

Critical Incident Review Team Final Report



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 (ODHS). The reviews are called by the Department Director to quickly analyze ODHS actions in relation to the critical incident and to ensure the safety and well-being of all children within the custody of ODHS 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 the ODHS website.

CIRT ID: OKV3UP7N8J		
Date of critical incident: May 10, 2022	Date Department became aware of the fatality: May 10, 2022	
Date Department caused an investigation to be made: May 10, 2022	Date of child protective services (CPS) assessment disposition: August 5, 2022	
Date CIRT assigned: May 12, 2022	Date Final Report submitted: August 19, 2022	
Date of CIRT meetings: May 27, 2022 July 15, 2022	Number of participants: 15 21	Members of the public? No Yes

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

Date of report: May 10, 2022	Allegation(s): Physical Abuse by the mother	Disposition(s): Founded
Assignment decision: Within 24 hours		

On May 10, 2022, ODHS received a report the mother had sent text messages to a relative stating the system had failed her in her efforts to protect her two children and she needed to take their lives to save their souls. The children were 8 years old and 6 years old at the time of their death. The messages were sent by the mother between 11:50 p.m. on May 9, 2022, and 12:02 a.m. on May 10, 2022. The mother also reportedly transferred a large amount of money to the relative and named them as power of attorney over her assets on that evening. In the messages to the relative, the mother specifically cited her frustration with the court overseeing the divorce and custody case between herself and the other legal parent of the children (herein after referred to as “legal parent”). The mother also sent messages that appeared to indicate the children may have been sexually abused. The reporter stated the mother had a limited support system, had mental health challenges, and her functioning had declined over the past six months. The reporter said the legal parent had also received similar messages from the mother and had called police in response to those messages, requesting a welfare check. At the time of the report, police were attempting to conduct a welfare check at the home but were delayed by the building being locked. Police later confirmed the deaths of the children and the mother by suspected murder/suicide.

The CPS caseworker assigned to the assessment that was open at the time of the children’s deaths responded to the mother’s home on the morning of May 10, 2022 and learned from police officers on the scene the children had been shot and killed by the mother who then completed suicide. The legal parent arrived at the scene and spoke briefly with the CPS caseworker before completing interviews with police.

The CPS caseworker assigned to assess the report of the children’s fatalities interviewed a maternal relative who reported the mother experienced suicidal ideation two to three months prior to the children’s deaths. The mother had told her relative that she had driven to the woods with the intention of completing suicide but did not follow through. The relative stated they sensed the mother’s mental health was declining in the months leading up to the incident but did not feel the children’s or mother’s safety was at risk as the mother was making plans for the future. The CPS caseworker interviewed the legal parent who expressed being shocked the mother had taken the children’s lives and

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completed suicide. They said they were aware the mother had contemplated suicide as a teenager but were unaware of any suicidal ideation by the mother since then. The legal parent was aware the mother experienced anxiety attacks but did not have knowledge of any other mental health concerns she may have been experiencing. The mother's partner at the time of her death was interviewed by the CPS caseworker and reported the mother was fixated on the custody case between herself and the legal parent and she appeared defeated after the judge in the case declined a motion made by her. When asked about the mother's mental health, the partner said they were aware she had experienced trauma as a child and was grieving the breakup of her relationship with the legal parent, but they had not witnessed the mother being depressed or experiencing suicidal ideation. The partner reported on the day prior to the incident the mother had texted to say she was feeling depressed and asked to have the day to herself. Later that evening the partner reported the mother had sent a text asking the partner to return the kittens they had recently adopted to the person they had acquired them from. The CPS caseworker interviewed two of the mother's friends who did not report concerns for her mental health but stated the mother was concerned for the children's safety in the care of the legal parent. One of the friends reported the mother was experiencing financial problems and the friend was concerned about how quickly the mother had entered into a relationship with her most recent partner.

The allegation of physical abuse by the mother to the children was determined to be founded as after the mother had made statements stating she needed to take the children's lives, police determined the mother fatally shot the children then turned the gun on herself, completing suicide.

