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The Boston Broadside™

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CHILDREN 'GRABBED' DURING SCHOOL: DCF STRIKES AGAIN



Dr. Anthony Tolentino and his wife Stella sit with empty children's seats at their dining room table

EAST FALMOUTH GRANDPARENTS FACE EMPTY SEATS AS DCF TAKES CHILDREN WITH NO NOTICE

page 3

by Lonnie Brennan

Read it ONLY in the BOSTON BROADSIDE Mass. Pols Push Devious, Backdoor Approach to Award Driver's Licenses to Illegal Aliens No Hearings, No Input from Citizens

by Ted Tripp
Political Reporter

Just when you thought our state government couldn't any get worse ... it gets worse.

Readers of the Boston Broadside know we have kept you up to date on House Bill H.2985, which would allow illegal aliens driver's licenses and learner's permits. We last reported that it was supposed to be voted up or down in the Joint Committee on Transportation on May 16th, but nothing happened. Now we know why.

But first let's review some background in-

formation. The state has been under a federal mandate for years to enhance the security of its driver's licenses to make them more difficult to obtain fraudulently or counterfeit. This is because Congress passed legislation in 2005, called the REAL ID Act, as a result of the 9/11 terrorist attack and the fact that the hijackers who commandeered the planes had over 20 phony ID's in their possession. All states are required to meet the new standard. Massachusetts has been granted an extension until this

October and is unlikely to be granted another extension without showing some progress.

After October, if you do not have a REAL ID compliant license, you will not be able to use it as ID to get on an airplane or enter a federal building. This will be a huge inconvenience for the flying public.

So Mass. is under the gun to do

something to make its licenses more secure while trying to satisfy a vocal minority (even in the Legislature) who want to give driver's licenses to illegal aliens - which, of course, makes them much LESS secure as identification.

Enter Governor Charlie Baker. Last fall he proposed H.3814, which

Drivers Licenses for Illegals, page 5



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DIVORCE, CUSTODY BATTLE, BLOODY NOSE, ARRESTS, PROBATION, LAWYERS, JUDGES, and Two Sisters - 14 and 11 - 'GRABBED' BY DCF - No, Not a Movie. A Real-Life Nightmare.

by Lonnie Brennan

"My granddaughters are the sweetest, smartest, cutest kids in the world," Stella Tolentino explained as she showed photos of her blonde-haired granddaughters, Summer (age 11) and Brooke (age 14).

But now, the children's temporary bedrooms for three months in their grandparent's pristine home in East Falmouth sit empty - with only school report cards (Brooke got 9 As), award certificates, and small belongings remaining after government employees working for the Department of Children and Families (DCF) took the children away.

"The DCF case worker, **Brian Gordon**, he called us and told me that they [DCF] grabbed the kids. That's his word - grabbed," the children's grandfather, Dr. Anthony Tolentino, explained.

Flashback - First Taking

"That's where they used to sit, the two of them," Dr. Tolentino said as he pointed to the empty seats at the dining room table. "It's heartbreaking."

The grandparents related how their daughter Ginamarie had undergone a difficult divorce from her now ex-husband, Kurt E. Mueller, Jr., and how she had been "continuously pulled into court,"

as Kurt Mueller had and is still trying to build a case to obtain full-custody of the children.

Dr. Tolentino went on, "the father has accused Gina of turning the kids against him. The judge said that you have to go to visitation with your father, and the kids refused. They don't want to go. They're afraid of him. And the judge said that at the next hearing, if you refuse to go, well, that's when he threatened to put them into a foster home."

The children did refuse, and that's when Barnstable Court Judge Robert Scandurra took the children away from the mother and gave the girls to DCF.

"They told me to bring them [my daughters] to court," Ginamarie Tolentino explained about the first taking of her children. "I was really nervous and scared. First, they put them with a probation officer in a room for hours. And they were hungry, they were tired, they were like, it was almost like interrogation. They didn't get to see anybody," the mother related.



Neighborhood view



Entry to grandparent's driveway

"And it was sneaky the way they did it, because they had me in a room with them and my lawyer, and they [the court officer] said they wanted to hear them [the kids] directly, and she started asking them several questions, and they [the kids] continued to say the same things, that they don't want to go back with him [the father]."

