

# The DC Line

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News, Views & Events

## Children at risk: Plea bargains bring doubts about whether there's justice for victims of fatal abuse and neglect

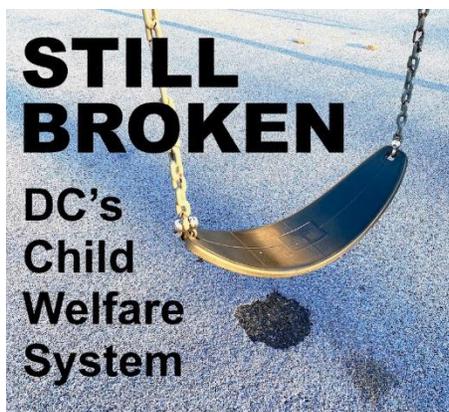
By [jonetta rose barras](#) on Feb 4, 2022 Last updated Feb 4, 2022

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**Federal** prosecutors last week secured guilty pleas in the brutal deaths of two DC children. But some advocates and officials say the potential penalties are far too lax.

U.S. Attorney Matthew M. Graves and DC Police Chief Robert J. Contee III announced three new plea agreements in the deaths of two children featured in The DC Line's investigative series "[Still Broken: DC's Child Welfare System](#)." The guilty pleas come nearly two years after the violent murders of 2-year-old Gabriel Eason on April 1, 2020, and 11-month-old Makenzie Anderson on Feb. 6, 2020. Their deaths lay bare the [failures of the DC government](#), particularly the Child and Family Services Agency (CFSA) – the linchpin of the child welfare system – in protecting the city's most vulnerable children from abuse, neglect and maltreatment.



An [investigative series](#) by The DC Line supported by SpotlightDC: Capital City Fund for Investigative Journalism.

Ta'Jeanna Eason, Gabriel's mother, pleaded guilty to three counts of second-degree child cruelty. It carries a maximum penalty of 10 years' imprisonment and/or a \$25,000 fine.

Antonio Dale Turner, her paramour and co-defendant, pleaded guilty to one count of voluntary manslaughter in Gabriel's death, which has a maximum of 30 years' imprisonment and/or a \$250,000 fine and five years of supervised release. He also pleaded guilty to one count of first-degree cruelty to children, related to the abuse he inflicted on Gabriel's brother I.E., then 3 years old; the maximum penalty is 15 years' imprisonment and a fine of \$37,500 and three years' supervised release.

The U.S. attorney's proffer of facts that accompanied the plea agreement detailed abuse suffered by M.E., Gabriel's 11-year-old brother. That abuse was not included in the charges against Turner, however. In an email to The DC Line, a spokesperson for the U.S. Attorney's Office for DC (USAO) declined to explain why it was omitted. According to court documents, M.E. was diagnosed with healing injuries as well as older ones indicative of long-standing physical abuse when examined at Children's National Hospital the day his brother was murdered. He told MPD detectives that "If, in the morning, the children's diapers were wet, [I] would be beaten."

Meanwhile, a severe assault on a woman during a traffic incident on the morning of Nov. 29, 2021, did make it into the agreement: Out on release just over a year after his arrest for Gabriel's murder, Turner caused a woman's car to crash in the 1800 block of New York Avenue NE, according to government documents. He

then dragged the woman, Malea Murray, from the car and punched her multiple times in the face; she fell and lost consciousness. Even as she lay prone on the sidewalk, he kicked her and stomped her in the head. He was subsequently arrested and has been in jail since that incident, according to the U.S. attorney.

As part of his agreement, Turner pleaded guilty to one count of assault with significant bodily injury in connection with the car incident. That charge carries a maximum punishment of up to three years in prison, a \$12,500 fine and three years of supervised release.

For her crime, Tyra Anderson, Makenzie's mother, pleaded guilty to a charge of voluntary manslaughter, meaning a maximum penalty of 30 years in prison and/or a \$250,000 fine and five years of supervised release.

Sentencing will be up to the judges in each case. The judges could also decide not to accept the plea agreements.

