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COUNTY OF ERIE
STEFAN I. MYCHAJLIW
COMPTROLLER

May 13, 2014

The Honorable
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

RE: Call for Special Committee

Dear Honorable Legislators:

This morning I read an article in The Buffalo News entitled "An abundance of joy replaces a life of misery." You may have read the story as well. It documents the life of Mary Lou Steff of Springville, New York and the terrible treatment she received at the hands of her brother and his wife.

I have attached a copy of the article to this letter for your review. In short, it chronicles the life of a mentally disabled adult who lost her parents and was left to the care of her brother. According to the published report, that brother banished her from the house she lived in most of her life and forced her to live in a barn. While living in the barn she was denied medical care, proper nutrition, an acceptable place to sleep and given no access to basic hygiene. She had to beg for food and at one point was shot with a BB gun.

I am having a difficult time finding the words to properly convey my anger. To treat another human being this way is unfathomable to me. As a father, son, and a host of other titles I hold as part of the Mychajliw Family, it brings me chills to imagine a scenario where one of my loved ones is treated this way. As an elected official, everyone's loved ones are my constituents and I must do what I can to protect them. As I read on, I was again outraged when I read that no criminal charges have been filed in this case.

As government officials, we have a responsibility to serve the public, and I firmly believe that responsibility deepens in serving those who are most vulnerable to the evils of society. This should have never happened, but it did. I am not comfortable sitting by idly and allowing another disservice to happen to Ms. Steff or anyone else. I commend the staff in Adult Protective Services for doing their best, but it is time that we do more. It is time that we use our voices to give people like Ms. Steff the justice she deserves and give hope to the countless others out there that think they have nowhere to turn. If her brother and his wife treated her this way and we have proof, they should be in jail.

As you likely recall, this is not the first time an adult with disabilities has been abused. Luckily in this case, Ms. Steff was rescued before it was too late. This is also not the first time that a constituent under our care has been subject to increased vulnerability and incredible neglect.

Therefore, I am writing to implore your honorable body to use your chartered powers to form an Independent Committee to fully investigate the Department of Social Service's (DSS) handling of cases under their care. This committee should be given the proper resources to obtain answers to the following questions:

1. How many people rely on the work of case workers to keep them safe?
2. What protocols are currently in place to ensure all of those folks are safe?
3. What protocols need to be changed or added to improve our performance?
4. What options are available to the public to report potential abuse?
5. How can someone under our care be allowed to live in unacceptable conditions, after we have knowledge of it?
6. In the case of Ms. Steff:
 - a. What did we know about her living condition, and when did we know it?
 - b. Why weren't criminal charges filed?
 - c. Have any processes in DSS been changed as a result of her case?

The Legislature has vast and various powers to form this committee and conduct this investigation. Those include:

Erie County Charter, Article 2, Section 202-8:

"...make such studies and investigations as it deems to be in the best interest of the county, and in connection therewith to obtain professional and technical advice, appoint temporary advisory boards of citizens, subpoena witnesses, administer oaths and require the production of books, papers and other evidence, deemed necessary or material to the study or inquiry."

2014 Rules of the Legislature, Section 1-Organization, Sub-Section- 1:01-12

Powers of the Chairperson

"To establish independent committees, boards and commissions to report to the Chair and/or Legislature, and appoint or remove the members thereof;"

I also firmly believe the committee should adjourn their work with a recommendation that the Legislature pass a resolution requiring a full review of every case under the County's care to ensure persons in our charge are safe. As Comptroller, I am willing to work collaboratively with your honorable body to grant the public the answers they deserve, but most importantly, to prevent this type of abuse from happening again.

What we can't do, is do nothing. I hope you agree.

Sincerely,



STEFAN I. MYCHAJLIW
Erie County Comptroller

cc: The Erie County Legislature
Hon. Mark C. Poloncarz
Hon. Timothy B. Howard
Hon. Frank A. Sedita, III
Commissioner Carol Dankert-Mauer



In October 2013, Mary Lou Steff, left, appeared at her nephew's home in worn clothing with her face covered in grime. By December, right, her hair had been styled and she had new glasses.

New life brings abundance of joy to developmentally disabled Springville woman

BY: [Lou Michel \(mailto:lmichel@buffnews.com\)](mailto:lmichel@buffnews.com)

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The two photographs tell the story of Mary Lou Steff's journey from misery to happiness.

In the photo snapped the night the 66-year-old developmentally disabled woman was rescued from her brother's barn, Mary Lou appears dazed, in layers of worn and filthy clothing.

Her hands were blackened with dirt, her face blotched with grime, and a baseball cap covered most of her shorn gray hair. Beneath her eyes were patches of clean skin.

"That's from when she started to cry when she saw Carl. The tears washed away the dirt," said Virginia Steff, the wife of Carl Steff, who went with Erie County sheriff's deputies to take her away that October night last year.

"After the deputies arrived," Virginia Steff recalled, "Mary Lou cried and said, 'You came and got me. You came and got me.'"

In the second photo, Mary Lou is sitting on a love seat with a Jack Russell terrier cuddled beside her. She looks out through a pair of glasses, a necessity denied her after her old glasses broke back at the farm. She smiles into the camera's lens.

Her gray hair has a touch of color and is feathered and parted to the left. You would be hard-pressed to say the two photos show the same person.

During the six months before she was rescued last fall, Mary Lou's life was filled with physical abuse and mental torment at the hilltop farm in Springville. She had lived in the farmhouse for decades, most of them under the loving care of her parents. But her life changed after her parents died and she came under guardianship of a younger brother and his wife. Her situation continued to spiral

Neighbors noticed and finally called authorities. Carl and Virginia Steff, her nephew and his wife, were part of the rescue.

