

Final Report



A Critical Incident Review Team (CIRT) is convened by the Department Director when the Department becomes aware of a critical incident resulting in a child fatality that was reasonably determined to be the result of abuse and the child, child’s sibling or another child living in the household with the child has had contact with the Department (DHS). The reviews are called by the Department Director to quickly analyze DHS actions in relation to the critical incident and to ensure the safety and well-being of all children within the custody of DHS or during a child protective services assessment. The CIRT must complete a final report which serves to provide an overview of the critical incident, relevant Department history, and may include recommendations regarding actions that should be implemented to increase child safety. Reports must not contain any confidential information or records that may not be disclosed to members of the public. Versions of all final reports are posted on the DHS’ website.

CIRT ID: 8T2MMRJSIM		
Date of critical incident: 08/11/2019	Date Department became aware of the fatality: 08/11/2019	
Date Department caused and investigation to be made: 08/11/2019	Date of Child Protective Service (CPS) assessment disposition: 10/01/2019	
Date CIRT assigned: 08/23/2019	Date Final Report submitted:	
Date of CIRT meetings: 09/03/2019 (Initial) 10/17/2019 (Follow-Up) 10/28/2019 (Follow-Up)	Number of participants: 14 18 12	Members of the public? No Yes No

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Description of the critical incident and Department contacts regarding the critical incident:

<p>Date of report: 08/11/2019</p> <p>Assignment decision: Assign-24 Hours</p>	<p>Allegation(s): Neglect by Mother & Father.</p> <p>Threat of Harm by Mother.</p> <p>Threat of Harm by Father.</p>	<p>Disposition: Founded</p> <p>Unfounded</p> <p>Founded</p>
<p>On August 11, 2019, the Department received a report that a two-week-old infant was found deceased likely as the result of bed sharing, but the investigation was on-going. The Department had a pending Child Protective Services (CPS) assessment from June 2019 concerning the condition of the home.</p> <p>The Department and law enforcement went to the family home in response to the report of the fatality on August 11, 2019. The assigned caseworker found the condition of the home unkept and cluttered due to clothing, food, dirty diapers, and trash on the floors. The apartment smelled of decaying food, urine, and feces. The surviving children were unclean and had dirty clothing on. A pack-n-play downstairs and a bassinet style crib were filled with miscellaneous items and were not being used as sleeping spaces for the infant.</p> <p>The mother reported having two beers sometime after 09:30 PM. The mother breastfed the infant for about thirty minutes around midnight and then put the infant in a bouncer downstairs. Around 03:30 -04:00 AM, the infant woke up and the mother took the infant upstairs and placed the infant in the rocker directly next to the mattress. The mother stated that she fell asleep and was woken up by the infant's cries about 05:00 AM and subsequently put the infant on the mattress next to her. The infant was placed on a pillow so that the infant's head and body were on the pillow and the infant's feet on the mattress. The mother woke up about 10:00 AM to the father calling for help.</p> <p>The father confirmed the family were all sharing one bed. The family was sleeping in the following order: infant was next to mother; mother had her back toward the infant and was facing child (2yo); child (2yo) was followed by child (5yo) and then father. The father woke-up and noticed the infant's face was blue but could hear the infant taking faint breaths. The father proceeded to try to give infant CPR while the mother called 911 however the infant did not survive.</p> <p>During the assessment, the caseworker noted concerns of substance abuse and domestic violence. Both mother and father admitted to significant alcohol and marijuana use. While pregnant, the mother reported smoking cigarettes daily and occasional marijuana use. After the infant was born, mother continued to smoke cigarettes daily and use marijuana approximately three times per week. The mother admitted consuming alcohol twice since the infant's birth. The father reported daily marijuana use including the use of "dabs." Both parents admitted that physical and verbal altercations occur after they have been drinking.</p> <p>At the conclusion of the assessment, it was determined that both parents were under the</p>		

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influence of intoxicants during the evening prior to the infant's death and the allegations of neglect were founded. The Department took immediate legal steps to protect the children.

Description of relevant prior Department reports:

<p>Date of report: 04/19/2016</p> <p>Assignment decision: Closed at Screening</p>	<p>Allegation(s): Neglect by Mother & Father.</p> <p>Neglect by Mother & Mother's Significant Other.</p>	<p>Disposition: Not Applicable</p>
<p>The Department received a report that mother had given birth to an infant. The mother tested positive for marijuana two days before the birth and it was reported she uses marijuana for insomnia. The report noted no current concerns with the birth or the child's health.</p>		

<p>Date of report: 10/03/2016</p> <p>Assignment decision: Assign-5 Day Response (Alternative Response)</p>	<p>Allegation(s): Neglect_by Mother & Father.</p> <p>Neglect by Mother and Mother's Significant Other.</p>	<p>Disposition: Alternative Response- No Disposition</p>
<p>The Department received a report regarding concerns of domestic violence between mother and father resulting in an incident where the father required medical care. Additionally, the report indicated neglect of the children including lack of supervision and failure to treat head lice. The father was reported to be using methamphetamine and OxyContin and both parents were reported to be abusing alcohol.</p> <p>The Department contacted the family and no disclosures of abuse were made by the children. The mother reported she and the father separated over relationship problems and concerns the father was abusing substances. The mother was not allowing him to have unsupervised contact with the children and had filed for full custody. The father made brief contact with the agency but then did not make himself available to participate in the assessment.</p> <p>Mother admitted daily marijuana use after the children are asleep. Mother reported using alcohol once or twice a year. She completed drug testing which was negative for all substances. Mother shared she moved from California about a year and half prior to the assessment. The eight-year-old's father was not located, but it was believed he was still residing in California.</p> <p>The case was closed, and the children noted as safe.</p>		

