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Documents show CPS was warned about sexual abuse and didn't act

By Tracy Vedder (<http://www.komonews.com/tv/people/149134615.html>) | Published: May 17, 2012 at 11:20 PM PDT (2012-05-18T6:20:47Z)

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SEATTLE -- We were all disgusted when we first heard about this case four years ago. The Deputy Chief for our region's Border Patrol confessed to raping the 14-year-old girl living with him. But the KOMO 4 Problem Solvers have uncovered a shocking secret about that case: Someone warned Child Protective Services that this sexual abuse would happen. And CPS did nothing.

You could almost hear gasps across the region when the news broke in October of 2008. [Joseph Giuliano](http://www.komonews.com/news/49107331.html) had been the face and voice for border security. And when he was arrested and then convicted of repeatedly raping a 14-year-old girl, the reaction was swift from his former colleague, Whatcom County Sheriff Bill Elfo.

"The reaction is total disgust," Elfo said.

But before the rapes ever occurred there were signs; Giuliano's adult stepdaughter, Deanna Hartnell, knew something was going on.

"It just felt really really wrong it felt really inappropriate," she said.

Hartnell and her two young children were living with Giuliano and her mother. Hartnell was dating the 14-year old's father. There was friction at his home between his daughter and his mother, so Hartnell invited the girl to live with her at the Giuliano home. But Hartnell says Giuliano's behavior toward the girl quickly turned "creepy."

"Just inappropriate jokes, very heavily sexual jokes," she said.

In addition to the sexual jokes, Hartnell says he showered the girl with gifts, such as an expensive camera and a laptop. She says Giuliano would pick the girl up early from school and take her out late at night for coffee, "making her feel very important, putting her into his world and making her feel special, and he was perfectly grooming her."

But the kicker was when Hartnell says she realized the girl was sleeping with the older couple.

"They were sleeping in the same bed, she was 14 - he was in his mid-50's ... it just screamed out to me that this is not right," she said.

Hartnell says she confronted Giuliano.

"He blew up and got very defensive and angry and the end of it was he told me to get the heck out of the house," she said.

Her next step was contacting CPS.

"I just wanted to make sure that they understood that I felt very strongly that she would definitely be

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abused in some way, shape or form, if she hadn't been already," she said.

CPS took down Giuliano's name, the address and some basic information, but never opened an investigation.

"I was completely helpless, frustrated, worried to death about her," Hartnell said, "and there was nothing I could do about it."

With documents obtained by the Problem Solvers, we put together a timeline showing how the abuse escalated:

- On April 3rd, Hartnell reports the suspected abuse to CPS.
- By mid-April, according to Giuliano's statement to police, he began fondling the girl in bed.
- The fondling continued, escalating to oral sex.
- By the last of April it advanced to sexual intercourse.

Again according to Giuliano's statement, the abuse continued for the next five months, until the girl started high school. Then Giuliano says he started fantasizing about getting the girl's friends involved. Law enforcement says an anonymous source from the high school contacted them.

Hartnell says CPS should have stepped in when she first contacted them.

"They make me really angry," she said. "I mean, she lost her childhood, she lost her first love, she lost her first experience with boys, she'll never have that and all because he ripped it away from her and they could have stopped it all."

"Suspicion is not enough." But DSHS Spokesman Thomas Shapley says CPS couldn't investigate. Looking at a report of the call Hartnell made, Shapley says there was no record of an allegation of abuse or neglect and simply the suspicion that she was sleeping in the same bed isn't enough for them to investigate.

"But what I'm telling you," said Shapley, "is at the time this referral was made there was insufficient material to warrant an investigation."

"She was a child, she needed help, and when she needed help the most - DSHS failed her." But Attorney David Moody says DSHS should have stepped in when they were first warned - and if that had happened, Giuliano never would have been able to rape this girl. Moody said, "They left this vulnerable little girl in the hands of a perpetrator - in his bed, literally, where he raped her for the next five months."

Moody says the child in this case, now 18-years old, still struggles to overcome what happened to her. On Thursday he filed a \$21 million claim on her behalf saying DSHS failed to protect his client.

Giuliano pled guilty to three counts of child rape and spent nearly two-and-a-half years in prison. He's currently under DOC Community Supervision and is a registered sex offender.

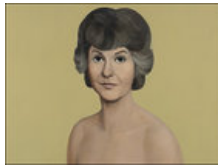
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