

Nine Charged in Disabled Teen's Death

Social workers suspected of falsifying home visit and progress report records

The Associated Press August 2, 2008

PHILADELPHIA (Aug. 1) -- For days before Danieal Kelly died in a fetid, airless room — made stifling hot by a midsummer heat wave — the bedridden teenager begged for something to drink until she could muster only one word: water.



Girl Died From Neglect, Report Says
Prosecutors have charged the mother and four social workers in the death of a 14-year-old disabled girl who authorities say wasted away from neglect. Four other people also face charges in the death of Danieal Kelly, here in an undated photo.

Unable to help herself because of her cerebral palsy, she wasted away from malnutrition and maggot-infested bedsores that ate her flesh. She died alone on a putrid mattress in her mother's home, the floor covered in feces. She was 14 but weighed just 42 pounds.

The nightmare of forced starvation and infection that killed Danieal while she was under the protection of the city's human services agency is documented in a 258-page grand jury report

released this week that charges nine people — her parents, four social workers and three family friends — in her ghastly death.

The report describes a mother, Andrea Kelly, who was embarrassed by her disabled daughter and didn't want to touch her, take her out in public, change her diapers or make sure she had enough fluids. It portrays Daniel Kelly, the father who once had custody of Danieal, as having no interest in raising her.

And it accuses the city Department of Human Services of being "uncaring and incompetent." "It was this indifference that helped kill Danieal Kelly," an angry District Attorney Lynne Abraham said. "How is it possible for this to have happened?"

The report should "outrage the entire Philadelphia community" and bring about "earth-shattering, cataclysmic changes" at the Department of Human Services, Abraham said.

Andrea Kelly, 39, the only defendant charged with murder, was ordered held Friday without bail. The social workers — suspected of falsifying home visits and progress reports in the case — face charges ranging from child endangerment to involuntary manslaughter. The family friends are accused of lying to the grand jury about the girl's condition before her death.

None of the lawyers for any of the defendants had any immediate comment.

Human Services Commissioner Anne Marie Ambrose, in office only a month, said Thursday

that she is intent on improving child safety and worker accountability in an agency that has repeatedly been accused of failing to protect children.

Late Friday, the city announced the resignation of Assistant Health Commissioner Carmen Paris. The grand jury had accused Paris of interfering in the investigation of the girl's death while she was acting health commissioner, but found insufficient evidence to charge her with obstruction of justice.

The report on Danieal's death in August 2006 documents a downward spiral from the early years that she spent in Arizona with her father and his girlfriend.

Though Danieal attended special-needs classes only sporadically, a school report described her as an active learner and "one of the sweetest students ever enrolled in this program." But allegations of parental neglect soon surfaced, and following Daniel Kelly's breakup with his girlfriend in 2001, Danieal never again attended school.

Daniel Kelly and his children moved to Philadelphia in 2003. He eventually asked his estranged wife to move in, even though she had several other children and he knew she was incapable of caring for Danieal, authorities say. He then moved out.

"Daniel Kelly was well aware what deserting his daughter meant to her safety and welfare," the grand jury report said. "He just did not care."

The Department of Human Services received at least five reports of Danieal being mistreated between 2003 and 2005. All described a "helpless child sitting unattended, unkempt and unwashed, in a small stroller in her own urine and feces," her screams ignored by her mother, the grand jury report said. The stroller, which served as a wheelchair, apparently never left the house.

Agency employee Dana Poindexter, assigned to investigate, also ignored Danieal, authorities say. Already having been suspended after a 3-week-old baby died on his watch in 2002, Poindexter continued his "slovenly, neglectful and

dangerously reckless work habits" after being assigned the Kelly case, the grand jury said. He did not file a single report, authorities said.

The Kellys finally were assigned help from a private agency in 2005. Employee Julius Murray was required to visit the family twice a week, but authorities believe he may have come to the house only once — to have Andrea Kelly sign predated forms attesting to future visits.

The grand jury report said Laura Sommerer, a city social worker, failed to hold the now-defunct company accountable when, months later, Danieal still was not enrolled in school or receiving medical care.

And after Danieal died, authorities say, company director Mickal Kamuvaka held a "forgery fest" in her office where she had employees "concoct almost a year's worth of false progress reports." But authorities say Andrea Kelly, whose other children are now in foster care, is primarily responsible for her daughter's death.

The report said she was confronted repeatedly by her own mother, uncle, friends and even two of her sons about Danieal's deteriorating health. She would lie or put them off by saying she would seek help, or banish them from the house, authorities say.

In the meantime, the report said, she entertained friends, attended classes and fed her other children. "This behavior indicates that Andrea Kelly did not merely allow Danieal to die," the report said. "She may have even wanted her disabled daughter to die."

When an ambulance responded to a 911 call for Danieal on Aug. 4, 2006, the girl had been dead for several hours. Authorities said she was so emaciated she looked like the victim of a concentration camp.

She had been lying on the filthy mattress for so long that her body outline was imprinted on it.