Description of relevant prior Department reports:

Date of report: December 21, 2020 Assignment decision: Within 72 hours	Allegation(s): Physical Abuse and Threat of Harm by the legal parent	Disposition(s): Unfounded
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On December 21, 2020, ODHS received a report of concern for the safety and well-being of the children, who were 6 years old and 4 years old at the time, by their legal parent. The children were reported to spend equal time with both parents. The reporter stated the mother and the legal parent used to co-parent well after their separation; however, this ended when the legal parent started spending time with a new friend who was critical of the arrangement. The legal parent was said to have a history of alcoholism and was physically and emotionally abusive to the children while drinking, sometime leaving welts on the children from spanking them. The legal parent reportedly regained their sobriety

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for over a year, but the reporter was concerned they were drinking again, and the mother was no longer in the home to protect the children. The legal parent was said to be refusing to tell the mother where the children were during parenting time, despite the anxiety it caused the mother.

The reporter also expressed concern regarding the legal parent's mental health. It was said the legal parent had struggled with depression in the past and had asked the mother to remove a firearm from the home when they were experiencing suicidal ideation. They reportedly requested the children go to the mother's home during periods when they were struggling with their mental health. The reporter was concerned the legal parent was not consistently taking their mental health medications. Their home was described as having minimal food for the children, overflowing trash cans, an unclean bathroom with no soap, and fleas throughout the home.

Allegations of physical abuse and threat of harm by the legal parent to the children were assigned for assessment with a 72-hour response time.

On December 23, 2020, the CPS caseworker interviewed the children and the legal parent in their home. The legal parent denied the allegations, stating they were sober for two years and did not use physical discipline with the children. The home was observed by the CPS caseworker to have adequate food and bathroom supplies. The children denied being physically disciplined by their legal parent, though the older child reported the mother's current live-in partner used physical discipline. The children stated they had adequate food and bathroom supplies in the home and denied ever lacking for their basic needs. They reported feeling safe at both of their parent's homes.

The children's mother was interviewed by the CPS caseworker and stated she and the legal parent remained close friends after separating and co-parented well until the legal parent began dating someone else. The mother reported the legal parent began spending less time with the mother and a reduction in communication between the parents was occurring because the new partner of the legal parent did not like to compete with the mother for attention. The mother said she had heard from neighbors they witnessed the legal parent's new partner intoxicated while in the legal parent's car and she was concerned the legal parent could relapse. The mother stated the legal parent stopped responding to her texts when she was checking on the children during the legal parent's parenting time. She was concerned her children were left in the care of people the children did not know. The mother reported the legal parent sent her a text message on May 6, 2020, asking the mother to come and retrieve their gun as they didn't trust themselves with it.

On December 30, 2020, the CPS caseworker revisited the legal parent's home to discuss concerns they had a firearm that was not safely stored away from the children. The parent acknowledged they had a firearm and said it was stored in a locked safe, which was confirmed by the CPS caseworker.

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The CPS caseworker interviewed a relative of the legal parent who did not have concerns for the children's safety with either parent, but stated the mother was controlling and manipulative. The relative said once the legal parent started dating again, the mother began stalking them. The mother wanted to know where the legal parent was and what they were doing at all times and gave them a choice between seeing the children or pursuing the new relationship.

The allegations of physical abuse and threat of harm by the legal parent to the children were determined to be unfounded as the children denied being physically disciplined by their parent and there was no evidence the children's safety was at risk in the legal parent's care.

Date of report: December 23, 2020 Assignment decision: Within 72 hours	Allegation(s): Neglect by the mother	Disposition(s): Unfounded
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On December 23, 2020, ODHS received a report the mother had left her children home alone on more than one occasion while driving her current partner to work. The 6-year-old child was said to be responsible for the 4-year-old child's care for an hour and a half while the mother drove her current partner to work. The mother was also said to be hearing voices of others talking badly about her, but she did not feel this was a problem and was not seeking mental health treatment for the issue.