Ginamarie continued to explain how, at one point, her lawyer [court-appointed at the time] suggested that they exit the room to show a good-faith effort to the court that the mother wasn't influencing the kids' answers. Shortly after that, she said the children were taken into DCF custody.

"Five officers took them. They swooped into the room and just took them," the mother said.

She alerted her parents who were in Florida at the time and they immediately returned home and filed to become foster parents so that the children could remain with family members, not strangers, while their daughter and her ex-husband worked things out

with the courts.

The children spent three days in a foster home before being temporarily released to the grandparents.

According to court documents, the children had stated that they would rather go to DCF than go back to their father.

Second Taking

After the children had spent approximately three months with their grandparents, Dr. Tolentino stated that the father worked with DCF to maneuver their daughter, him and his wife into court, and while they were at court, that's when the kids were "grabbed."

"We thought it was just another day in court," Dr. Tolentino related, almost numb to the number of times over the past seven-plus years he and his wife have accompanied their daughter to court, as he glanced over at the overflow from just one of several boxes filled with lawyer filings, court orders and arrest records.

Stella Tolentino

related how in court, representatives from DCF "kept saying things about how they were told we let Gina see the children more than she should, and we said, no, show us the proof. We wouldn't violate any of these rules. We care too much for Summer and Brooke. At one point, it was clear they didn't have any proof. Just words. Nothing. They were just making it up as they went along."

Stella went on, "Then one of them [lawyers for DCF] stood up and said that our house didn't pass inspection, but wouldn't tell us why, or how. It makes no sense. No sense," she said as she raised her arms to point out the surroundings. (While property values fluctuate over time, her pristinely maintained home and grounds located adjacent to Hamblin Pond near Seconsett Island in Waquoit Bay is valued in the \$900,000 plus range according to multiple independent sources).

The family was informed that the children would be taken at school. The decision apparently already made, as the children's father and his lawyer sat alongside the DCF officials in court.

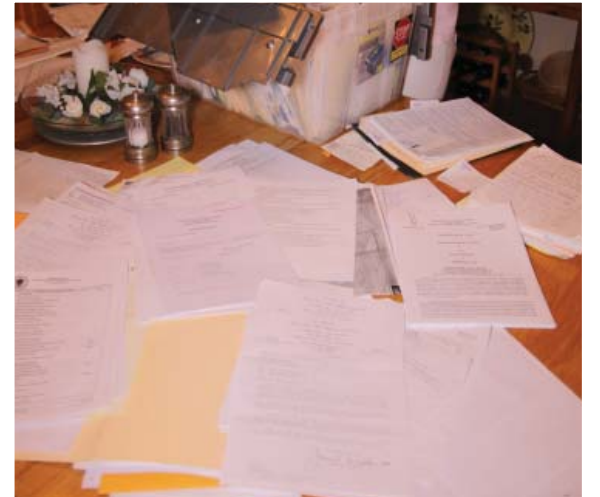
Dr. Tolentino and his wife left the courthouse and went to the school administrator and were given permission to leave a note for the children. They were not allowed to say goodbye; they were not allowed to see the children. Dr. Tolentino received a phone call from DCF case worker **Brian Gordon** telling him that the kids were "grabbed" at school, and that he and his wife needed to put all the kids' belongings into bags and have the stuff ready for pickup by DCF.

"He's a satanic zombie; that's what I think of [DCF case worker] **Brian Gordon**," Dr. Tolentino said. "He doesn't show any emotion. None of them do. What amount of money could lead them to take the children away from their family and shuffle them around?"

According to state salary information, **Brian Gordon** holds the title of Social Worker at DCF with a base salary of \$50,389. Reached by telephone, he declined comment on this or any case and said he could not comment on any policy, even general, nor anything to do with DCF in any way. DCF Program Manager **Elizabeth "Betsy" McDonnell** (\$91,836.00) had a cheerful outgoing voice mail answering system, but no return call was made by her to our inquiries. Area Program Manager **Megan Winter** (\$78,000) said that she is "not allowed" to discuss anything about DCF in any way and said that a prior message left on her voice mail was referred to public relations and they are aware of the inquiry and they are the only people who speak on any issue. The phone hasn't rung.

