

Despite ruling by referee

Court appointed guardian pursues neglect charges against Sylvia Young

Tom Eley
20 March 2010

Michigan's Department of Human Services (DHS) on Friday dropped its neglect case against Sylvia Young, the Detroit woman who lost three young children in a March 2 house fire hours after energy giant DTE Energy shut off power and gas to her Detroit home. Tráivion, 5, Fantasia, 4, and Selena, 3, died of smoke and soot inhalation in the blaze.

The case, which was heard by a lawyer referee in Michigan's Third Circuit Court in Detroit, was over whether or not Young would keep her four children who survived the fire. The fire has been attributed to a malfunctioning space heater given to Young by her landlord after DTE's shutoff.

However, the legal persecution of Ms. Young has not ended. A court-appointed guardian *ad litem*, who ostensibly represents the interests of the surviving children in the proceedings, opposed the DHS decision to drop the complaint against Young. When the referee allowed the complaint to be withdrawn over the guardian's objection, the guardian, who works for the Child Advocacy Program, said that further legal actions against Young would be taken. This threat came despite admissions from both DHS and a family case worker that Young had not done anything wrong.

On Saturday morning, there were preliminary hearings before a Wayne County Family Court. Despite requests, Young was not permitted to have family members or supporters at the hearing. It was her fourth court appearance in three days. Another hearing on the validity of the neglect charges has been scheduled for Wednesday.

The viciousness and arbitrary character of the persecution of Sylvia Young can only be called Kafkaesque.

This young mother, forced to survive on meager public

assistance in America's poorest big city, lost three children in a house fire directly caused by a utility shutoff. In a healthy society, this should have led to questions directed at the powers-that-be—state and city officials and DTE executives—over how such a tragedy was possible. Instead, Young has been made into the criminal, her surviving children taken away from her at a time of acute emotional trauma for the family.

Scarcely had the smoke settled on March 2 when the entire political, corporate, and media establishment in Michigan and Detroit mobilized against Young.

Hours after the fire, the Detroit media, led by the *Detroit Free Press*, spearheaded a slander campaign against Young. In an article headlined "Mom was at Store when Three Children Died in House Fire," the *Free Press* presented as fact a second-hand statement that Young had gone to a "party store."

She had in fact gone to buy space heaters—which is now established by court hearings—but the *Free Press* and other media outlets have never retracted their false allegations. The media also falsely reported the age of Young's eldest son, Tywon, who Young left in charge and whose actions saved the lives of three siblings. Tywon is 12; it is not uncommon for children of that age to be paid as babysitters in the US.

"The way it is presented in the media is like I don't deserve my kids, that I was only interested in the Family Independent Agency (FIA) taking care of them," said Young, a dedicated mother. "Some people complained that I secluded the children. But I wanted to protect them from the streets and allow them to be kids. Discipline isn't about hitting your kids or always screaming at them but teaching them right from wrong. I gave up my life so I could raise the

kids. I told them they had to concentrate on school so they could work a good job.”

The offices of Detroit mayor Dave Bing and Michigan governor Jennifer Granholm joined DTE in immediately pinning blame for the fire on Young. All declared that “there’s plenty of help” for those who cannot meet DTE’s rates for gas and electricity, but that Young never sought assistance.

These too, were lies designed to malign Young as negligent. She had in fact repeatedly sought help—even hours before her house burnt. An investigative report by the WSWS demonstrated that there was no help available at the time. (See, “THAW, United Way: No help for utility shutoffs”)

The media also joined DTE in denouncing “energy theft,” by which desperate residents tap into the electrical grid without authorization.

All of this was designed to shift blame from the real criminals—the multi-millionaire executives of DTE and their major Wall Street investors, and the state officials who oversee and enforce utility shutoffs on their behalf. It is well established that utility shutoffs result in house fires, asphyxiations, and freezing deaths. But to state and city officials this means nothing when weighed against the demands for personal enrichment of executives and top shareholders in DTE.

The slander campaign against Young prepared the way for the attempt to break up her family. The day after the fire, still in a state of grief and shock, she was detained by Detroit police. Young told the WSWS that she was interrogated as a criminal. In an attempt to “break” her, police shut her in a room surrounded by children’s toys and asked her the same questions again and again, for example repeatedly telling her she was lying about the age of Tywon.

“They asked me what happened. Where I went. How old my kids are. They wanted to tell me my oldest child was only nine going on ten. I know how old he is—he’s 12 going on 13,” Young told the WSWS. “They kept on saying, ‘You’re not in trouble, just tell the truth.’ I was. They wanted me to lie, to do something stupid so they could charge me. I am a single parent with seven children. I take care of my kids. I gave up my life for my kids.”

On March 4, Young was brought to court by the state’s Republican attorney general Michael Cox, acting on behalf of the Department of Human Services. Thus only two days

after she lost three children in a horrific fire, Sylvia Young lost custody of her remaining four. The children were temporarily assigned to Young’s mother pending the case’s outcome; she was granted limited visitation rights.

This was part of a campaign of intimidation against Young. “They are trying to use what I need to get my kids back in order to pressure me to keep my mouth shut,” she said. “If you are silent then you are going to be easy to get. The only thing I have is my kids and I’m not going to let them say I’m a bad parent. I lost so much. They want me to say forget it, take my kids. I won’t.”

At no point during this period, with Young at the mercy of city police and state prosecutors, did a single elected Democrat in Detroit or Michigan intervene on her behalf.

It was not until March 18 that the Third Circuit Court heard the case. At this initial hearing, a DHS representative admitted the prosecution was without merit and that everything Young had said about the fire was true. But the court-appointed guardian *ad litem* said she had not found time in the 15 days since Young lost full custody to interview the children. The ruling was delayed until Friday.

It is clear that powerful political and financial forces in the state of Michigan are persecuting Young in order to divert attention from their responsibility for this tragedy and many others. Workers and students must be prepared to mount a vigorous defense campaign on Young’s behalf should new attempts be made to take away her children or otherwise victimize her.

The Citizens Inquiry into the Dexter Avenue Fire: Utility Shutoffs and the Social Crisis in Detroit is holding a public fact-finding hearing on Saturday, March 20. For more information, click here.



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact