

Critical Incident Review Team Case File Summary



A Critical Incident Review Team is convened by the Department Director when the Department becomes aware of a critical incident resulting in a child fatality that was reasonably believed 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. The CIRT report is created at a specific time as required by statute and does not account for events occurring after the posting of the report. Versions of all final reports are posted on DHS’ website.

CIRT ID: Y0OHPTVOHR		
Date of critical incident: June 14, 2020	Date Department became aware of the fatality: June 15, 2020	
Date Department caused an investigation to be made: June 15, 2020	Date of child protective services (CPS) assessment disposition: September 11, 2020	
Date CIRT assigned: June 18, 2020	Date Final Report Submitted: September 25, 2020	
Date of CIRT meetings: July 2, 2020 August 27, 2020	Number of participants: 12 16	Members of the public? 0 1

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

Date of report: June 15, 2020 Assignment decision: Within 72 Hours	Allegation(s): Neglect by Father	Disposition(s): Unfounded
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On June 15, 2020, the Department received a report regarding the death of a 15-year-old child. The report stated the child's body was located the day prior at the bottom of a canyon located approximately five miles from where the child resided with the father and siblings. Based on the location and condition of the body, it appeared the child either fell or jumped into the canyon around June 1, 2020. The report stated that while the child left the family's home on June 1, 2020, the father did not file a missing child report with local law enforcement for twelve days. Reportedly, the child frequently ran away from home and would not return for multiple days. At the time of the death, the child was believed to be using Marijuana and possibly Methamphetamine, was under the supervision of the local Juvenile Department and had a history of mental health challenges including past suicidal ideation. The report also stated the father recently attempted to obtain inpatient treatment services to address the child's mental health and substance use.

During the CPS assessment, the CPS caseworker was informed by family members that the morning the child left the residence, there had been no disagreements or concerns regarding the child which may have prompted the child to leave home. The father reported the child and the siblings were outside riding their bicycles and the child simply rode away from the house. As the child had previously ridden their bicycle to a neighboring community, the father drove to that area but was unable to locate the child. The following day the father contacted local law enforcement to inform them of the situation. The father reportedly had continued contact with law enforcement over the next week. After the child had been gone for 12 days the father made a second report to law enforcement regarding the child's unknown whereabouts.

The father reported that prior to the child's disappearance, the child did not exhibit any indications of suicidal ideation. Given the time that had passed between the death and the discovery of the body, in addition to the circumstances surrounding the death, it remains uncertain if the child's fall and subsequent death was intentional or accidental.

The Department determined the allegation of neglect by the father to the child was unfounded as the father took appropriate action to locate the child and obtain law enforcement assistance after the child left the family's residence.

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Description of relevant prior Department reports:

Date of report: October 21, 2005 Assignment decision: Within 5 Days	Allegation(s): Neglect and Physical Abuse by Mother	Disposition(s): Unfounded
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On October 21, 2005, the Department received a report regarding concern for the 1-year-old (the deceased child listed above) and that child's 7-year-old and 5-year-old half siblings, all of whom resided with the mother. The report stated the mother had struck the 7-year-old half sibling in the head with a closed fist though no injuries were observed. The report also stated the mother had enrolled in parenting classes which she failed to complete. While no additional details were provided, the reporter alleged the father was addicted to Methamphetamine however it was unclear if this was the father of the two oldest children or the father of the 1-year-old.

During the course of the CPS assessment the CPS caseworker interviewed the half siblings and neither reported concerns regarding their homelife nor did they report physical abuse perpetrated by the mother. The mother denied using physical discipline or perpetrating physical violence against the children. The mother reported she was no longer in a relationship with the father of the half siblings who she reported had a history of Methamphetamine use. The mother also reported she and the father of the half siblings had maintained a positive relationship and that he engaged in visitation with the children.

The Department concluded the assessment was unfounded for physical abuse and neglect by the mother as the children made no disclosures of physical abuse, had no injuries and appeared healthy and receiving appropriate care.

Date of report: April 3, 2006 Assignment decision: Closed at Screening	Allegation(s): Neglect by Mother	Disposition(s): Not Applicable
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On April 3, 2006, the Department received a report of concern regarding the children in the care of the mother. The report stated the 6-year-old half sibling regularly came to school extremely unkempt and reported having to seek food from a neighbor. The report also noted the other children in the home, the 8-year-old half sibling and the 1-year-old

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child were also extremely unkempt. The Department determined the information did not rise to the level of an assignment and closed the report at screening.