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**Upon** learning of the plea agreements, child welfare experts, advocates and government officials expressed disappointment. "The Office of the Attorney General believes cases like these should be prosecuted to the fullest extent of the law, and we urge USAO to vigorously pursue justice and accountability when District children are harmed," a spokesperson for DC's AG Karl Racine told The DC Line in an email. Under the Home Rule Act, adult prosecutions rest with the federally run U.S. Attorney's Office for DC, rather than the locally elected DC attorney general.

Christian Greene, a former ombudsperson for CFSA who filed a whistleblower lawsuit in 2018 against the agency for deliberately withholding from children and youth information about their rights, lamented the fact that the plea agreements minimize the severity of the crimes.

"My heart grieves for these babies," Greene told The DC Line. "If they had a voice and could speak of the torture of each injury, the suffering of slowly dying, not just the negligence of not seeking medical care, would the plea be reflective of the crime? No.

“These pleas reflect the very real issue within child welfare where we excuse criminal behavior because the victim is a child and defer to civil intervention, which is an additional trauma due to the nature of removing the child victim from the home rather than the perpetrator,” continued Greene, whose appeal is pending in the DC Court of Appeals after a judge dismissed her lawsuit.

“I believe in reform, but a suspended sentence and a piece of paper to stay away from children is an insult to children,” Greene added.

Ward 6 DC Council member Charles Allen, who chairs the Committee on the Judiciary and Public Safety, declined through his spokesperson to comment for this story. His committee not only oversees public safety matters but also tracks child deaths through oversight of the Child Fatality Review Committee within the Office of the Chief Medical Examiner.

Ward 1 Council member Brianne Nadeau, chair of the Committee on Human Services, which oversees CFSA and many other aspects of the city’s child welfare system, did not respond to multiple email requests for comment about the plea agreements.

The USAO has recently signed plea deals in three other child abuse and neglect cases, as previously reported by The DC Line: In December 2020, Maurice Meniefield severely beat his daughter, L.D., breaking both her left and right jaws, requiring emergency surgery. He was initially charged with first-degree cruelty to children but was allowed to plead instead to aggravated assault. On Sept. 27, 2021, he received a sentence of three years’ probation.

Donovan Ahmir Gilchrist had been charged with second-degree child cruelty to his 2-month-old son, S.G. The beating the boy endured in December 2020 caused bleeding on both sides of the brain, according to court records. Medical professionals at Children’s National Hospital predicted he would not recover from his injuries. Nevertheless, in October 2021, Gilchrist received a suspended sentence of 20 months with 18 months of supervised probation. A spokesperson for the U.S. Attorney’s Office said this week that S.G. was still alive as of the date of the plea agreement.

In November 2021, Tyvez Jackson (aka Dawub Balil) and Diamond Taylor pleaded guilty to felony first-degree cruelty to children and felony second-degree cruelty, respectively, in the near death of D.J. The 5-year-old was Jackson's biological daughter, whom he repeatedly beat whenever she urinated or defecated on herself. The last assault left her unconscious. She was rushed to Children's National Hospital on May 28, 2020, where emergency neurosurgery was performed. She was left in a vegetative state with no expectation of recovery.

The spokesperson for the U.S. attorney said a sentencing recommendation will be made closer to March 11, when Jackson and Taylor are expected to appear in court.

Gabriel Eason and Makenzie Anderson were both subjected to severe physical abuse during most of their young lives, ultimately resulting in their deaths. Various individuals had made reports to the Department of Human Services and to CFSA's abuse and neglect hotline about Anderson's abusive treatment of her child, who lived with her and other siblings in a DC subsidized motel that served as a shelter for homeless families. There is no public record that any investigation into those allegations was ever conducted.

Soon after Anderson finally took Makenzie to Children's National Hospital, "the child was pronounced dead," according to court records. The family had been living at the motel when Anderson said her daughter "fell from a bed on or about Feb. 3, 2020." After that incident, she said, the child wasn't acting like herself and by Feb. 5 was "gasping for air."

The next day, she said, she found Makenzie "unresponsive and cold to the touch." Anderson claimed she didn't seek medical attention earlier because she was "scared."

When the DC medical examiner's office conducted its autopsy, staff washing the child "observed a brown-colored residue on the towels and sponges," according to court records. "A member of the staff noted that the residue looked like make-up or some type of cosmetic. Once the child was fully washed, the examination detected multiple contusions to the head and face." Detectives, using a search warrant, recovered cosmetics from the motel room as part of their investigation.

