

# Falling off the Edge

Matthew Swanson's drowning revealed just how tattered the safety net is for developmentally disabled children.



Julie and Mark Swanson—with sons (from left) Mitchell, Connor, and Matthew—say they gave the St. Louis Center a life preserver and insisted Matthew never go in the water without it.

by Debbie Eisenberg Merion

**M**atthew Swanson was an eleven-year-old boy who never got invited to anyone's house for a birthday party. He wasn't always easy to be with. He had Down syndrome and functioned at the level of a toddler, was strong and willful, and tended to end meals with food in his hair. He used his own form of sign language to speak, his blond hair was thinning, and sometimes his tongue hung out. But the love between him and his family was fierce and constant—he gave tremendous, bone-crushing hugs and huge, sloppy kisses.

Until he was nine Matthew lived with his parents and two younger brothers in Manistee. In 1999 his mother, a speech pathologist, and his father, a county recreation program administrator, quit their jobs and moved to Pinckney so they could place him at the St. Louis Center in Sylvan Township and still live close enough to take him home every other weekend. Matthew loved the center, a residential facility for developmentally disabled youth and adults run by the Servants of Charity, a Catholic religious order. When he came back from visits with his family, the bigger guys would high-five him. Matthew's parents thought the administrators and staff members were gentle and loving—and they felt safe leaving him there.

Another center resident was a thirteen-year-old from Detroit. We'll call him Sam. Sam, an only child, is a slight boy with closely cropped hair; last summer he was about five feet one inch and 105 pounds. Sam is autistic and mildly mentally impaired, functions at a third-grade level, and has attention-deficit/hyperactivity disorder. He loves basketball and going to school. He takes several medications to help him control his impulses and focus his attention.

Like many children with disabilities, Sam and Matthew had parents, teachers, and caregivers who tried to help them grow up like other kids. But on August 11, 2001, their safety net broke—revealing how fragile even a trusted support system can be when you can't speak up for yourself.

## "Where's Matthew?"

For many years residents of the St. Louis Center waded in a pond on its 180-acre property on Old US-12 west of Chelsea. But by last summer they no longer went there because, according to program director Brother Mike Goshorn, the lifeguard quit and there was "a problem with goose poop."

At 4 p.m. last August 11, four staff members loaded twenty-four boys into three vehicles and drove to Independence Lake in Webster Township. They had planned to stop at McDonald's but got lost, so by the time they arrived at the county park it was 7 p.m. The residents went in the water, mixing with two dozen other swimmers. One of the four caregivers went in the lake while the other three sat at a picnic table on shore. One park lifeguard was on duty.



PHOTOS COURTESY JULIE SWANSON

Matthew Swanson's parents say they gave the St. Louis Center a life preserver when they enrolled him there and insisted that he always wear it in the water because he could not swim. At home, his parents say, he would bring them his life preserver when he wanted to go into a nearby pond. Then, they say, they would "watch him like a hawk."

At Independence Lake, though, neither Matthew nor any of the other St. Louis kids was wearing a life preserver. At about 8 p.m., Matthew's caregiver, Patricia McKimmy, exclaimed, "Where's Matthew?" She alerted the other staffers and park employees, and they all searched the bathroom, playground, and vehicles.

Everyone assumed Matthew had wandered off again. During another trip to the lake two weeks earlier, he'd disappeared, and caregivers eventually found him happily eating at another family's picnic table.

Not this time. After looking around the park for fifteen minutes, the searchers finally turned their attention to the lake. Almost immediately a lifeguard found Matthew in a corner of the swim area 150 feet from shore, lying on the bottom of a hole in five feet of water. Matthew was four feet ten inches tall.

He was brought to shore, where two bystanders started giving him CPR. Staffers moved the other twenty-three boys into the St. Louis Center vehicles. An ambulance was dispatched at 8:25 and arrived at 8:47. Matthew was taken to the U-M Hospitals. There, at 9:20 p.m., he was pronounced dead.

## Under the water for "a day"

When authorities investigated Matthew Swanson's death, they found no one who saw him drown. None of the other swimmers reported seeing him struggling in the water. The autopsy showed no signs of trauma.

Weeks later Washtenaw County sheriff's detective Ron Blackwell interviewed the children who went swimming that evening. They weren't the best witnesses because of

their mental and language deficiencies, but Blackwell says that they recalled "splashing, playing in the water, and jumping on each other."