Date of report: April 17, 2006 Assignment decision: Closed at Screening	Allegation(s): Neglect by Mother's Former Significant Other (father of the half siblings)	Disposition(s): Not Applicable
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On April 17, 2006, the Department received a report of concern regarding the 1-year-old child while in the mother's care. The report stated the mother and her children were visiting the home belonging to the father of the 8-year-old and 6-year old half siblings. While at the residence, the 1-year-old child wandered into a bedroom. The father of the half siblings found the child, brought the child back to the mother and informed her the child had gotten into something while in the bedroom. When the mother was unable to get the child to sleep, she questioned the half sibling's father regarding the child's activities in the bedroom. The father to the half siblings alluded to the child possibly accessing illegal substances. Upon hearing this, the mother left the home with the children. The mother reportedly did not seek a medical evaluation for the child due to concern it would prompt Child Welfare involvement. The Department determined the report would be closed at screening as there was no indication the child ingested or was harmed by illegal substances and the mother left the residence upon learning that illegal substances may be present in the home.

Date of report: July 23, 2009 Assignment decision: Closed at Screening	Allegation(s): Neglect by Mother	Disposition(s): Not Applicable
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On July 23, 2009, the Department received a report of concern regarding the 4-year-old child while in the care of the mother. The report stated that while at the mother's home, the child was injured by the 9-year-old half sibling who struck the child with a shovel causing bruising and scratches to the child's face. The report also stated the half sibling had a pattern of harming the child and though the mother disciplined the half sibling when she became aware of the incidents, the behavior continued. The report also expressed concern for the cleanliness of the home as stacks of garbage had been observed around the home in the past. More recently, the mother had not allowed visitors into the residence. The report mentioned that when the 4-year-old child was

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scheduled to return to the mother's care after visiting the father, the child became emotional and stated they did not wish to return to the mother's care. The Department determined the report would be closed at screening as the mother had previously acted appropriately during sibling altercations and there was no information reported regarding a current concern for the state of the residence.

Date of report: September 7, 2010 Assignment decision: Within 24 Hours	Allegation(s): Neglect by Mother	Disposition(s): Unfounded
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On September 7, 2010, the Department received a report of concern regarding the condition of the mother's residence and subsequently the safety of the children with whom she resided. The report stated the mother's home had dog feces and numerous bags of garbage throughout the residence as well as clutter which obstructed movement through the home.

During the course of the CPS assessment, the CPS worker had unscheduled contact with the mother and children at their residence. While some clutter was observed and multiple dogs were present in the residence, no animal waste was noted. The children were interviewed and made no reports of concern regarding the residence or their care. The Department concluded the allegation of neglect was unfounded as the condition of the home did not pose a safety threat and no other concerns were reported by the children.

Date of report: September 8, 2010 Assignment decision: Closed at Screening	Allegation(s): Physical Abuse by Father	Disposition(s): Not Applicable
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On September 8, 2010, the Department received a report stating that the 6-year-old child had disclosed physical abuse perpetrated by the father. While at school the child was engaged in a physical altercation with a fellow student. When discussing the incident with school staff the child reported their actions mirrored the actions of their father. Reportedly, the child disclosed the father stood over them while they laid on the floor and repeatedly slapped them across the face. The child did not indicate if the incident resulted in injury. Per the report, the child also stated the father had physically assaulted other children in the home as well as the child's mother. The child reported that in the past the father had kicked a half sibling and struck that half sibling with a flyswatter. The child reported that when the mother was pregnant, the father struck her

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which resulted in her seeking medical care. The child was reportedly unable to provide clear information regarding when these incidents occurred.

The Department determined the report would be closed at screening as the child did not have current injuries. The information in the screening report was provided to the CPS caseworker who was working with the family at the time.

Date of report: July 1, 2011 Assignment decision: Closed at Screening	Allegation(s): Threat of Harm & Neglect by Mother	Disposition(s): Not Applicable
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On July 1, 2011, the Department received a report of concern regarding the mother. The report stated the mother was arrested on possession charges after law enforcement officers located Methamphetamine and Marijuana in her vehicle during a traffic stop. The reporter was not aware of the location of the mother's children at the time of her arrest. The Department closed the report at screening as it was determined there was no indication the children were present when the mother was using substances and no information regarding how the mother's substance use was negatively impacting the care of the children.

Date of report: July 8, 2011 Assignment decision: Closed at Screening	Allegation(s): Neglect by Mother	Disposition(s): Not Applicable
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On July 8, 2011, the Department received a report of concern regarding the 6-year-old child. The reporter expressed concerns the mother was failing to provide the child prescribed medication and noted that if the medication was stopped abruptly, the child could experience seizures. The reporter also expressed concern that the child had previously received injuries from physical abuse by an older half sibling who was now providing supervision of the child despite an agreement between the child's parents that the child would not be left unsupervised with the half sibling. The Department closed this report at screening as there was insufficient information to state the child was unsafe in the care of the half sibling or that the mother should refrain from terminating the child's use of medication.

