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Judge Dismisses Mother's Lawsuit

BRIGITTE GREENBERG March 11, 1998

NEW HAVEN, Conn. (AP) _ A judge has dismissed a mother's lawsuit against the Connecticut Department of Children and Families that sought the names of anonymous callers to a child abuse hot line.

Susan Leventhal wanted to know who had accused her five times of abusing her children. She was exonerated each time in a case that drew national attention.

Superior Court Judge Referee Robert Hale ruled that Ms. Leventhal has no right to the information so she could not sue the agency.

"The individuals whose identities the plaintiff is seeking to ascertain are exactly the individuals whose anonymity the statute at issue was designed to protect," the judge said in last week's decision.

Ms. Leventhal had challenged a Connecticut law, similar to ones in other states, that lets people make anonymous complaints to child-abuse hot lines. She claimed she had a constitutional right to face her accusers. She wanted to bring harassment charges.

Leventhal, a single mother, was accused five times of abusing her four children, who range in age from 4 to 15.

State child welfare workers investigated each complaint against her, including accusations she had beaten and starved them, used drugs in front of them and left them home alone.

She was cleared of wrongdoing every time.

In most states, people such as teachers, doctors or police officers are required to give their names when bringing abuse complaints. But under the law in Connecticut and other states, members of the public can request confidentiality.

Since the Leventhal case gained national attention, Connecticut has adopted stronger safeguards. A new state law makes it a crime punishable by up to a year in jail and a \$2,500 fine to make a false and malicious report of child abuse.

The law did not apply in Ms. Leventhal's case, however, because the calls were made before it went into effect.

While acknowledging that the complaints against Ms. Leventhal were not substantiated, Attorney General Richard Blumenthal said Tuesday that the right of accusers to remain anonymous has saved young lives.

"Anonymity is often critical when friends or neighbors are making complaints," he said. "Without anonymity, some sources of information or cooperation might be unavailable."

Ms. Leventhal's attorney, Steven Varney, said he plans to file an appeal and a new lawsuit to try to force the agency to release more records on the family's case.

Ms. Leventhal, a former New Britain resident who has since moved out of state, said she is determined to continue her battle because investigators subjected her children to what she describes as traumatizing questions and bodily examinations.

"They don't understand how much this whole situation has hurt my family. The very same government agency that swears they're going to protect children is destroying a lot of children's lives," she said. "How does it feel for a little kid to be disrobed and asked, 'Does Mommy beat you?'"

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