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CHILD WELFARE

Sister of brutally slain girl sues DCF

■ The adoptive sister of Nubia Barahona, who died while under the care of her adoptive parents, is suing the Florida Department of Children & Families.

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The adoptive sister of Nubia Barahona, the child whose gruesome death while under the care of her adoptive father and mother shook Florida a few years ago, filed a lawsuit Monday against the Florida Department of Children & Families, a child welfare worker and two former DCF investigators.

The lawsuit alleges that Nubia's now 11-year-old adoptive sister, referred to as "J.B.,"

in the complaint, is a "survivor of severe child abuse" and accuses DCF and its employees and agents of "negligence and wanton misconduct."

J.B. was "abused physically, sexually and emotionally" by her adoptive parents, Carmen and Jorge Barahona,



N. BARAHONA

•TURN TO LAWSUIT, 2B

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•LAWSUIT, FROM 1B

and she was also "forced to witness" the Barahonas' abuse of her adoptive siblings, according to the complaint, filed in state court. The Barahonas, awaiting trial, face the death penalty if convicted on charges of first-degree murder, aggravated child abuse and neglect for Nubia's death and the alleged mistreatment of her twin brother, Victor.

Nubia was found dead at the age of 10 on Valentine's Day 2011, her decomposing body swimming in chemicals and stuffed in a garbage bag in the flatbed of her adoptive father's pest control truck. Victor was in the cab of the

truck with Jorge Barahona, alive but unconscious, with chemical burns on his body. Victor later told police that he and his sister had been routinely and repeatedly abused — beaten, tied up, screamed at — by the Barahonas.

He said he heard his adoptive parents beating his twin to death as he lay tied up in a bathtub at the family home in West Miami-Dade. Later, Nubia would be loaded into the back of the truck, with Jorge and Victor riding in the front. The vehicle was found on the side of Interstate 95.

Nubia's death, reported extensively by the Miami Herald, prompted the creation of a task force to rec-

ommend reforms, such as hiring more child-abuse investigators and making changes to the state's abuse and neglect hotline.

Monday's lawsuit states that DCF "repeatedly ignored red flags of abuse in the household," even though the agency had "ample cause" to remove J.B. and her adoptive siblings. Educators reported that the twins showed up at school bruised or famished, but DCF ignored or downplayed the complaints. Finally the children were removed from school by the family, purportedly so they could be home-schooled.

Todd Falzone, J.B.'s lawyer, called the case a "sys-

temic failure."

"These people shouldn't have had any children in their home," he said. For instance, the Barahonas were allowed to adopt Nubia and Victor despite the misgivings of a guardian ad litem, an individual who represents children in the court system, who felt the parents were unfit.

"One of our main goals in pursuing cases like this is not only to compensate the kids, but to try to fix a system that is ridiculously broken and just never seems to get fixed," Falzone said.

Also named as defendants in the lawsuit are Lacheryl Harris, a family services counselor for the Barahona

children, and two child protective investigators who had looked into allegations of abuse and neglect in the home, Jean Lacroix and Eunice Guillot.

In an unrelated incident after Nubia's death, Lacroix was charged with engaging in sex with a foster child. He was sentenced to a year and a day in prison.

DCF placed J.B. with the Barahonas in 2004 when she was 7 months old, and they adopted her in 2007. J.B. was removed from the Barahonas' home after Nubia's death and has been in therapeutic foster homes ever since, Falzone said.

DCF declined to comment on the case.