

City Settles With Disabled People Fraudulently Adopted in '90s and Abused

By Benjamin Weiser

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In a 1990s-era case that has been seen as a colossal breakdown in the city's foster care system, New York City will pay \$9.7 million to settle a lawsuit filed on behalf of 10 disabled people who were fraudulently adopted as children by a Queens woman more than 15 years ago and were subjected to years of abuse.

The woman, Judith Leekin, 67, was arrested in 2007 in Florida, where she had moved with the children. She was later convicted of fraud and abuse charges and is serving a long prison sentence.

The settlement resolves only claims against the city, which had placed two of the children with Ms. Leekin through a city-run adoption unit. The other eight children were placed with her through three private adoption agencies that had contracts with the city. A lawsuit against those agencies is still pending.

Prosecutors had charged that Ms. Leekin used aliases when adopting the children and collected \$1.68 million in subsidies from New York, which she used to support a lavish lifestyle. The children, who had physical or developmental disabilities, including autism and retardation, were restrained with plastic ties and handcuffs, and beaten with sticks and hangers, court papers show.

"Judith Leekin's extraordinary criminal scheme was unprecedented," Bruce M. Strikowsky, a lawyer whose firm represented the city, said Thursday. "Though the city had strong legal defenses, this settlement will benefit those harmed most by Leekin — the children she abused. They have been, and continue to be, the city's primary concern."

A spokesman for the Administration for Children's Services added, "There are much more sophisticated systems in place today that would never allow this kind of fraud to be perpetrated on the city or our children."



Judith Leekin, in court in 2007, beat disabled children. Matthew Ratajczak/Scripps Treasure
Coast Newspapers, via Associated Press

A lawyer for the plaintiffs, Theodore Babbitt, wrote in a letter to the federal judge overseeing the case, Eric N. Vitaliano, that the settling parties “believe that the settlement is fair and reasonable under the circumstances.” The suit was filed in 2009 and was vigorously contested.

Another lawyer for the plaintiffs, Howard M. Talenfeld, said the settlement came at “a crucial time” for the former Leekin children, who are now mostly in their 20s. A few of them, for example, are homeless, he said. Because of the precariousness of the plaintiffs’ situation, Mr. Talenfeld added, trusts or structured settlements will be used, to ensure they “will have resources to protect them in the future.”

The city admitted no wrongdoing in the settlement, which is described in more than 500 pages of documents filed in United States District Court in Brooklyn. The amount, which was redacted in the court documents, was provided by an official with the city’s Law Department. The official said \$6 million was designated for the two plaintiffs whom the city placed directly with Ms. Leekin, in 1988. The remaining funds are to be distributed to the other eight plaintiffs.

All 10 had sued the city for its role in overseeing the system that allowed them to be placed with Ms. Leekin.

After they were removed from Ms. Leekin’s care in 2007, about half of the plaintiffs, none of whom had completed elementary school, were declared “totally incapacitated” or “vulnerable adults,” according to a report by Peg McCartt Hess, a former Columbia University social work professor who was retained by the plaintiffs to review the cases.

The two children whom the city placed with Ms. Leekin are cited in the report as J. G., a man who is now 28, and L. J., a woman who is now 32. J. G. was described as moderately retarded and legally blind when he was removed from the Leekin home; L. J. was found to be retarded and autistic.

The agency defendants are SCO Family of Services, HeartShare Human Services of New York and St. Joseph Services for Children and Families, which is now closed. The city and the agencies had denied liability, arguing that Ms. Leekin’s was a sophisticated fraud that would not have been foreseen or detected, given the capabilities and practices of the time. Lawyers for the agencies did not respond to messages seeking comment on Thursday.

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