Blackwell wasn't the original "officer in charge" of the investigation. He'd taken over from Dan Egeler, an attorney for Con-Way Trucking Company who moonlights as a part-time Washtenaw County sheriff's marine safety officer on summer weekends and volunteers as a reserve officer the rest of the year. Egeler was one of the first officers to arrive on the scene August 11, and his brother Dave, a commander in the sheriff's department, appointed him officer in charge.

Largely because of evidence Dan Egeler gathered, the department almost immediately began treating Matthew's death as a homicide. The night of Matthew's death, Egeler interviewed Brother Mike Goshorn. Goshorn told him something that staffer Michael Graulich said he had heard at the park. According to Egeler's official report, Graulich told Goshorn that Sam "stated at the park 'I pushed him down,' apparently referring to Matthew."

In his own report filed with the St. Louis Center, Graulich stated that Sam "told me he had played with Matthew in the water, wrestled with him, held him under the water for 'a day'—I asked him [if] Matthew came back up. He said no, I asked him what he . . . did then. He said he 'forgot about him.'"

Sam's mother says that Goshorn phoned her husband at 10:30 the morning after Matthew died. She says that the program director told him that the "police were coming up [to the St. Louis Center] at twelve thirty to speak with Sam in connection with a drowning. My husband called him back in five minutes and said, 'I want to be there when Sam is questioned.'" Sam's father picked up his brother, a Wayne County deputy sheriff, and they drove to the St. Louis Center. Though Sam's father and uncle arrived before 12:30, they were told that the interview was over. "My husband was shocked that they had come and left," Sam's mother says.

Egeler's report gives a far different account of the family's wishes. According to Egeler, Goshorn told him that he had spoken with Sam's father, who had "said it was permissible for [Egeler] to conduct the interview, and informed Br. Mike that he would be visiting [Sam] later in the day." Goshorn and Egeler refused to comment on the discrepancy.

Under Michigan law, courts can consider statements juveniles make in police interviews without parents present—but only under limited circumstances. Assistant county prosecutor Don Ray says the St. Louis Center was acting in place of the parents when staffer Amy Christensen accompanied Sam to the interview with Egeler on



Prosecutor Brian Mackie says he based the murder charge on a belief that Sam “was responsible for the death of a child.”

August 12. But Ray also says he was not aware that Sam’s parents had requested to be at that interview.

Egeler didn’t read Sam his rights. That’s not required unless an arrest is made, but no confession can be used in a courtroom if *Miranda* rights aren’t read. Egeler also didn’t make clear that he was a police officer. According to Egeler’s official report: “He [Sam] had not been informed that [Egeler] was a police officer, nor what the topic of conversation would be. I introduced myself only as ‘Dan.’ I was wearing a black polo shirt that had a sheriff’s star on it, and khaki shorts.”

Sam appeared to be happy, Egeler reported, and wore a long towel around his neck like a cape; he told Egeler that Superman was one of his favorite heroes. “He was friendly and energetic,” wrote Egeler—but his demeanor changed when Egeler started asking about the outing to Independence Lake.

Egeler reported that when he asked Sam if Matthew went swimming, Sam replied, “I was playing with him” and with two other boys. Asked whether anything happened, Sam remembered he was “out of the water and they were looking for Matthew.” Then Sam added, “Matthew went down.” Egeler wrote that when he asked Sam what he meant, he replied, “Matthew was under the water, then he was laying down and then he drowned.” According to the report, when the investigator asked Sam directly if he pushed or held Matthew, Sam “became noticeably quiet, and his answer to all subsequent questions appeared to be evasive.” Sam said that “he didn’t hold Matthew or push Matthew as ‘I was out of the water’” and “he stated that he did not see Matthew go under the water.” Asked about the last time he saw Matthew, Sam replied that “his [Matthew’s] head was under water” and “stated that Matthew went down by ‘accident’”—and Sam made a flailing motion with his arms to illustrate a drowning person. Whether these were firsthand recollections of Sam seeing Matthew go underwater—or Sam attempting to explain what he assumed had happened that evening—isn’t clear from Egeler’s report. Egeler had no training in interviewing autistic children. Egeler noted, “It was apparent . . . that [Sam] does not have a good concept of specific time.”

