

# Litany of injuries opens child-abuse hearing

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Charlenni Ferreira suffered so many injuries that an assistant medical examiner needed more than half an hour to catalog them during a preliminary hearing yesterday.

With the aid of gruesome autopsy photos and a collection of X-rays, the doctor methodically detailed the 10-year-old's wounds, from the fracture on the top of her skull to the bruising down her leg.

"She has to be in heaven, she has to be an angel, because her life on Earth was a living hell," said Municipal Court Judge Patrick F. Dugan.

The hearing provided the first public airing of evidence in what police officials have called the worst case of child abuse they have seen.

At the conclusion, Dugan ordered Charlenni's stepmother, Margarita Garabito, 43, of Feltonville, held for trial on murder and related charges in the girl's death.

Assistant District Attorney James Berardinelli said that prosecutors could decide to seek the death penalty against Garabito.

A trial also could shed more light on how Charlenni's condition went unnoticed, despite her regular contact with friends and neighbors, teachers, and nurses, and a September visit to a family doctor who pronounced her healthy enough for all normal activities.

"Basically, a lot of people failed this child," Dugan said. "Family, doctors, any agency in this child's life who didn't stand up and holler, 'This child needs help.' "

Charlenni died Oct. 21 from an infection caused by untreated broken ribs, nine days shy of her 11th birthday.

Her left lung had filled with a thick fluid and collapsed, and she would have been in pain every time she breathed, said Cindy Christian, a pediatrician and child-abuse specialist at Children's Hospital of Philadelphia.

Christian called many of Charlenni's injuries "significant" and "extraordinary," particularly a gash on her head that was seven inches long and four inches wide. That injury had been stuffed with cotton and concealed under a hair weave.

"It's a remarkable wound. I don't recall seeing a wound like that in the 25 years of work I've done," Christian said. "She got bashed on the top of her head hard enough to open the scalp down to the skull, fracture the skull . . . and causing underlying brain injury."

Because of the scar tissue on her scalp and the weave, Charlenni had lost nearly all of her hair.

She also had bone deformities on her hip and arm from past trauma, five ribs broken at different times, bruising on her back, an arm, and a leg, a cauliflower ear from beatings, and fractures to her thumb and pinkie finger described as "defensive wounds."

Charlenni's shoulder blade also was fractured. "Unless you've been in high, significant trauma, you don't just break your shoulder blade," Christian said.

In interviews with detectives, Garabito admitted hitting Charlenni on top of the head with a metal broomstick and said she had been beating the girl for more than a year, said Detective Norma Serrano.

"I would hit her with a broomstick, but nothing to kill her," Garabito said, according to her statement to police, which she gave in Spanish and was translated to English.

Garabito, dressed in a gray sweat suit and seated next to a translator, showed little emotion throughout the hearing yesterday.

Her attorney, Barbara A. McDermott, cast blame for Charleni's death on the girl's father, Domingo Ferreira. McDermott said her client was "living in fear" of him.

Domingo Ferreira, 53, was charged along with Garabito, but hanged himself in his jail cell shortly after his arrest.

"In fact, my client was the individual . . . who took steps to protect this child," McDermott said. "She was a loving and concerned parent."

Charleni also suffered sexual-abuse injuries, which McDermott said her client could not have caused. In addition to Domingo Ferreira, Garabito's two teenage sons lived in the family's Feltonville home at the time of Charleni's death.

DNA was taken from Charleni's body, and Domingo Ferreira and Garabito's sons all gave samples. The test results did not provide enough evidence to lodge any sex charges, police said last month.

"This is just the beginning of the case," McDermott said. "Unfortunately, the public doesn't get to hear all the evidence at this point."

Charleni was born in Puerto Rico and raised there until she was 7. In the summer of 2006, she came to visit her father in Philadelphia, and never returned to Puerto Rico.

As previously reported in The Inquirer, within months, a nurse at her new school, Clara Barton Elementary, lodged the first of two abuse complaints with the city's Department of Human Services.

DHS hired an agency, Congreso de Latinos Unidos, which provided services to the family for five months. Charleni was examined by two doctors at St. Christopher's Hospital for Children, and was seen multiple times by caseworkers, a psychiatrist, and a therapist, according to records.

None of the professionals could substantiate the nurse's concerns. Charleni told one doctor that her family treated her "like a princess."

DHS closed her case in 2007 and did not receive any more complaints about her.

At Charleni's final school, Feltonville Intermediate, the school nurse twice raised concerns about the girl's limp and urged her family to take her to a doctor.

Charleni's parents took her to Ramesh Parchuri, a family practitioner in Kensington. Parchuri said he did not have any paperwork informing him of the school nurse's concerns.

Parchuri said he noted that Charleni was anemic and ordered blood work. He said he planned a more thorough examination after the results returned.

"If a physician had examined this child and done an adequate examination . . . any competent doctor would have called police," Christian said yesterday.

Charleni was buried in her mother's hometown, Las Galeras, a seaside village in the Dominican Republic. Her mother, Rosalinda Almeida Dominguez, was suffering from terminal cancer there when Charleni died.

It could not be determined yesterday if Dominguez had succumbed to the disease.

McDermott said yesterday that Garabito would challenge the validity of the police statement and that, in any case, she did not admit causing the rib injuries that ultimately led to Charleni's death.

She argued unsuccessfully that Garabito should be charged only with third-degree murder, because the statement did not show she intended to kill Charleni.

Berardinelli, the prosecutor, said intent could be inferred from the severity of the beatings. "She has beaten that girl within an inch of her life," he said. "Then, after all that, as the fluid fills up in her lungs, you don't take her to a hospital? . . . You just sit there and let her die."

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