

Lessons to be Learned from Autumn Hallow's Death

KSTP/Channel 5 deserves thanks for [this investigative report](#) on eight-year old Autumn Hallow's murder. KSTP is currently the only Minnesota newsroom or editorial page covering child protection issues other than one-off crime reports.

In brief, Sherburne County screened out Autumn's case despite knowing about repeated physical abuse of Autumn's brother and 31 visits by Elk River Police to the perpetrators. We believe child protection statutes clearly indicate that Autumn's situation should have been investigated. This illustrates the need to standardize child protection practices statewide.

The police never laid eyes on Autumn despite repeated visits and a chilling recording of Autumn screaming, nor did they document whether they shared that recording with child protection. This demonstrates the need for statewide protocols on how law enforcement should perform child welfare checks and cross-reporting to child protection.

Unfortunately, there is little momentum towards these much-needed improvements.

First of all, as we mentioned, we really want to thank KSTP Channel 5 news and reporter Eric Rasmussen for the incredible investment of resources they put into digging out and analyzing the documents on the Autumn Hallow case, interviewing experts, and putting together this excellent report.

Rasmussen documented a great deal more information than we had space to share in this short blog so we wanted to share and comment on at least some more of what he found in this podcast.

Some of the additional details of how Autumn's father and stepmother treated her are horrifying and difficult to say out loud. I personally struggle with every story like Autumn's. I have to find a way mentally to go through the details without being emotionally overwhelmed. In Autumn's case, they frequently tied her up in a sleeping bag, sometimes with her hands tied behind her back and left her in a room as punishment alone, for hours, for some supposed misbehavior. They starved her over a period of six months. The wounds that they found after she died included bleeding on the brain and in the abdomen and puncture wounds to the head. She was found half submerged in a bathtub, asphyxiated, which apparently means that the final cause of her death was that she was drowned.

The obvious question is whether child protection could have done more. Her brother, who was six, had been reported four times previously for child abuse or neglect. We are not using his name at the request of the KSTP reporter. Two of these reports were screened out, one was screened in and then redirected to Family Assessment, which if you have read any blogs before or are familiar with child welfare is a sort of "child protection light" program. One report was closed after two months despite detailed documentation including photos from a medical clinic of bruises from head to toe. Added to that was that there were 31 calls that the Elk River Police Department responded to about Autumn when she was in the custody of her father and stepfather. At this point child protection had determined that her younger brother should stay with the mother. It's not clear legally how this happened since the case never went to Family Court.

There were three other children in the household. We don't know if they were offspring of the current marriage or from Autumn's stepmother's previous marriage or a mix of both. According

to all the documentation, these children were not abused. This appears to be a case of scapegoating, which is a well-known abusive pattern in mixed households, and should have raised alarm bells with County child protection. This is another area where some basic social work skills, specifically some elementary knowledge about family dynamics, could have made a huge difference.

The only leverage that the mother had was through a 50-50 custody agreement that was determined in Family Court. Child protection issues are adjudicated in Juvenile Court. The mother was unable to get the custody agreement enforced in part because of Covid. The courts simply weren't having hearings. When the mother, increasingly frantically, asked child protection for help they asked her if she had evidence of abuse. Of course she didn't because she hadn't been able to see her child for six months! According to the mother, the child protection worker also chuckled and said "if the police can't get in the door I'm certainly not going to be able to".

It should be said that judges in Family Court don't have as many resources as they do in Juvenile Court, for example access to County attorneys. Nevertheless, a commonsense, ordinary-citizen question would be why the Family Court judge couldn't at least have picked up a phone and called child protection. If she had, she would probably have found out that there was, as stated in one case workers notes, "lots of child protection history". This might have prompted her to try to persuade child protection to take a closer look. She also might have held a virtual court hearing and insisted on seeing the child on the video or requiring the father and stepmother to physically produce the child to the court or child protection. Not all of this is a slam dunk legally. In order to get the father and stepmother to produce a child, she might've had to issue a warrant. Each step in this process might take days or a couple of weeks. But since Autumn was murdered slowly over ½ year, efforts like these might well have saved her life.

Another element that leaps out from reading transcripts of the interviews is the lack of interviewing skills by both the police and child protection worker. At one point, the caseworker asks Autumn's brother about what happened to him. He said he was punished by having Dawn soap put in his mouth, being forced to swallow it, and then being locked in the bathroom sometimes for days at a time, only being let out to go to school. In response the caseworker asked him "did you argue back?" to his father. I don't think there's any need to explain how basically cold and clueless that comment is and biased against the child and in favor of the parents. The police made similar errors. They simply asked the children if they had been abused and when the children said no they closed the case.

The state of Minnesota has, if I recall correctly, seven regional children's advocacy centers that are experts in forensic interviewing. This is a resource that the County should have used rather than relying on interviewers who, like child protection workers generally, apparently have not been trained in that work.