The autopsy determined that the child suffered from multiple contusions to the face and head, skull fractures, and other injuries. The cause of death was ruled to be blunt force trauma to the head. Anderson was arrested on Dec. 4, 2020, according to government documents.

In Gabriel's case, a day care worker called the CFSA abuse and neglect hotline on Oct. 9, 2019, to report having seen unexplained bruising on the 2-year-old. That [triggered two separate investigations](#); each ultimately labeled the allegations as "unfounded."

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**As** part of a six-month investigation supported by Spotlight DC: Capital City Fund for Investigative Journalism, The DC Line found that CFSA frequently botched investigations; many were opened too late and closed prematurely.

The autopsy on Gabriel conducted by Dr. Sasha Breland, then the District's deputy medical examiner, disproved CFSA's determination that no abuse had occurred. The child suffered multiple blunt force trauma to the head and central nervous system, marked by swelling to the head as well as abrasions and contusions with associated sub-scalp hemorrhages. There were contusions to the heart and thymus gland; liver lacerations; right kidney lacerations; a small subdural hemorrhage to the left side of the brain; and 36 bilateral rib fractures — 30 that were acute and six that were healing.

The extent of the abuse to his 3-year-old brother I.E. was detailed in the U.S. attorney's proffer of facts that accompanied the plea agreement. According to that document, when I.E. was examined at Children's National Hospital on April 1, 2020, around 5:25 p.m., the child had hemopneumothorax — a condition in which blood and air fill the pleural space — "around the lungs and abdominal cavity." The bleeding "most likely came from the liver."

Based on the laboratory results, doctors at Children's estimated that I.E.'s "injuries would have come at least 12 hours or more before arriving at the hospital."

"The liver lacerations were caused by blunt force trauma, coupled with other injuries previously mentioned, shows a pattern of abuse," Dr. Adrienne Artis

wrote at the time in a case report. She added that “the trauma would be equivalent to sustaining an injury after being involved in a multiple vehicle accident or falling from a 20-story building.”

Gabriel’s death may have saved his brother’s life.

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**Advocates** didn’t just complain about the U.S. attorney’s decision not to go to trial; they were also disturbed by the sentences suggested as part of the plea agreements, characterizing them as lenient. Eason pleaded guilty to three counts of second-degree cruelty to children. However, the USAO recommended that she receive only a six-year sentence (out of a 10-year maximum) and that it be completely suspended with the caveat that she have “no future unsupervised contact with children and that she participate in mental health and drug treatment.”

Turner could have faced a total of 48 years in prison for his crimes under the charges outlined in the plea agreement. However, “contingent on the court’s approval,” he may instead be sentenced to seven to 13 years in prison. He also agreed to five years of supervised probation.

The couple is expected to appear in court to be sentenced on March 25, according to a USAO document.

Anderson’s plea agreement, which also must be approved by the court during a sentencing hearing on March 31, calls for a 10-year prison term. All but three years of that time would be suspended on the condition that she have no future unsupervised contact with children and that she engage in mental health treatment. Following incarceration, she would serve five years of supervised release.

Aspects of these plea agreements illustrate the lack of sufficient mental health services to parents and children – another failure of the city’s child welfare system found by The DC Line. Further, the agreements seem to suggest the merits of an idea that was raised in the investigative report for law enforcement to create and maintain a list of individuals who have committed crimes against

children. Such a registry would be comparable to those maintained for known pedophiles, and people on the list would be prohibited from interacting with children – even their own – without supervision. Despite the agreements' inclusion of language specifying that neither Anderson nor Eason should be allowed unsupervised interaction with children, it's unclear whether the USAO will seek to extend that by recommending DC codify such prohibitions.

That is no consolation for advocates and child welfare experts, like Stephanie McClellan, deputy director of DC KinCare Alliance, a nonprofit organization created to support relatives who care for children outside of the traditional foster care system.

"If the horrific beating deaths of babies Makenzie Anderson and Gabriel Eason aren't murder, then what is?" she asked.

"There is a complete lack of accountability, from the DC agencies who have the authority and opportunity to prevent these homicides and do not, to the killers who walk away with a slap on the wrist," continued McClellan. "These innocent children did not get the protection they deserved and now they won't get justice, either."