index.ssf/2010/03/children_in_trouble_whats_happ.html)

*- remain without an impartial and empowered place to give voice to their concerns and to seek complaint resolution and oversight."*

This past fall as he announced the findings of a performance audit of Pennsylvania's child abuse reporting hotline – ChildLine – Auditor General Eugene DePasquale recommended appointment of "an independent child protection ombudsman, who would review complaints and would recommend system improvements."<sup>45</sup>

Until Pennsylvania steps up and creates an independent office dedicated to this state's most vulnerable children; there is added urgency for the Pennsylvania General Assembly to be more attentive to its oversight role as well as to provide a more visible bully pulpit for this state's abused and neglected children.

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Pennsylvania's Child Protective Services Law (CPSL) envisions that the General Assembly will do more than just pass laws. The CPSL, through Section § 6384, provides for legislative oversight stating<sup>46</sup>:

*"A committee of the Senate designated by the President Pro Tempore of the Senate and a committee of the House of Representatives designated by the Speaker of the House of Representatives, either jointly or separately, shall review the manner in which this chapter has been administered at the State and local level for the following purposes:*

1. *Providing information that will aid the General Assembly in its oversight responsibilities.*
2. *Enabling the General Assembly to determine whether the programs and*

<sup>45</sup> <http://www.paauditor.gov/press-releases/auditor-general-depasquale-says-audit-leads-to-major-changes-at-childline-helping-protect-more-at-risk-children>

<sup>46</sup><http://www.legis.state.pa.us/WU01/LI/LI/CT/PDF/23/23.PDF>

services mandated by this chapter are effectively meeting the goals of this chapter.

3. *Assisting the General Assembly in measuring the costs and benefits of this program and the effects and side-effects of mandated program services.*
4. *Permitting the General Assembly to determine whether the confidentiality of records mandated by this chapter is being maintained at the State and local level.*
5. *Providing information that will permit State and local program administrators to be held accountable for the administration of the programs mandated by this chapter."*

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### **Watson still pursuing Task Force on Opioid Abuse Epidemic's Impact on Infants and Children**

Pennsylvania's 2-year legislative session began earlier this month and state legislators are beginning to reveal their priorities for 2017-2018.

[Representative Kathy Watson \(R-Bucks\)](#), who will once again lead the Pennsylvania House Children and Youth Committee, remains steadfast in her pursuit of a Task Force on Opioid Abuse Epidemic's Impact on Infants and Children.<sup>47</sup>

Diverse stakeholders, mobilized by the Center for Children's Justice (C4CJ) in March 2016, called for such a task force.

Watson along with Senator Judy Schwank (D-Berks) have both publicly expressed concerns

<sup>47</sup><http://www.legis.state.pa.us/cfdocs/Legis/CSM/showM emoPublic.cfm?chamber=H&SPick=20170&cosponId=21854>

<sup>48</sup><http://www.post-gazette.com/local/city/2016/12/06/South-Side-couple->

about the growing impact of the opioid crisis on the children of Pennsylvania.

In addition to the death of Summer Chambers in Cambria County at the end of last year, media reports were numerous about the unrelenting and far-reaching impact of this crisis on the state's children.

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In Allegheny County, the parents of a 2-month-old boy who nearly died from what is being termed "methadone poisoning" were criminally charged.<sup>48</sup> The media reports both parents are prescribed Methadone. The father has to consume his at a Methadone Clinic; while the mother is able to take her Methadone home on the weekends.

Another couple was criminally charged in Northampton County. Both parents were reported, by the media, to have been found "unresponsive" and a 9-month-old was in the home at the time.<sup>49</sup> Police further reported that they "found garbage in all areas of the apartment, loose medication every few feet in each room, pills chopped down into powder and hypodermic needles on the floor and furniture; fruit flies swarmed in every room, and the baby's crib was found to be urine-soaked; bottles of food for the baby were curdled, and the baby was dirty and crying."<sup>50</sup>

Three children were rescued in late December in Dauphin County. The children – ages 4, 5, and 6 – were said to have been starved and imprisoned. Two of the children were living in the home, because their mother had a heroin addiction and had asked the male in the home (listed as the father on the birth certificate, but not the

[charged-after-2-month-old-overdoses-on-methadone/stories/201612060204](http://www.post-gazette.com/stories/201612060204)

<sup>49</sup>[http://www.lehighvalleylive.com/bethlehem/index.ssf/2016/12/baby\\_cries\\_in\\_filth\\_as\\_heroin.html#incart\\_river\\_index](http://www.lehighvalleylive.com/bethlehem/index.ssf/2016/12/baby_cries_in_filth_as_heroin.html#incart_river_index)

<sup>50</sup> Ibid.

children's biological father) to care for the children.<sup>51</sup>

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<sup>51</sup>[http://www.pennlive.com/news/2016/12/woman\\_bla\\_mes\\_her\\_heroin\\_use\\_fo.html](http://www.pennlive.com/news/2016/12/woman_bla_mes_her_heroin_use_fo.html)