Adding to the picture was a third account by another St. Louis staff person, Denise Gozowsky-Kosmyna. Though she was not at the lake that evening, Gozowsky-Kosmyna told Egeler that back at the St. Louis Center later on the night of August 11, Sam had told her that he “held Matthew under water,” that Matthew was “kicking and fighting, but pretty soon he wasn’t kicking and fighting any more,” and that he made “his [Matthew’s] body float.” Sam then acted out a picture of someone floating facedown. Egeler’s report adds, “She asked if he did anything after that, and he said he didn’t do anything, that he ‘just left and forgot about him.’”

Gozowsky-Kosmyna confirms Egeler’s account, with one qualification—she says now that Sam didn’t say he made “his body float” but that he “saw it floating.”

### “Power Ranger”

In late October Washtenaw County prosecutors sought an open murder charge against Sam. Juvenile court referee Gail Altenburg approved the charge on November 5.

“We based the charge on reading all the reports and, more importantly, on a belief that he was responsible for the death of a child,” says prosecutor Brian Mackie. Ray, his assistant, has been in charge of juvenile cases for four years, and Sam is the first juvenile Ray has charged with murder. “I don’t question that he killed the child,” Ray says. “Whether he was able to form the requisite intent [for a murder conviction] was another question.”

Experts on autism say the answer should have been clear from the start. “An autistic child should not be prosecuted as though he were able to form an intent and as though he could give statements, answer questions in court, and assist in his own defense,” says Susan McParland, director of the Michigan Association for Children with Emotional Disorders.

Mackie and Ray, however, say they had only one legal means of determining Sam’s capacities: bringing charges and then getting a court-ordered psychological evaluation. “It’s something we needed to find out, and something we needed experts to tell us,” Ray says.

Matthew Swanson’s parents hoped Sam’s statements about their son’s death were false, but they agreed with the decision to charge him with murder.

“I’m not going to live the rest of my life with hate in my heart,” said Mark Swanson, Matthew’s father. “I hope it was just an eleven- or twelve-year-old in his braggadocio. But if he is the kind of child that would do this again, then change needs to be made.”

Sam’s parents, however, were devastated. They saw it as a case of scapegoating their disabled son. “It seems that St. Louis is trying to avoid total responsibility for their workers’ actions at the lake,” his mother said, “and they’re trying to place the blame on [Sam].”

Dohn Hoyle, president of the Association for Community Advocacy in Ann Arbor and a longtime advocate for developmentally disabled people, denounces the charge and the investigation, particularly Egeler’s interview of Sam without his par-

ents present. “They took advantage of his disability,” Hoyle says. “They didn’t accommodate his disability. The aggression with which it was pursued was not warranted and wasn’t borne out by the facts, other than an alleged confession by someone who would say whatever you want him to say.”

But Ray says that even if a judge had ruled Sam’s statements to Egeler inadmissible, he is confident he could have won a conviction based on testimony from St. Louis Center staffers about what Sam told them.

**“An autistic child should not be prosecuted as though he were able to form an intent and as though he could give statements, answer questions in court, and assist in his own defense,” says Susan McParland, director of the Michigan Association for Children with Emotional Disorders.**

Sam’s mother, however, says Sam’s words aren’t reliable. “He says all sorts of things that don’t make any sense at all,” she says. “Once when he was on the school bus, the bus driver asked him his name, and he said, ‘Power Ranger.’”

Sally Burton-Hoyle, executive director of the Autism Society of Michigan, says it might be easy to see autistic children as “confessing” because “they’re in a constant state of anxiety. They may say things to calm themselves down because they may like the way it sounds. . . . If you get someone saying something, they’ll say it over and over again.”

Despite the seriousness of the charge, neither the sheriff’s department nor the prosecutor asked the juvenile court to arrest or detain Sam. “He was already living in a juvenile facility,” explains Mackie. But wasn’t it the same facility where prosecutors say he murdered another resident? “I would hope that he had a different level of supervision,” Mackie replies.

Ray says there was no agreement reached to supervise Sam more closely, adding, “The St. Louis home’s position all along was that he wasn’t dangerous.” Steve Daut, the development director for the center, says, “We had a worker assigned one-on-one to him for a while.” Daut says that’s not because other parents were worried, but simply because “we wanted to be cautious.”

Sam stayed at the St. Louis Center until February of this year. Then, according to his attorney, Clarence Bradfield, he was asked to leave and went to live with his parents in Detroit. Daut says the center won’t comment on the circumstances of Sam’s departure.