A Smuggled Note

"I just can't believe this is happening to them," Dr. Tolentino said as he looked over at a picture of his grandchildren. "If this can happen here, this could happen to anyone. This is wrong. Those

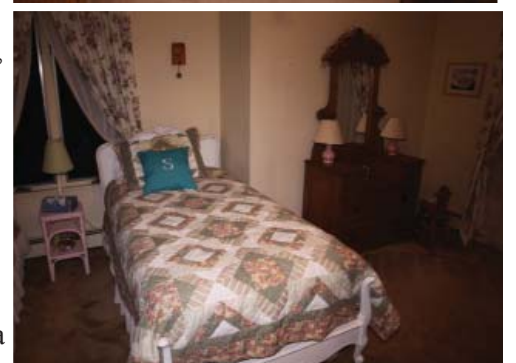


A sampling of court documents

girls, they're crying. They don't want this. They smuggled out a note [to tell us what was going on]."

On June 20, 2016, the oldest child, Brooke, wrote a multi-page letter to her mother which she managed to get a classmate to deliver in confidence. In the letter, Brooke explains how she is writing during school while watching a movie, "so I am safe and this stays confidential. I will deliver it to you through [name redacted by Boston Broadside]."

Brooke explained how they had to stay in Fall River, and were well taken care of by very nice people [names redacted by Boston Broadside], but didn't like the extra hour back and forth to school. It was a temporary placement. The children were subsequently moved closer to home in their next of at least five foster placements the grandparents believe. Brooke also noted how DCF "lied" to the foster parents saying that this was an "emergency placement" for the children's safety.

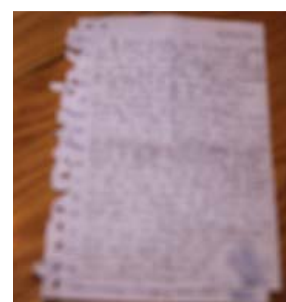


Empty bedrooms after children taken away

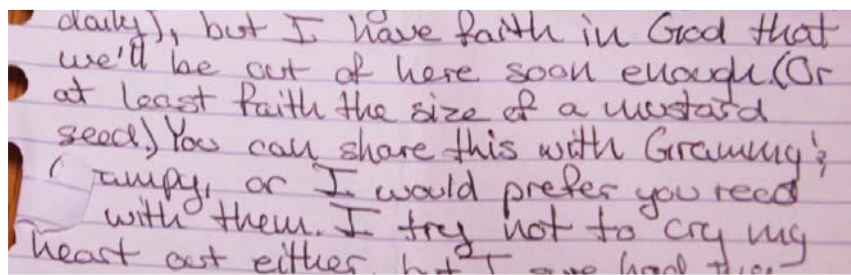
Unlike having their own separate rooms in their grandparents' home,

Brooke wrote that she was now sharing a queen-size bed with her 11-year old sister. She added: "no way around this one. Their [foster] house is A MESS. I decided against putting it lightly."

But Brooke urged



Smuggled note (blurred by Broadside to protect privacy of individuals cited).



Portion of multi-page smuggled note from Brooke, written in secrecy, in a rush during a movie ("another movie") being shown in school.

continued from page 3

her mom: "DO NOT worry about us. We are being fed, clothed, housed & taken care of."

Brooke went on about what she termed as a pattern of lies by DCF staff and by one of the foster families regarding various things, including phone time and emergency placements and other regulations imposed on her and her sister.

"She [DCF case worker] deliberately (sic) flat-out lied to us. DCF even tried to back her up..." Brooke wrote as she briefed her mother on what she saw as the passing of the buck and sometimes backing-up of one another in lies (DCF workers and foster providers). She also revealed how someone forced her sister, Summer, to turn over her e-mail password, and how Brooke was then confronted about e-mails. (DCF confiscated the children's electronics, including an Apple Ipad and other items given to the children by the grandparents, to prevent any further communications with the children's mother. The devices were finally returned to the mother, but one was locked out, and the other she said also appears tampered with.)

In her letter, the 14-year-old Brooke shared: "I have faith in God that we'll be out of here soon enough." She urged her mother to share her letter with "Grammy and Grampy, or I would prefer you read with them. I try not to cry my heart out either, but I sure had big moments in guidance these past few days. But it just reminds me how nice everyone here [at school] is to me - my friends with no CLUE what I've been going through, and my teachers who probably know something's up..."

She concludes the letter promising to write again, but unsure how to get any communications to her mother or grandparents once school ends in a few days. (No other letters were received since that date, and at least one letter that Brooke references that should have been received from her sister also did not make it to the mother). Brooke concluded: "We are fine, but continue to keep us in your prayers (as always)."