Overall, both the police and the County child protection workers determined there was no basis for intervening with Autumn because neither she or her brother said there was any abuse going on. Clearly the question was raised in the transcripts by their responses as to whether they had been coached and intimidated because they often responded with just muttering or saying a noncommittal mmmmm".

Of course neither Autumn nor her brother were going describe what they were going through. They were scared to death and worried that something even worse would happen to them if they disclosed what was going on at home.

Another step that could have saved Autumn's life would have been to open an investigation and interview the other three children in the household. After Autumn died they were interviewed and described the horrible punishments that the father and stepmother had visited on Autumn. If there had been a proper investigation, with fact-finding, which by the way many workers are no longer trained or expected to do, the county would've interviewed the other children in the household and discovered this extremely unsettling scene, again in time to save Autumn's life.

One might be tempted to think that this is a sad but isolated example of unskilled police and social work. However, as any review of recent child murders will show, counties throughout Minnesota and states throughout the country have developed a very strong pro-parent bias over the last several decades. The entire movement to have alternative response programs in states is based on the idea that if one tries to engage parents voluntarily in working with child protection they will respond and the relationship will be less confrontational. This of course has never worked out in practice. When asked the question of "would you like help in child protection", very few answer yes. But despite the evidence that this doesn't work, child welfare programs throughout the country persist in doing it. This is a product of resistance on both ends of the political spectrum to "interfere" in family life, driven by both liberal and conservative skepticism about government.

When we look back on recent child murders we see this pattern play out time and again. Around New Year's of this year three-year-old Melody Vang was murdered by her parents within days of being returned home from foster care by Ramsey County. Clearly the county was not on top of how dangerous the situation was and, as is so often true, were in a real hurry to get the children back home. In that case the landlord observed what was happening to the child and reported it to child protection, but the girl died 12 hours later and the County never responded in time.

Just last week 11-year-old Mason Weston was beaten to death by his mother's boyfriend who repeatedly slammed the boy's head against the wall in several different rooms. His mother said this was a quote "common form of discipline". As is usually the case, the county did not disclose whether there had been any contact with child protection. The reporter however did dig out the fact that the perpetrator had been convicted of malicious punishment of the child. The subsequent fatality review report, which the county should release by law, would disclose any prior child protection contacts.

Two year old Arianna Hunzicker was killed in 2017 but her situation resurfaced in the news this year because of a lawsuit brought by her grandparents. In this situation Hennepin County moved the girl from her grandparents and sent her to other relatives. The county ignored reports from family members that the couple that the child was placed with were unsafe. Grandparents are now suing the county and also Allina Health, where they alleged a doctor knew about how much the toddler was being abused but failed to take appropriate action. According to the lawsuit, Arianna "was starved, dehydrated, bound, immobilized and abandoned in a home littered in trash and smelling of urine". Her weight and height dropped and she ate rocks, pea gravel, dirt, paper, crayons and trash and became socially withdrawn, along with "countless other signs and symptoms of neglect and abuse."

Last year 18-month-old Layla Mary Ann Jackson was beaten to death by her foster father. She was an African-American child placed with a white supremacist. But, he was a relative! He videotaped her being taunted and wrote racist comments on her in magic marker, shared the videotape on the internet, and ultimately beat her to death.

Both Arianna and Layla were kinship placements, which points to another issue which is the pervasive lack of due diligence in kinship placement homes.

We could share many other similar examples. 47 children have been reported in the media as having been murdered at the hands of their parents or caregivers since the 2015 Governor's task force on child protection. There may be more, the stories don't always get reported. Many of these deaths follow the same pattern of ignoring obvious signs of abuse, returning children to unvetted and unsafe bio homes, deliberately not doing any fact-finding, and giving more weight to the reports of parents or caregivers over caseworker observations or outside reports.

As we have said many times, children are treated differently from victims of other forms of abuse. One would never expect in a domestic violence situation that police would accept the alleged perpetrator refusing to let them speak to the victim, as happened with Autumn. And in a domestic violence or #MeToo situation, one would never allow the victim to be alone with the alleged perpetrator to coach and intimidate them about what to say before the investigation occurred. The same is true for example of bullying in school. We have to keep asking why it is that children are given so much less protection than any other group in society.

As we have talked about in other podcasts and blogs, we believe the answer to this is partly that child welfare is in thrall to alternative response programs, which are based on what is essentially an ideology that is not backed up by any empirical evidence. This is compounded by the fact that there is little practical means to hold child welfare programs accountable for poor practice. This is partly because court decisions have raised the bar so high for demonstrating malpractice that in practical terms counties and caseworkers can never be sued successfully. It is also because child welfare does not have a tradition of having practices be driven by research, but instead has a history of moving from one untested theory to another.

There is no quick fix to prevent what happened to Autumn Hallow and the other children we have mentioned today from happening to other children. The effort to professionalize child welfare, get it to the point where it follows findings from proper research, and implements basic continuous quality improvement programs will no doubt take a long time. But it is an effort well worth undertaking.