



May 1, 2008

## When a system fails a child

It is difficult to comprehend which phenomena is more astounding: the courage of a girl who alleged rape and assaults by a teacher in a Putnam Valley classroom, and the tenacity of her father over seven years to see justice on her behalf; or the ineptitude, callous indifference and other wrongful conduct of adults in the Putnam Valley education system, the Putnam Sheriff's Office and the county District Attorney's Office. Each of those institutions failed the daughter, her father and society at large, based on a state Commission of Investigation report that should be required reading for those charged with protecting the interests of children.

As the panel makes plain, every protection in place to ensure that allegations of child abuse and sexual assault are taken seriously, that they are investigated properly and thoroughly, and that the civil rights of the accuser and the accused are safeguarded, were thoroughly corrupted in the Putnam Valley matter, which is also the subject of a \$17 million federal lawsuit brought by the girl's family against the teacher and school district. The findings of the independent panel are instructive to understanding what went wrong in Putnam Valley, which is basically everything, but of interest elsewhere, inasmuch as other officials in other school districts in recent years also have failed to discharge their obligation to act. The story of Laura Bliss serves as a cautionary tale in how not to respond in a crisis.

## A failure to act

In 2001, Laura Bliss was in seventh grade at Putnam Valley Middle School. It is worth highlighting that the girl, and her father, Peter Bliss, have never shied from identifying themselves, believing strongly that they had done nothing wrong and had nothing to hide. They strongly believed that longtime social studies teacher Dennis Tave did. Laura Bliss claimed Tave sexually assaulted her in February 2001 and that inappropriate sexual advances by Tave continued until 2003, according to a complaint filed in U.S. District Court in White Plains in December 2006. After seeking assistance from the Putnam Valley school district, the Putnam Sheriff's Department and the county District Attorney's Office starting in 2003, the Bliss family complained to former Gov. George Pataki that the three agencies failed to adequately and properly investigate, prosecute or otherwise address the alleged sexual assault. Pataki referred the matter to the state Commission of Investigation, which has broad statutory powers to investigate the conduct of public officers, public employees and government mismanagement. In a scathing report released Tuesday, the commission found "significant failures by various law enforcement and school officials negatively impacted the effectiveness of the investigation into this matter." Among the findings:

- The Sheriff's Department investigator who took charge of the case, Detective Sgt. Donald Killarney, should have referred it to the department's designated sex-crimes investigators. He failed to conduct a proper investigation and, in fact, "abdicated his responsibility to investigate the case." No criminal charges were filed.
- The District Attorney's Office and Sheriff's Department failed to refer the alleged victim to the Putnam County Child Advocacy Center, as required by a local inter-agency agreement.
- The assistant district attorney assigned to the case, Makaria Gallagher, failed to take steps to aggressively pursue the investigation despite "her awareness that the Sheriff's Department

investigator had failed to conduct an adequate investigation."

- A private meeting between the middle school principal, Edward Hallisey, and the accused teacher, Tave, constituted a serious conflict of interest.
- The principal made inappropriate comments to the school staff about how to treat the teacher and the female student.
- Hallisey failed to respond appropriately to other female students' allegations that the teacher had made inappropriate sexual comments and had acted in other inappropriate ways with them. Tave retired, effective July 2004, before the school district completed its investigation.

## An improper alliance

The commission concluded that Hallisey, still the middle school principal, had "allied himself with the teacher." He also improperly handled a request by a gym teacher and friend of Tave to see the girl's personal file, said the report. Hallisey also told his teaching staff that "to exonerate [the Teacher] we have to trash [the girl]; to exonerate [the girl], [the Teacher] gets trashed." The commission did not buy Hallisey's explanation that he was merely trying to communicate that his staff shouldn't speak to the media. "His choice of words reflected his loyalty to the Teacher, and his lack of concern for the student."

His wrongful conduct, as set forth in the report, calls into serious question whether Hallisey should continue as principal; the school district and state Education Department, which certifies teachers and administrators, should give careful study to the findings. An independent investigation into possible criminal conduct by school and law enforcement personnel related to the Bliss case also should be conducted - including assessing whether teachers and administrators who suspected or knew of abuse allegations by Putnam Valley students properly reported those allegations to the state. In recent years, teachers and administrators in some half-dozen area school districts have faced official scrutiny for failing to follow abuse-reporting mandates. That has to end. And the Putnam's Sheriff's Department and District Attorney's Office should study the report and its recommended protocols as well. They, too, share blame for the bungled case. "The handling of this case was completely unacceptable, and, as a result, we may never know what occurred in the classroom that day," Commission Chairman Alfred D. Lerner told staff writer Diana Costello.

That is a disgrace.

A Journal News editorial

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