The Feud

There's an old saying that goes "they say there are two sides to every story, and you never know the truth, until you've listened to the lies from both sides."

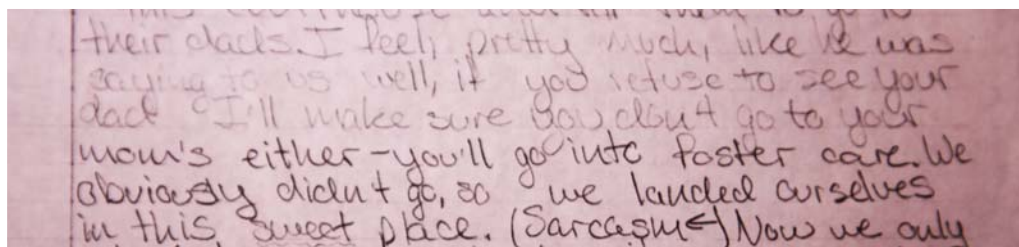
The mother has stated repeatedly that the father will not stop until she is penniless, homeless, and without the children. She said it was his last pledge to her that he would destroy her, her finances, her credibility, and leave her without her children.

A review of just a few of the many, many pounds of paperwork - court filings, police reports, various lawyer and court-appointed personnel and other documents would make one think that the father and mother are both saints and both devils. Both have, through their attorneys, filed for sole legal custody of the children, and each has pointed out the failings of the other, sometimes quite acrimoniously.

Past interviews by court appointed personnel, police officers, and other documents showcase a seemingly never-ending story of good and bad events,

with the children always at the center, and a common theme: a mother requesting health, medical,

and orthodontic (braces) support for her children; a father accusing the mother of controlling the children and of trying to poison the children away from him.



Portion of letter from Summer, pleading for release from DCF

In a two-page, handwritten letter dated March 15, 2016, which Summer wrote to anybody who would spread the word, in the hopes that it would be circulated and would explain the ongoing family problems, she said in part that her parents divorced in 2009, and they're still going to court constantly. "All I know is my dad keeps dragging my poor mom there..." she wrote.

In the letter, she points to problems with the father that she says no one else sees: "Basically, my father has been abusing us - me and my sister, not just physically but mentally, and we stopped going there."

Regarding the court incident where she and her sister were taken from their mother: "...we were told to go to our dad. ON OUR OWN, WE SAID NO! I am sorry I'm getting mad, but I can't take it..."

She concludes her letter with "PLEASE, IF THERE'S ANYTHING YOU CAN DO TO HELP ME SEE MY MOM FASTER, contact ME! PLEASE! I know this is from me and may seem biased, but I love my mother and SHE HAS DONE NOTHING WRONG!"

Where from Here?

"I just wanted to get away from him," Ginamarie said about the divorce which was granted in 2009. "I just wanted my kids to be safe."

She acknowledged, "Am I stressed? Am I losing sleep? How can I rest? How can I sleep when I don't know where they are? Yes, I'm exhausted. I'm trying to work, I'm trying to go on, I keep saying that the Lord will re-unite us and they will be fine."

"My last phone call ... they were yelling for me to get them out of there [a foster home with an unmarried woman]. They were screaming. There was a struggle for the phone and the line went dead. That's the last I've heard from them. I filed a 51A [incident report] with DCF and they said they moved them, but I don't even know what town they are in," she said.

Alienation vs. Abuse?

The basic question remains: what is best for the children?

Is DCF justified in "grabbing" the children away from their grandparents because the father has charged that the mother is alienating the kids away from him? And what is a mother to do, when no one believes her, including a court-appointed attorney? (On Nov. 24, 2015, her court-appointed attorney Lisa M. MacKenzie, stating in part that the mother would not follow her advice, legal opinion and strategy, and citing a complete breakdown in communica-

tion with the mother, withdrew from the case.)

Three days later, The Falmouth Enterprise newspaper, on page 10 of its November 27, 2015 edition, printed one sentence in the police log about the arrest of Kurt E. Mueller Jr. "on a warrant out of Falmouth District Court for assault and battery." The paper apparently neglected to note it was assault and battery against a minor.