The CPS caseworker interviewed the mother and her current partner on December 24, 2020. The mother denied leaving the children unsupervised while picking up her partner from work but admitted telling the children's legal parent that she had done so. She explained she once told the children she was leaving them home alone to pick up her current partner but said this was done to build their confidence and stated she never actually left the home. The older child told the CPS caseworker the mother had left them and their younger sibling home alone on one occasion to pick up the mother's current partner.

The allegation of neglect by the mother to her children was determined to be unfounded as the mother reported she never actually left the home.

Date of report: February 17, 2021 Assignment decision: Closed at Screening	Allegation(s): Neglect by the legal parent	Disposition(s): Not Applicable
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On February 17, 2021, ODHS received a report there was a long-term flea infestation at the home of the children's legal parent. The reporter stated the parent had a cat with fleas and the conditions in the home were described as unsanitary. The legal parent reportedly treated the upstairs of the home for fleas and had also treated the cat but was not treating the children's flea bites. Both children were said to have flea bites, and in August 2020, the children had staph infections from scratching the bites. The younger child was reportedly exceptionally sensitive to the bites and had approximately 20 flea bites on their body.

The report was closed at screening as it did not meet criteria for assessment. There was currently an open assessment with the family and the alleged flea infestation had already been reported on December 21, 2020. The CPS caseworker for the family was notified of the report.

Date of report: July 20, 2021	Allegation(s): Neglect by the legal partner	Disposition(s): Unfounded
Assignment decision: Within 72 hours		

On July 20, 2021, ODHS received a report that the legal parent was experiencing suicidal ideation and threatening self-harm, due to the oldest child stating they did not want to visit them. The reporter stated the legal parent had mental health challenges and has had firearms in their home. The reporter did not know if the firearms were still in the home. The oldest child was said to have told the mother they did not want to go to the legal parent's home as there is no air conditioning in the room where the children stay, and a pet hamster reportedly died from the heat in the children's room. The legal parent reportedly asked the mother to pick up the children on the previous night because the oldest was saying they hated the parent and did not want to spend time with them. Allegations of neglect by the legal parent to the children were assigned for CPS assessment with a 72-hour response time.

The CPS caseworker spoke to the mother by phone and learned the legal parent was on the way to the mother's home to pick up the children for parenting time. The mother tried to convince the CPS caseworker to intervene and request the children be left with her due to her concerns about the legal parent's mental state and how hot the home was. On the following day the mother informed the CPS caseworker that the legal parent had returned the children shortly after picking them up because the oldest child was having tantrums about not wanting to be in the home. The oldest child was interviewed at the mother's home and denied not wanting to see their other parent, but said they preferred

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the mother's home as they have more fun and get more treats there. The oldest child also denied seeing any firearms in the legal parent's home. When asked about anything that made them sad at the legal parent's home, the oldest child shared that two pet hamsters had died there during a recent heat wave. The oldest child said they and their younger sibling had slept in their legal parent's air-conditioned room but forgot to bring the hamsters with them. The younger child also reported no concerns at the legal parent's home and said they preferred it to the mother's home because the legal parent does more fun things with them.

The mother again tried to convince the CPS caseworker to stop the children's visits to the legal parent's home, stating the children were suffering emotional trauma in that home. The legal parent was interviewed and denied the allegations, stating they had falsely been made by the mother to influence their custody case. The legal parent admitted to having some mental health challenges and said they had been addressing them through services. They admitted to owning firearms but said they had given them to a friend for safekeeping. They also denied making the children stay in a non-air-conditioned part of the home during the recent heatwave, saying the children stayed in their air-conditioned bedroom.

The allegations of neglect by the legal parent to the children were determined to be unfounded as the children did not make any concerning disclosures regarding the legal parent's home and because the parent was engaged in services and had the firearms removed from the home.

