

State Agrees to Pay \$22M For Failure to Supervise Father Who Brutally Beat Child

The state of New Jersey agreed to pay \$22 million to settle claims on behalf of a child who was severely beaten by her father after state child welfare employees failed to adequately monitor the family. The settlement follows another, for \$8 million, alleging medical personnel failed to take proper steps when the child was brought to an emergency room with injuries.

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Beth Baldinger, left, and David Mazie, right, of Mazie Slater. Courtesy photo

A \$22 million settlement in the case of an girl who was severely beaten by her father is the believed to be the largest in the history of New Jersey's Division of Child Protection and Permanency [DCPP], according to the child's lawyer.

The state agreed to the settlement on Sept. 25 in a suit in Essex County Superior Court alleging that that DCPP and six state employees were negligent in their supervision of Stephanie Torres and Jason Gomez, both Newark residents and parents of a girl identified as A.G. The defendant

employees were assigned to monitor the child after she was born in October 2011. But they failed to conduct a background investigation of the parents and failed to recognize that A.G. was at risk and to designate the case as high-risk, the suit alleged.

On March 12, 2012, Gomez assaulted A.G., causing catastrophic and permanent brain injuries. He pleaded guilty to aggravated assault and child endangerment and was sentenced to seven years in prison.

Now 14, A.G. suffers from traumatic brain injury, blindness and seizures. She is wheelchair-bound, cannot speak or feed herself, and receives medication and supplemental nutrition through a gastrostomy tube. Since June 2024, she has resided full-time at Matheny Special Hospital and School in Peapack-Gladstone, New Jersey, where she receives around-the-clock care and therapy and attends school. Medicaid fully covers her care and residency.

The latest settlement follows another, reached in the same case in September 2023, in which Clara Maass Medical Center paid \$6.1 million and Emergency Medical Associates of New Jersey, physician Michael Eagan and physician assistant Alexsey Ikhelson paid \$1.9 million to settle claims that they were negligent for failing to contact child welfare officials when A.G. was brought to the emergency room with laceration on her gums. The suit said the doctor and physician assistant should have known that the explanation by Torres and Gomez that the child cut her gums on a plastic pacifier was not credible.

The case was at the Appellate Division twice—in August 2022, a judge granted the state's motion to dismiss all state defendants. In July 2025, the Appellate Division reversed in part and remanded the case to the Law Division in Essex County.

The state defendants filed a second motion for summary judgment in March, but Judge John Chiaia of Essex County Superior Court dismissed the state's motions and the plaintiff's cross-motions. Chiaia performed a detailed analysis of the record developed on each defendant, and ruled there were genuine disputes regarding the knowledge, conduct and state of mind of each defendant that preclude summary judgment.

Trial was set for Sept. 28. As the trial date approached, counsel for A.G. faced several potential obstacles, said David Mazie of Mazie Slater Katz & Freeman, who represented the child along with Beth Baldinger and Trevor Dickson of the same firm. First, he had to show the state employees' actions reached the level of willful misconduct, a high threshold, said Mazie. Second, plaintiff counsel brought a claim for negligent supervision, but the state asserted that that claim was subsumed within tort claims immunities and should have been dismissed, Mazie said. But whether that claim would stick wouldn't be known until there was a verdict and appeal, he said.

Third, if the case went to trial, part of the liability would have been attributed to Gomez's brutal abuse of his daughter, which could have cut any reward significantly. And finally, the state was pushing hard on the theory that A.G. would only live another 20 years, which would have cut into the damages award, Mazie said.

But in the end, the state opted not to try the case, and Mazie credits the defendants' testimony.

"There was damning evidence, and I think that a jury could have been very angered by this, and potentially punish the defendant," Mazie said.

When the DCPD workers were assigned to A.G.'s case, they were supposed to look into the backgrounds of the mother and father, but failed to do so, Mazie said.

"They admitted they were supposed to check his criminal history, and they didn't they didn't fully do it. They were supposed to check if there was any domestic violence in the home, and they never contacted Newark police. And they admit that was a breach of their policies and procedure. They were supposed to find out about the mom's mental health history, and they never found out about that. They would learn that she's got mental health issues. The father had significant mental health issues, but they never learned why he was on Social Security permanently since he was a teenager," Mazie said.

"And if they had done that, they would have learned that he had severe mental issues, that he had anger issues, that he didn't like to be around people, that he had impulse control issues, and they admit that was a breach of their policies and procedures. So that's the testimony we're talking about," Mazie said.

When asked why they didn't do their jobs, the state workers just said "I don't know. I don't know. I don't know," according to Mazie, who credits Baldinger with taking most of the depositions.

"And it was an endemic problem. It was from top to bottom. It was multiple caseworkers on this case throughout the period we're talking about, and multiple supervisors. And from top to bottom, they ignored this child and her safety," he said.

"I think that the evidence itself was so damning and overwhelming that a jury would be angered, and I think that we would, at the end of the day, would have proved willful misconduct," Mazie said.

John North of Greenbaum, Rowe, Smith & Davis in Woodbridge represented the state defendants along with counsel from the attorney general's office. North did not respond to a call about the case and the attorney general's office declined to comment.

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