According to court documents, following what was termed "physical contact with Summer and the bloody nose

of Summer, on November 19, 2015," the Falmouth Police "sought a warrant for your arrest through the Falmouth District Court." That arrest resulted in arraignment before the Court "on two (2) counts of Assault and Battery under Docket Number 1589 CR 2177, pursuant to G.L. c.265, 13A, with the victims being "your children, your daughter, Brooke Mueller, and your daughter, Summer Mueller."

After the incident, the children refused to visit the father. The father filed a Contempt of Court order against the mother for denying the father's visitation rights. The father also filed a motion for Temporary Orders and asked the court to "Grant the Father sole legal and physical custody of the children, and suspend child support payments from the Father to the Mother," amongst other demands. Judge Scandurra denied that motion. According to the mother, she received approximately \$60 per week for the two children in child support payments. All payments were terminated when the children entered foster care.

A series of court filings and appearances continued for months, including the taking of the children by Judge Scandurra and DCF. The father's submissions to the court states in part that "I believe that my Wife will not stop until I am destroyed financially, in jail and totally alienated from my children. She has no understanding of what her lies and outrageous allegations have cost me." He concludes that "Since this divorce has been pending, I believe that my Wife has violated multiple court orders and I believe that no safeguards can be put in place that will protect my children except for their removal from her to me."

The children were in part vindicated on May 19, 2016, when Kurt Mueller received a one year probation sentence for the assault charges.

Out-numbered. Out-financed. Out-maneuvered?

Despite a history of his arrests, including the documented assault and an approximately now 6-year old driving under the influence charge documented in The Falmouth Enterprise (citing excessive speed, possession of an open container of alcohol, etc., and resulting in 45 days loss of his driver's license), and other incidents, the father is pressing forward for full-custody of the children with a July court date currently targeted.

Ginamarie remains resolute on one item: "A long time ago I followed one lawyer's advice to calm him down [the father] and give him full custody

for four months - I only saw them on Wednesdays and every-other weekend. It was a horrible mistake. It took me 18 months to get back 50:50 custody - not four [months] - and it didn't calm things down. And, they [the girls] were really, really mad at me for giving in. I made a horrible mistake. I can't do that again. I can't. I can't stand before the Lord and say I gave them to him to be abused. I can't do that."

"What's very amazing to me is that I have learned from this whole experience that everybody is so scared of DCF: the teachers, everybody. And they will do exactly [as told by DCF] even if they don't think it's right," the mother explained. "My daughters aren't allowed to contact us. They're literally like prisoners, of the worst kind. I mean, prisoners in prison have way more rights: they can make phone calls, have visitors..."

She said DCF wasn't helping. They were punishing Summer and Brooke. She said her children need to be listened to and respected, and she admitted that the years and years of legal battles continue to wear her down. ♦

Note: The following numbers are provided for the reader's convenience should you have a comment to share with elected officials:

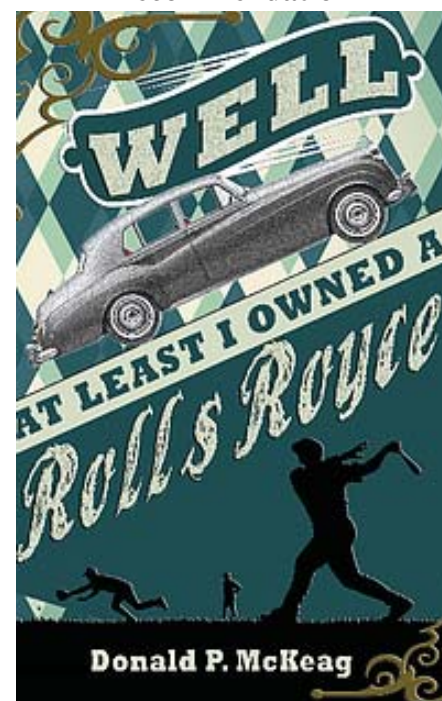
Republican Gov. Charlie Baker:
617.725.4005

Barnstable Democrat State Rep. David Vieira:
617-722-2230
David.Vieira@mahouse.gov

If you would like to send an appropriate note to the family, please send it care of The Boston Broadside, P.O. Box 4200, Peabody, MA 01961.

IF YOU KNOW WHERE THE CHILDREN ARE BEING HELD HOSTAGE PLEASE CONTACT THE BROADSIDE: 978-352-6800!

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