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Date of report: November 30, 2011 Assignment decision: Within 24 Hours	Allegation(s): Physical Abuse by Father	Disposition(s): Unfounded
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On November 30, 2011, the Department received a report of concern for the 12-year-old stepsibling in the care of the stepmother and father. The stepsibling disclosed having a bruise on their leg as a result of the father punching them repeatedly and throwing a kitchen implement at them. The stepsibling stated the father regularly caused them physical pain. Additionally, the stepsibling reported the stepmother and the father disagree frequently and the stepsibling had attempted to intervene in the disagreements though no additional information was provided. The report noted the stepsibling was autistic and received special education services through their school.

During the course of the CPS assessment the stepsibling reported the incident in question began when they were in the kitchen with the father and were joking with one another. At one point during the interaction, the stepsibling reported they no longer wished to engage in the joking behavior but did not communicate this to the father. The stepsibling reportedly became frustrated with the father when he continued the behavior. When asked how the stepsibling's leg was injured, the stepsibling's statements became unclear and difficult for the CPS caseworker to follow though the stepsibling mentioned the father throwing the lid of a pot. The stepsibling denied being punched by the father. When the stepmother and father were interviewed separately, both reported the stepsibling had become frustrated with the father while they were playing in the kitchen and subsequently the stepsibling threw the lid of a pot at the father who then threw it back at the stepsibling. Both adults agreed the father's actions were inappropriate. During interviews of the household members, including the stepsibling, no other concerns were noted regarding the father or the care the children were receiving.

The Department determined the allegation of physical abuse to the stepsibling by the father was unfounded. While the father admitted to throwing an object at the stepsibling, the information provided by the stepsibling was not consistent with what had been reported at screening and while the father's actions were inappropriate adult behavior, the CPS caseworker did not believe that the incident was abusive in nature.

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<p>Date of report: February 25, 2016</p> <p>Assignment decision: Closed at Screening</p>	<p>Allegation(s): Physical Abuse by Father and Stepmother</p>	<p>Disposition(s): Not Applicable</p>
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On February 25, 2016, the Department received a report alleging physical abuse of the 11-year-old child by the father. The report stated that two months prior, the father kicked the child causing the child to limp however the child was not reported to have current injuries. The report also stated the 14-year-old half sibling had been slapped by the stepmother over three months prior and no injuries were noted. The Department closed the report at screening as there was no information regarding current physical abuse or injury.

<p>Date of report: February 23, 2017</p> <p>Assignment decision: Within 24 Hours</p>	<p>Allegation(s): Neglect by Father</p>	<p>Disposition(s): Unfounded</p>
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On February 23, 2017, the Department received a report of possible neglect of the 12-year-old child by the father. The report stated that three weeks prior the child had been placed at in a residential treatment facility due to aggression towards siblings, binge eating and the inability to read social cues. The child's insurance coverage had since ended, and the child was due to discharge immediately. The report noted concerns that the father had not been returning telephone calls regarding the child's discharge nor had he been responsive regarding scheduling family therapy appointments. The report stated the family dynamic was currently stressed as the stepmother had passed away three months prior and the child's biological mother was not a part of the child's life.

During the course of the CPS assessment the father was able to provide phone records to indicate he had been in regular contact with the child's treatment providers and reported he had made a plan to pick up the child within the timeframe suggested by the provider. The child and other family members reported the father to be an active and caring parent. The father reportedly visited the child on the weekends and spoke to the child almost daily by phone.

The child's mother was described as not participating in the child's life as a result of her struggles with Methamphetamine use. The father had full custody of the child as the mother's current whereabouts were unknown.

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The Department concluded the allegation of neglect to the child by the father was unfounded as the father was an active and appropriate parent who was making suitable plans to meet his child's needs.

Date of report: March 27, 2017 Assignment decision: Closed at Screening	Allegation(s): Neglect by Father	Disposition(s): Not Applicable
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On March 27, 2017, the Department received a report of concern regarding the 6-year-old half sibling. The half sibling was reported to be in the care of the father along with the 12-year-old child and the 4-year-old and 15-year-old half siblings.

The report stated the mother of the 4-year-old and 6-year-old half siblings died two months prior. The father and the children subsequently moved into the residence of the paternal aunt who then sought medical care for the 6-year-old half sibling due to concerns of malnourishment and dental decay. Medical staff did not have concerns for the half sibling's overall health or weight and the child was receiving dental treatment and a dental appointment was scheduled. The report was closed at screening as the half sibling was receiving appropriate care. The information in the screening report was provided to the CPS caseworker currently working with the family.