The case almost moved to Wayne County as well, after Washtenaw circuit judge Donald Shelton transferred it there over Mackie’s strenuous objections. But Wayne County assistant prosecutor Jim Metz rejected it. Metz says his decision not to take over the prosecution was based not only on “the number of the people [who would be] inconvenienced by having it in Wayne” but also—in an apparent rebuke of Mackie’s decision to charge Sam—on “the merits of the case itself.”

### The last resort

With Sam’s return from the St. Louis Center, his parents once again faced the challenges of raising a developmentally disabled child at home. They had little choice. Institutions that care for children with serious developmental disabilities are a vanishing breed. Today’s dominant philosophy, known as “inclusion,” mandates that such children should live at home and be a part of mainstream society. But caring for a severely disabled child is sometimes so difficult that the stress threatens to destroy the entire family. In those cases parents have few options other than giving up their rights and sending their child away to foster care or adoption.

For such parents the St. Louis Center is a godsend. It’s a unique institution in Michigan—a place where parents can get their developmentally disabled children around-the-clock supervision, training in activities of daily living, educational opportunities, and social contact—and still keep them as part of their family.

“If it wasn’t for the St. Louis Center, our family wouldn’t be surviving,” says Jan Chattaway of Livonia, whose son Jordan was Matt’s roommate at the St. Louis Cen-



Dohn Hoyle, president of the Association for Community Advocacy, denounces the investigation and charge against an autistic thirteen-year-old: “They took advantage of his disability.”

ter. "The state tries to do everything they can to keep these boys in the home, but they don't know how stressful it can be."

The St. Louis Center has been serving boys with developmental disabilities since 1961. It's run by the Servants of Charity, an order founded in Italy in 1908 that adheres to the educational philosophy of Father Louis Guanella. The St. Louis Center's name reflects his order's hopes that Guanella will eventually be canonized.

About sixty-five residents—half of them children, and all with mild to severe mental impairments—live at the St. Louis Center. This March the center started admitting girls for the first time, after a sister facility in Northville closed. The center also operates two programs for nonresidents: a small day care program for developmentally disabled children and an adult foster care program.

**"If it wasn't for the St. Louis Center, our family wouldn't be surviving," says Jan Chattaway of Livonia, whose son Jordan was Matt's roommate at the St. Louis Center. "The state tries to do everything they can to keep these boys in the home, but they don't know how stressful it can be."**

According to Daut, the development director, the center runs on a \$1.8 million budget that includes a mix of private donations and state and federal funding. Some residents are wards of the state, some are in foster care, and some are placed by agencies, but the majority, like Matthew, are voluntarily placed by parents. The residents include a few abused and delinquent children.

"Some of these folks, if they didn't live with us, they'd end up on the street," says Daut.

"It's a severe population," says Gina Lammers, a special education teacher in Jackson who worked at the St. Louis Center in the 1980s. "This is the state's very last resort. A student has to be very severely disabled to qualify for funding. Their families don't have the skills to provide them a safe environment."

The St. Louis Center is neat and clean, with polished linoleum floors and communal living areas where pillows are neatly fluffed and carefully placed at angles on chairs. In the adult units residents are taught to do their own laundry and cook a meal once a week if they are able. The center has fifty employees, but it has struggled for years to maintain adequate staffing levels.

Daut says that the center, as a nonprofit organization that accepts residents regardless of ability to pay, has to raise \$700,000 annually to cover operating costs. There's

not enough money left to pay workers much. "We can't compete with McDonald's for wages," he says. "Given that dynamic, it can be difficult to keep the place fully staffed—especially considering some of the things these folks are asked to do."

"It's hard enough keeping track of ten normal twelve-year-olds," says Lammers. "With special-needs kids, one might have a medical issue while other kids are having behavioral issues. Accidents are going to happen. It's the nature of the business."

### **"They don't learn"**

Matthew Swanson's death wasn't the first drowning at the St. Louis Center.

On July 1, 1985, while residents were in the pond at the St. Louis Center, a lifeguard and staffers were distracted by an incident on the beach. During the short time when no one was watching the water, Trent Stinson had a seizure and dropped to the bottom of the pond. He died four days later at Mott Children's Hospital.

Stinson wasn't wearing a life jacket because staffers at the center figured he could swim and the water was shallow. Debra Sue Bowlin, his mother, says he suffered from seizures and had one earlier that day—which made further seizures more likely—and "maybe he should have been excused from swimming that day."