Date of report: September 15, 2021	Allegation(s): Mental Injury and Neglect by the legal parent	Disposition(s): Unfounded
Assignment decision: Within 24 hours		

On September 15, 2021, ODHS received a report the legal parent left the children, who were 7 years old and 5 years old at the time, home alone to go on a date. Additionally, it was reported that the mother had set up counseling for the younger child, but the legal parent was not following through with taking them to counseling during their parenting time, and that the legal parent didn't care about the children's education or medical appointments. Allegations of mental injury and neglect by the legal parent to the children were assigned for CPS assessment with a 24-hour response.

The CPS caseworker interviewed the children at school on September 16, 2021. Neither child disclosed concerning information about either parent's home, though the older child did report their legal parent had left them and their younger sibling home alone for approximately 10 minutes on two occasions to walk the dog in front of the home. The

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older child reported a preference for being at their legal parent's home because it had two bathrooms and the older child did not have to wait to use one.

The mother was interviewed and stated the children had reported being left alone at their legal parent's home but said she did not have any information to confirm the allegation. The mother shared that she had some mental health conditions for which she was prescribed medication. She denied currently seeing a therapist for these conditions but did state she had seen a counselor regarding her pending divorce.

The legal parent was interviewed and expressed frustration regarding false allegations they felt were being made to influence the custody dispute between the parents. The legal parent stated they had not left the children home unsupervised other than to take the dog outside for a few minutes and the children declined to go along as they were busy watching videos or playing games.

The allegations of neglect and mental injury to the children by the legal parent were determined to be unfounded as the children did not disclose anything concerning regarding their care by either parent.

Date of report: September 18, 2021	Allegation(s): Physical Abuse by the legal parent	Disposition(s): Unfounded
Assignment decision: Within 24 hours		

On September 18, 2021, ODHS received a report the oldest child had been heard screaming as if they were hurt while in the care of the legal parent. The reporter stated the mother had contacted the legal parent on the evening of September 16, 2021 and begged to speak to the children. The legal parent allowed the older child to speak to the mother for a time before taking the phone away and hanging up on the mother, after accusing her of interrogating their oldest child. The mother called later in the evening to speak to the older child again and reportedly heard the older child scream three times, as if they were hurt, and then heard the legal parent say "you're ok" twice. There was concern the older child may have injuries caused by the legal parent.

The CPS caseworker made contact with the legal parent and the children in the home on September 18, 2021. Neither child was observed to have injuries and both denied any allegations of abuse and reported feeling safe with the legal parent. The younger child denied physical discipline was used in the home and said the older child screams when mad. The older child denied being physically disciplined by either parent and said they sometimes scream when mad. The legal parent was interviewed and stated they did not use physical discipline with the children and said the older child will scream when told no.

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When the mother was interviewed, she stated she had called the legal parent to say goodnight to the children when their older child began screaming as if they were hurt. The mother said she could hear the legal parent in the background instructing the older child to tell the mother they were not being hurt.

The children were interviewed again at school on September 21, 2021. The older child reported on the evening of September 16, 2021, the legal parent had wanted them and their sibling to go to sleep because it was past their bedtime. The older child refused to go to sleep and said the legal parent then asked the older child to go to the corner. The older child responded by screaming at the same time the mother had called to say goodnight. The older child denied ever being hit by the legal parent. The younger child confirmed their older sibling's account of events and added that when the legal parent asked the older child to go to the corner, the older child refused and went to play video games. The parent then took the game controller from the older child, causing them to scream in anger. The younger child also denied the parent used physical discipline with either child.

The allegation of physical abuse to the older child by the legal parent was determined to be unfounded as both children denied the parent used physical discipline with them and neither child was observed to have injuries.

Date of report: October 12, 2021	Allegation(s): Threat of Harm by a relative	Disposition(s): Not Applicable
Assignment decision: Closed at Screening		

On October 12, 2021, ODHS received a report there was an apparent physical altercation between a relative to the children and the children's mother during a custody exchange. The reporter stated the mother had been waiting at a parking lot to pick the children up from the relative and was recording the encounter on her phone. Reportedly the relative pulled the phone from the mother's hands and pushed her backward while the children were in the back seat of the car.