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Date of report: 01/25/2017	Allegation(s): Neglect by Mother.	Disposition: Not Applicable
Assignment decision: Closed at Screening		
<p>The Department received a report that mother is pregnant and tested positive for THC.</p> <p>No further action was taken as the child had not yet been born.</p>		

Date of report: 08/06/2018	Allegation(s): Neglect by Mother	Disposition: Unfounded
Assignment decision: Assign-24 Hours		
<p>The Department received a report on August 6, 2018 regarding concerns that the mother had left her child unattended. The assigned caseworker learned that on 5/12/2018, law enforcement (LEA) responded to a report of an unattended child, estimated to be one-to two-years-old. Law enforcement had trouble contacting the mother inside the home and the mother reported she fell asleep after work. The child was returned to the mother.</p> <p>The Department completed an unannounced home visit and met with the mother and the children. The mother was cooperative and there were no noted concerns regarding her care of the children or the condition of the home. The caseworker was unsuccessful in locating the ten-year-old's father who may have been in prison in California.</p> <p>The mother explained her ten-year-old was watching the two younger children when they napped and while mother napped. Mother reported the ten-year-old unlatched the door and left the apartment to speak with a friend and when she returned the two-year-old was gone. The Department determined this was an isolated incident.</p> <p>The father admitted to using marijuana daily with the mother. Both parents reported using marijuana when their children are sleeping.</p> <p>No safety concerns were identified, and the case was closed.</p>		

Date of report: 02/06/2019	Allegation(s): Neglect by Mother	Disposition: Not Applicable
Assignment decision: Closed at Screening		
<p>The Department received a report that mother was pregnant and tested positive for THC.</p>		

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No further action was taken as the child had not yet been born.

Date of report: 06/07/2019	Allegation(s): Neglect by Mother.	Disposition: Unfounded
Assignment decision: Assign- 24 Hours	Neglect by Father	Unfounded
	Neglect by Mother's Significant Other	Unfounded
<p>The Department received a report that several children were observed crawling on the ground which contained dog feces and rotting trash. The parents are believed to be using methamphetamine and possibly heroin.</p> <p>The agency met with the family and determined the condition of the home was unsafe and hazardous. Feces, trash and food covered the floors and the kitchen sink was unusable due to the number of dishes and food filling it. The backyard of the home was covered with hazardous objects that the children could easily access. Further, marijuana was easily accessible to the children. A protective action plan was put in place and the children went to stay at their paternal grandparent's home. Both parents provided drug-testing on this date which were positive for marijuana.</p> <p>During the time of the protective action plan, the children's medical provider was contacted and noted no serious concerns with the children's health, however the parents and children had not shown for some appointments in the past.</p> <p>Seven days later, the children return after the home was cleaned. During interviews with mother, she reported that she was pregnant with her fifth child. Mother admitted to smoking marijuana while pregnant but denied any other substance use and reported that she would drink occasionally when not pregnant. Father reported using marijuana in lieu of taking medication for a neck injury. He reported that he used to drink daily but denied current use and denied any other substance use. He reported historical, daily heroin and methamphetamine use when living in another state.</p> <p>The allegations for this assessment were unfounded for neglect.</p> <p>Mother gave birth to her fifth child after these initial contacts, however the caseworker was not notified of the birth. On August 11, 2019 law enforcement responded to a 911 call and the infant was found unresponsive. This opened a new assessment.</p>		

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Description of concerns regarding actions taken or not taken by the Department or law enforcement agencies in response to the critical incident or events that led to the critical incident

The CIRT discussed the unsafe sleeping environment and concluded the parents were provided adequate education about safe sleep guidelines for their newborn. The CIRT felt the parents were unable to utilize safe sleep guidelines due to other family dysfunction including substance abuse and potentially their involvement in domestic violence, though no information suggested there was a domestic violence incident the evening the child died.

The Department's contact prior to the birth of the child provided a glimpse of how these family conditions were manifesting into the neglect of children, specifically, the decline of the condition of the home. Though the parents were able to clean their residence to an acceptable level allowing for the children to live in the home, a deeper evaluation of why the family home deteriorated may have offered insight into the issues afflicting the family.

The CIRT noted the delay in cross-reporting to be a concern in this case. The CIRT recommend the Department further explore what caused the delay to ensure timely cross-reporting by the first responder.

Recommendations for improvement in the administration and oversight of the child welfare system that are specific to the critical incident and any historical information reviewed by the team:

The CIRT had no additional recommendations related to safe sleep education. The CIRT did recommend that further consideration regarding the impact of family violence and substance use on a parent's ability to utilize this education should be considered during an assessment.

Prior CIRTs have described a variety of case practice issues like those identified in this review including the recognition of chronic neglect. In general, those reviews have suggested additional caseworker and supervisor training resulting in some immediate effectiveness but no clearly identified long-term changes. While training will continue to be one venue to provide education and support to staff, the CIRT recognized and supported efforts that go beyond training. Currently, CIRT Coordinators are undertaking efforts to better understand what systemic factors may be influencing the work of Child Welfare. These efforts include the application of safety science and the Safe Systems Improvement Tool (SSIT). The use of safety science to evaluate child fatalities is a national movement supported by the



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Commission on the Elimination of Child Abuse and Neglect Fatalities, Children's Bureau Capacity Building Center, Child Welfare Workforce Safety, Dr. David Sanders and Casey Family Programs. The CIRT recommends continued support of current efforts by the Department to team with innovators at Chapin Hall Center at the University of Chicago and Casey Family Programs to evaluate how to best implement this system.