Date of report: January 22, 2020 Assignment decision: Within 24 Hours	Allegation(s): Neglect by Father	Disposition(s): Unfounded
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On January 22, 2020, the Department received a report of concern regarding the actions of the 15-year-old child as well as concerns regarding the state of the family's residence. The report stated law enforcement and emergency personnel responded to the family's residence due to a house fire. The child, who had a history of fire-starting behavior, had been playing with a candle which started the house fire. While the home was not significantly damaged, the father required medical attention as a result of smoke inhalation. Outside of the small amount of damage to the home caused by the fire, the general state of the residence caused concern for the welfare of the 9-year-old and 7-year-old half siblings. It was noted there was animal waste, garbage, soiled clothing and general clutter throughout the residence. The report stated the family was in the process of moving however the current state of the residence posed a safety risk

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to the children and law enforcement initiated a plan for the children to remain in the care of a family member until the Department could assess the situation.

As a result of the fire, the father reported to law enforcement that the child had previously set fire to their mattress and is suspected of starting a fire on a hay trailer in 2018. The child reported the fire on the hay trailer was accidental however a half sibling reported observing the child light the trailer on fire using a lighter. At the time of the CPS assessment the child was involved with a juvenile justice agency and as a result of the fire, the child potentially faced additional charges.

During the course of the CPS assessment, the CPS caseworker gathered information regarding the child's behavioral challenges. The child was previously diagnosed with mental health conditions for which the child was prescribed medication. The child informed the CPS caseworker that they did not participate in therapy because they disliked talking to others and did not currently feel the need for medication. Family members reported the child had a history of binge eating as a way of dealing with anger, but that the child's eating patterns had since normalized.

During the CPS assessment, the father expressed concerns regarding the child having unsupervised contact with the younger half siblings as well as concerns for the safety of the family's animals as a number of animals had mysteriously died and at least one was found with signs of possible mistreatment. The CPS caseworker was informed that the child had shown aggression towards the half siblings. Reportedly the child had attempted to harm a half sibling by running the half sibling over with a bicycle and stabbing the half sibling with a sharp object. The child also had emotional outbursts and had threatened to kill others however this was believed to have been caused by an adverse reaction to medication. As a result of these incidents, the child had been placed in several residential facilities for stabilization. To address safety concerns posed by the child to the half siblings in the home, the father ensured appropriate supervision for the children at all times which included the use of an after-school program.

The CPS caseworker learned the father had contacted law enforcement on multiple occasions as a result of the child running away from the family's home. The child admitted to the CPS caseworker they regularly used Marijuana but denied use of any additional substances. At the time of the CPS assessment, the child was not attending school as the child had been expelled for using Marijuana on a school bus. The father reported he had been attempting to obtain treatment services for the child for approximately five years.

The family relocated to a different county during the course of the CPS assessment as the father reported to the CPS caseworker that he was in the process of obtaining services for the child through a specific treatment provider.

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The mother of the child could not be located during the course of the CPS assessment.

The Department concluded the allegations of neglect to the child and the half siblings by the father were unfounded. The CPS caseworker determined that while the condition of the home was of concern, the father reported it was the result of their impending move and their new residence was observed to be appropriate with no safety concerns. Additionally, the father was in the process of enrolling the child in services to address the child's behavioral challenges and treatment needs.

Description of services offered and/or provided to the family:

While no services were provided through Child Welfare, the following were identified in assessment narratives and CIRT discussions as accessed by the family:

- Residential treatment services
- Individual counseling
- Juvenile Department case management
- Fire setting assessment
- Alcohol and drug assessment
- Grief counseling

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 determined there were no concerns regarding actions taken or not taken by the Department or law enforcement agencies in response to the critical incident or that led to the critical incident.

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:

While the CIRT determined no actions or lack of actions by the Department contributed to the child's death, the CIRT recognized the challenges the Department and the child and family serving community experience in supporting children with a combination of substance use, mental health concerns, and delinquent behaviors. Over the years, the CIRT has noted a number of fatalities involving children who had contact with child welfare, juvenile justice and mental health agencies. Despite

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engagement with multiple agencies, the full extent of these children's needs went unmet, resulting in tragic outcomes.

The CIRT recommends the following action:

- Continue the Department's current efforts to evaluate and improve the provision of supportive services to families, including those caring for children with behavioral and emotional needs. The Department's Family Support Services workgroup began work in July of 2020 and is comprised of external stakeholders and Department staff representing numerous programs and has the goal of improving how the Department provides supportive services to families. The workgroup is currently finalizing recommendations that will be presented to Department management in the near future. Additionally, the Department engages in ongoing collaborative efforts to address the needs of families involved with Child Welfare and the Oregon Health Authority as a result of the emotional and behavioral health needs of their children.