The parents filed suit against the St. Louis Center. The case was settled for \$250,000 before going to trial.

By 2001 St. Louis Center policy required that "all residents with a history of seizures wear flotation devices." But despite the previous drowning, the center was not following its own guidelines during its outings to Independence Lake last summer. Julie Swanson, Matthew's mother, points out that just two weeks before he died, "he had disappeared. There were no life preservers. They lost track of him next to a lake. They don't learn from their mistakes."

On October 16 the Michigan Bureau of Regulatory Services ruled that the St. Louis Center was in violation of its license because it had insufficient staffers to supervise the children swimming on August 11, and the staffers were inadequately trained in the center's water safety guidelines. That policy required life jackets for all lower-functioning residents (including Matthew) and head counts at regular intervals. But two of the four staff people at the lake on August 11 told a state investigator they didn't even know there was a policy about regular head counts.

The state gave the center fifteen days to come up with an acceptable plan for corrective action. The center didn't respond for seven weeks. Finally, on December 3, the center sent the state a letter. Signed by Mike Goshorn, social work supervisor Barbara Scheel-Ayers, and center director Father Joseph Rinaldo, the letter was a mixture of self-defense and a self-improvement plan.

Casting the center's actions in the best possible light, the writers claimed that "the outing took place at a public beach with three certified lifeguards on duty." But according to the police report, only one lifeguard was on duty at the beach; the other was emptying trash cans, and the

only other park employee present was a ranger, not a lifeguard.

The center officials noted that their policy had been to use flotation devices on all lower-functioning residents and those with a history of seizures. They now offered to include all nonswimmers as well. And instead of requiring head counts at unspecified regular intervals, the staff would conduct head counts every five minutes. After a little more tweaking of their remedial action plan, the state accepted it. The state agreed that the center could continue to operate, provided it passed two follow-up investigations during the first half of this year.

### **A history of problems**

Problems related to staffing and supervision have cropped up repeatedly over the years at the St. Louis Center. For the past eight years alone, state licensing investigations, court files, and police reports record the following incidents:

- In 1995 one resident assaulted another resident, causing a black eye, scrapes, fractured ribs, and a lacerated kidney. The victim's father brought a lawsuit against the center, charging that it failed to monitor his son adequately or provide a sufficient number of employees. The suit was settled out of court for \$22,000.
- In 1996 an adult foster care resident allegedly fondled two younger residents on a bus coming back from a Special Olympics basketball practice. The state licensing agency investigated and concluded that St. Louis had insufficient staff to assure the safety of residents. The state approved a corrective action plan that included closer supervision of the adult resident.

**Despite the seriousness of the charge, neither the sheriff's department nor the prosecutor asked the juvenile court to arrest or detain Sam.**

- Also in 1996 the state cited the center for insufficient staffing in its child care center and adult foster care program. Investigators wrote, "St. Louis Center is unwilling or unable to consistently maintain a one child care staff to ten residents ratio, provide the necessary staff backup for aggressive residents and maintain staffing at the levels it presents in its corrective action plan."

- The center was again cited for insufficient staffing later that year, after a resident had to be hospitalized after being assaulted and choked by another resident. The center's director at the time, Father Enzo Addari, informed the boy's mother about the hospitalization but didn't tell her it was due to an attack by a center resident

rather than a seizure, as first thought. The state ruled that the center complied with the intent of the rule requiring prompt notification to parents of a hospitalization.

- In 1996 the state investigated an allegation that a staff member at the St. Louis Center had engaged in sexual contact with a resident of the Don Guanella School in Chester County, Pennsylvania, while employed there in fall 1995. The staffer denied the allegation, but Father Addari reported to the state September 13 that "it was his unofficial understanding" that Chester County Child Welfare had found the staffer guilty of touching the genitals of a resident. State investigators could not get information from Chester County and took no action. It is not clear what happened to the accused staff member.

- In 2000 a state investigation found that two staff members had criminal records that the center hadn't reported. No penalties were assessed because the center produced evidence that the staffers posed no threats to residents.

- In 2001, a week before Matthew Swanson died, a resident started a small fire in his trash can after picking up matches on an outing. A new policy was instituted requiring staffers to read profiles on every resident before going on an outing.

