

NEWS

A nonprofit reunited a family despite a history of violence. After a 1-year-old died and another child was abused, it settled for \$8 million.

The foster care agency, Asociación Puertorriqueños En Marcha, is accused of allowing the two sisters to return to the home of their mother, where a man convicted of statutory sexual assault lived.



The Court of Common Pleas in Philadelphia City Hall in December 2023.
Tom Gralish / Staff Photographer

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A Philadelphia-based foster care agency has agreed to settle lawsuits accusing it of negligence when it placed two sisters back in a dangerous home, resulting in the death of a 1-year-old and abuse of her older sister.

The \$8 million settlement last week with Asociación Puertorriqueños en Marcha, or APM, which serves the Latino population in [North Philadelphia](#), and its foster care subsidiary, Pradera Corporation, resolves two lawsuits filed in the Philadelphia Court of Common Pleas in July 2022 and November 2023 on behalf of the sisters.

The younger girl, identified only as J.J., died in 2021 prior to her second birthday from ingesting fentanyl. She and her sister, who is now about 10 years old and identified as N.F., were returned to a violent house in which they were not safe, court documents said. APM was responsible for their well-being as the foster agency providing the family services, and should have intervened, the court filings on the girls' behalf argue.

APM disputed the allegations in court filings. The agency denies that it pushed to reunite the family, and that the girls' mother and her boyfriend were "active in family court and all dependency matters."

The complaints, tell a horrific story with an outcome lawyers contend was predictable and preventable.

The girls' mother had a known history of mental illness, drug use, and arrests, according to the complaints. She lost parental rights to her eldest child in 2014.

The mother lived with her boyfriend, Jonathan Jimenez, who was J.J.'s father and had been convicted in 2007 of corruption of minors and statutory sexual assault, according to the complaints. The couple was also allegedly violent toward one another.

APM became involved with the family in 2019, providing services at the home, courts records say. In 2020, after the mother attempted to set her boyfriend's belongings on fire, according to the complaints, police arrived at the house and the Philadelphia Department of Human Services received a report that J.J., then 4 months old, "had been punched in the head."

But despite Jimenez's criminal history, multiple violent instances, arrests, drug use, mental health crises, and being unresponsive to the child-welfare system, according to the complaints, the girls were reunited with their mother in May 2021.

"This is about as bad as I've seen a placement," said Nadeem Bezar, of Kline and Specter, who filed the lawsuits. "Before reunification with that man, they were in safe and nurturing environments where they didn't have to be removed."

Just a few months later, in December, 1-year-old J.J. died after [ingesting fentanyl](#) and [xylazine](#), an animal tranquilizer that has [become all but ubiquitous in Philadelphia's illicit opioid supply](#). She arrived at St. Christopher's Hospital with bruises throughout her body.

N.F. and two other siblings were removed from the house, and N.F. told investigators that she witnessed abuse to her younger sister — including her mother force feeding the toddler hot sauce, the lawsuit said. N.F. later told investigators Jimenez sexually and physically abused her.

Jimenez was arrested in November 2022 and charged with aggravated indecent assault of a child, strangulation, and other crimes related to the sexual assault of N.F., according to the Philadelphia District Attorney's Office. A spokesperson for the office declined to comment on whether other investigations of Jimenez are open.

The [Philadelphia Police Department](#) and District Attorney's Office did not respond to requests for information about investigations into the mother.

The mother and Jimenez could not be reached. Neither was a defendant in the civil case. Jimenez's attorney did not respond to request for comment in time for publication.

The work of child welfare is extremely difficult, Bezar said. And the lawyer recognizes that sometimes there are close calls, but said the house that J.J. and N.F. were allowed back into wasn't one of those.

"But a case like this involves one that there is no gray area," Bezar said. "Nobody in good conscious can say that this placement made sense."