The report was closed at screening as it did not meet criteria for assessment. There was an open assessment regarding the family at the time of the report and the CPS caseworker was notified of the incident.

Date of report: April 28, 2022	Allegation(s): Neglect by the legal parent	Disposition(s): Unfounded
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Assignment decision: Within 72 hours		
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On April 28, 2022, ODHS received a report that in early 2022 there was animal feces in the children's room and smeared onto the children's toys and clothing at the legal parent's home. It was also reported the younger child, who was 6 years old at the time, was fearful of walking around the home as they had stepped on something sharp in the past. The reporter stated the mother had brought up the issue of dog feces in the home at a family court hearing, but the legal parent said they no longer had a dog. The legal parent's home was said to be unsafe and unsanitary as there was trash and other items scattered throughout the home, resulting in the younger child fearful to get off the bed. The younger child was reported to be having nightmares about going to their legal parent's home but would not say why. Allegations of neglect to the children by the legal parent were assigned for CPS assessment with a 72-hour response time.

The CPS caseworker interviewed the children at school on the day the report was made. Both children denied there was currently a dog in the legal parent's home and made no concerning disclosures about the home. Both children denied being told by either parent to not disclose information regarding concerns at either home. The CPS caseworker then spoke to the mother by phone who said she did not have concerns regarding the condition of the legal parent's home but was concerned that they were coaching the children not to disclose information, and she encouraged the CPS caseworker to speak to the children's therapist.

On April 30, 2022, the CPS caseworker interviewed the mother at her home. The mother reported that in December 2021 or January 2022, her younger child was playing with a male friend of the mother's and had asked him to tickle their privates. When asked by the mother, the younger child denied anyone had ever touched their privates in the past. The mother also disclosed recently finding the younger child laying on top of a same age peer and touching their privates. She was concerned something had happened to her younger child at the legal parent's home that her younger child had not disclosed. The mother also stated her older child had made concerning statements about genitals. The CPS caseworker recommended the mother speak to the children's pediatrician and therapist about the concerns and also advised her she could contact a child abuse center and try to schedule a forensic assessment.

The children's therapist was interviewed by the CPS caseworker and stated the children had not disclosed any concerning information about the legal parent or their home.

The legal parent was interviewed on May 7, 2022. They denied coaching the children not to disclose abuse and said they were encouraged to be honest. The legal parent also

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denied the children had been exposed to anything in the home that may have resulted in the sexualized behaviors the mother had reported.

The allegations of neglect by the legal parent to the children were determined to be unfounded. The children did not disclose anything concerning regarding the conditions at the legal parent's home to the CPS caseworker or to their therapist. There was no dog residing in the home and the children denied the dog had ever defecated inside the home.

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 identified there were two reports assigned for CPS assessment in which additional communication between the screener and the CPS caseworker was needed in order to more fully understand the allegations of abuse being reported and whether they met criteria for assignment.

Although not identified as an action/inaction, the CIRT noted the challenges for caseworkers to be able to understand and assess mental health, risk factors associated with mental health and if/how they impact child safety.

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 recommends the Oregon Child Abuse Hotline (ORCAH) continue current efforts to enhance procedural guidance for screeners that will identify specific guidelines around required communication between caseworkers and screeners on open cases when receiving new screening calls.

The CIRT recommends the Child Fatality Prevention and Review Program begin exploration into the available supports for caseworkers to understand, identify and assess mental health risk factors. This will include identifying subject matter experts and exploring the feasibility of tools and experts for caseworkers to consult with when assessing families who are experiencing mental health challenges.

The CIRT noted the increase in risk of harm that exists when a firearm is within the home. The CIRT recommends ODHS continue participation in the Oregon Alliance for Suicide Prevention, which has a new committee focusing on access to weapons.¹ This

¹ <https://oregonalliancetopreventsuicide.org/>



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information will be vital to the continuing education and casework practice enhancements around worker safety and caseworkers inquiring on weapons within the home, as encouraged within the procedural guidance when completing home walkthrough assessments.