- In February 2002 a staff member disciplined a resident by cuffing him on the back of his head. The staff member was given a four-day suspension without pay, placed on ninety-day probation, and required to undergo training in stress management.

Dohn Hoyle, who has followed the St. Louis Center closely over the years, says, "That number of complaints is unconscionable." But Miriam Bullock, director of child welfare licensing in the Michigan Department of Consumer and Industry Services, says the number of violations is "not very bothersome. We would be concerned if most were substantiated." Bullock says the center itself generated a large number of complaints by reporting troublesome incidents that occurred there—and she praises it for its vigilance. The center's Daut says he cannot comment on any of the specific incidents, but he acknowledges that finding enough people to work at the center has been a recurring problem. He says all staff positions are currently filled.

### **"A horrible accident"**

On May 22 Sam arrived in juvenile court in Ann Arbor for a hearing to determine his competency to stand trial. Sam walked carefully and did what people told him to do—stand up, sit down, take off your coat, come and sit here—but never spoke.

According to forensic psychologist Carol Holden's report, Sam was not mentally competent to stand trial, nor was there any chance he could become competent within the fifteen-month period that the law allows to remedy mental deficiencies in accused persons. It was a ruling that disability advocates say was predictable. Prosecutors then dropped the charges.

Asked whether prosecutors ever con-

DEBBIE EISENBERG MERION



Boys with developmental disabilities have been living at the St. Louis Center since 1961. Run by a Catholic religious order, it's neat and clean; some parents consider it a godsend.

sidered bringing charges against the St. Louis Center, Ray replies, "We can't point to anybody and say this person was negligent. There just wasn't anybody to charge. Were they negligent? Were they neglectful? In my opinion, yes. But I can't bring any criminal charges."

Sam is still living with his parents. What impact the murder charge may have on the rest of his life is unclear. But Sam's mother says "he's never been the same" since he was charged and had to leave the St. Louis Center.

"It shouldn't have gotten even this far," she says.

Matthew Swanson's parents filed a civil suit against the St. Louis Center in February. It alleges negligent acts and omissions, including failure to adequately supervise their son and to assure that the flotation device they provided was used.

Julie Swanson says that they finally decided to file suit after being told about another death at the center (the 1985 drowning) and because she read something in Egeler's report that disturbed her greatly. Egeler reported that he asked staffer Denise Gozowsky-Kosmyrna why she had waited several days to come forward with information about Sam's statements to her. She said, according to Egeler's report, that social work supervisor Barbara Scheel-Ayers told her "to not disclose anything as they all had to stick together. Denise was left with the impression that the reason for not wanting disclosure was to protect the interest of the center."

But Gozowsky-Kosmyrna told the Community Observer that Egeler's report was wrong. She says that she immediately reported to her supervisors and to police what she heard Sam say—and that if Scheel-Ayers told her anything about protecting anyone, it was about protecting residents, not the center. Scheel-Ayers did

not return phone calls seeking clarification.

The Swansons say it wasn't easy to sue the center. "We love the folks there dearly," says Mark Swanson of the staff. The decision to litigate "comes down to a lack of policy, procedures, and training—sending twenty kids to the park at eight at night with no life jackets. What were they doing there?"

It's been a rocky year, but the St.

Louis Center remains open with a provisional license. If the state is satisfied that adequate changes have been made to correct the problems revealed by Matthew

Swanson's death, the center's full license will be restored July 10. If not, the center could either be given another temporary provisional license or have its license revoked.

It doesn't look as though residents will be swimming this summer. "We're not going to participate in waterfront activities for a while until we sort things out internally," says Daut. It's part of a thorough reassessment at the center.

"Obviously in any of these types of situa-

tions you start to very closely scrutinize your policies and procedure and what you have done and could have done, and we have done that," says Daut. "We've revamped some policies, but we haven't stopped there, and in conjunction with that, that has spurred a task force within the St. Louis Center to go back through everything."

No parents have removed their children because of Matthew Swanson's death, Daut says. And many still support the center wholeheartedly.

"I have never had any reason to suspect that Jordan is not getting top-notch care," says Jan Chattaway. "We're still comfortable. We feel that whole drowning incident was a horrible accident."

As of early June, on the center's website, a photo showed residents wading in a pond. And a recent center newsletter announced that any parents who wanted to do so could buy life jackets for their children.



*Michael Betzold and Matthew Higbee contributed to reporting and writing this story.*