In her new life, there is an abundance of joy – laughing and playing with an 11-year-old great-nephew; shopping trips to the mall for the first time in her life; dancing to rap music at an adult day program and taking Honey, the Jack Russell terrier, for walks and watching deer at the back of her nephew's Springville farm.

If she is embracing her new life through the eyes of a child, it may be because Mary Lou's intellectual capacity ranges from that of a 6-year-old to a 10-year-old, relatives say.

But a child does not forget.

Mary Lou remembers being shot with a BB gun, begging for food under the cover of night and living in barns on the family farm. Hot showers, clean clothes and medical care were denied her.

All of this is documented in legal papers that are being used to transfer guardianship of Mary Lou from her brother and his wife to Carl and Virginia Steff. No criminal charges have been filed in the case.

Mary Lou's story, first told in the weeks after she moved out last fall, continues to illustrate how badly society's most vulnerable can be treated when those entrusted to care for them fail. Mary Lou's story, as best she can tell it, provides a disturbing reminder of how the developmentally challenged can be harmed.

Her own words

Sitting at the kitchen table with the Steffs, near the laundry room where that first photograph was taken the night of Oct. 10, Mary Lou speaks in rushed and clipped sentences telling her story, sometimes assisted by Virginia Steff.

She says she does not know why her younger brother banned her from living inside the farmhouse last spring. Their father, Harry, a widower who died in 2002, had told her that the farmhouse would always be her home, too.

Mary Lou, who has difficulty conceptualizing the passage of time, according to Virginia Steff, says that she was content at the farm.

"They treated me pretty good at first. Then it went the other way. ...

"I lived out in the barn. I had a small mattress. But it was burned. Shorty moved me to the garage, and I slept in a chair. I had blankets, but Shorty took one and put it in the goat pen.

"Shorty said he was going to burn my pillow."

Why?

Her shoulders go up in a rapid shrug. "He was just mad," she said.

A neighbor sometimes fed her hot meals and sent her home with snacks. "I'd get crackers, raisins and pop," she said.

Attempts by a cousin to visit Mary Lou were rejected, and neighbors became concerned after seeing her wandering the rural highway. Eventually, a neighbor contacted authorities, and Adult Protective Services began an investigation. But the decision whether to leave was left to Mary Lou.

"The caseworker told Mary Lou that, if she felt her life was in danger, she should leave," Virginia Steff said. "Carl and I had told her that she could always come and live with us. We told her that seven years ago."

Making the move

The night of Oct. 8, Mary Lou slipped through the darkness to the neighbor who had fed her meals and snacks, and asked if she would make a phone call. The neighbor dialed the number and

handed the phone to Mary Lou.

"Is Carl there?" she asked.

Not quite familiar with the voice that kept asking for her husband, Virginia Steff answered: " 'He's out in the barn.' "

" 'I come live with you. I come live with you,' " the voice said.

Suddenly Virginia realized it was Mary Lou.

"I said, 'Yes, but we have to do this legal. We have to call someone.' Mary Lou said she had a phone number for the caseworker, and she gave it to the neighbor to give to me. It was on a piece of paper," Virginia Steff said.

Two nights later, a caseworker and three Erie County sheriff's deputies arrived at the farm and informed Mary Lou's brother that she was leaving. A legal process had been started to transfer guardianship to Carl and Virginia Steff.

With just the clothes on her back and a few prized possessions Mary Lou climbed into her nephew's pickup for a 15-minute ride to the other side of Springville.

Once there, the Steffs realized Mary Lou was suffering from medical problems.

"The next morning, her legs were as hard as rocks, and her feet were as big as footballs," Virginia Steff said. "We went to the emergency room. Mary Lou had cellulitis. They gave her water pills and antibiotics."

A physical examination with X-rays was performed, and a doctor noticed healed fractures to her ribs.

"Mary Lou doesn't remember hurting herself," Virginia said, "but it must have hurt."

She also had asthma and was in a state of malnourishment, and, to the family's shock, no past medical records for her could be found.

Over the past several months, the 5-foot, 2-inch woman has put on 30 pounds and now weighs about 150 pounds.

Happiness

As Mary Lou's story unfolded at the kitchen table in her nephew's home, Carl Steff found himself often unable to join in the conversation. His wife later explained why.

"It still deeply upsets him to hear what happened to her," Virginia Steff said of her husband, a farmer and school bus driver.

But their 11-year-old son, Toby, spoke of how he and Mary Lou are like brother and sister. To prove it, Toby took out a small hook rug he is making of a black and white panda's face and patiently instructed Mary Lou on how to move the yarn on the hooking needle.

"I'm also teaching Mary Lou to say the alphabet, we're up to a, b, c, d, e, f, and we're working on the rest," the Springville Middle School sixth-grader said. "We ... watch movies and eat popcorn."

And while Toby is at school, Mary Lou goes to Suburban Adult Services Inc.'s weekday program, often on field trips to the mall, an animal shelter and helping deliver food to shut-ins with Meals on Wheels.

But her favorite activity with the adult care program is dancing. "One of the girls likes rap," Mary Lou said.

At home, she spends time with crayons and coloring books, or takes 7-year-old Honey out for walks.

There are also family reunions, meeting great-nieces and great-nephews for the first time, and spending time with two other brothers and a sister, who years ago fought unsuccessfully for

custody of her when their father died.

"That was quite a reunion when she saw her brothers Bert and Harold and sister Agnes, after all those years," Virginia Steff said. Mary Lou's life has turned around completely.

With Toby beside her as they continue to work on their hook art, Mary Lou taps a finger on the kitchen table and says: "This is home now."

email: lmichel@buffnews.com

Lou Michel

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