

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: ZHKOEKV409		
Date of critical incident: December 13, 2023	Date of critical incident: December 13, 2023	
Date Department caused an investigation to be made: December 13, 2023	Date of child protective services (CPS) assessment disposition: February 20, 2024	
Date CIRT assigned: December 18, 2023	Date Final Report submitted: March 27, 2024	
Date of CIRT meetings: January 5, 2024 March 1, 2024	Number of participants: 18 22	Members of the public? 0 0

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

Date of report:	Allegation(s):	Disposition(s):
December 13, 2023	Neglect by the father	Founded
January 4, 2024		
January 7, 2024	Threat of Harm by the father	Founded
Assignment decision:		
Within 24 hours	(1/4/24) Neglect by the father	Founded
Within 72 hours	(1/7/24) Threat of Harm by paternal aunt and paternal grandmother	Unable to Determine
Within 72 hours	Threat of Harm by the father	Unfounded
	Threat of Harm by the mother	Founded

On December 13, 2023, the Oregon Department of Human Services (ODHS) received a report regarding neglect to a 6-month-old child, and threat of harm to the child’s 2-year-old sibling by their father. The 6-month-old child was found deceased by their father at 11:42 a.m. in the bed the father shared with the children the night prior. The father had not checked on the child between the time the father woke up at 6:30 a.m. and the time the child was found deceased. The child’s time of death was unknown when the report was made. Concerns were noted for the father’s supervision given the large gap of time the child was left unattended. The father initially told law enforcement he gave the child a bottle and changed the child’s diaper when he woke up but then retracted his statement and stated that had not occurred that morning. The father recalled he got up, showered and made the child’s sibling breakfast. He then went to the ODHS office to renew his food benefits and requested an unrelated adult, who did not reside in the home, to keep an eye on the child. It was unclear who the individual was at the time of the report. When the father returned to

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the home about 20-30 minutes later, he reported he realized the child had been sleeping for a long time so decided to check on them, which is when he found the child deceased. The child did not present with any marks, bruises or injuries. It was noted the child was found face down on the bed. The reporting party noted the living conditions of the home were not good. The room the child was found in was about 10'x10', with little room to move around freely. The home was owned by the child's paternal grandmother. There was no mention of a separate sleeping space present in the room. The reporting party indicated the mother was not present at the time of the incident and stated the last time she visited the home was about four days ago. This report was assigned for CPS assessment with a 24-hour response.

At the time of the child's death, there was an open CPS assessment concerning the child's father and paternal grandmother allowing the child's mother to use substances in the home and be around the children while under the influence. See the report summary dated October 27, 2023, for information pertaining to that CPS assessment.

On December 13, 2023, two CPS caseworkers contacted law enforcement regarding the investigation involving the child's death. It was learned the night prior to the child's passing, the father, the child's sibling, the paternal grandmother, an adult relative and the adult relative's 14-year-old friend were at the home. When the child was found deceased the next morning, the adult relative and paternal grandmother were not home. In the home was the father, adult relative's friend, the child's sibling and a friend of the father. The father initially told law enforcement he woke the child up, changed and fed them and then warmed food up for the child's sibling. He later said he did not wake the child up, and his final story was the father woke around 6:30 a.m. after the grandmother left for work. The adult relative also left for work while the father stayed in bed for about an hour until the child's sibling woke up and he made breakfast and showered, leaving the child in the bed. The child was facedown when the father left the room, and it was noted this is how the child has always preferred to sleep. The father made an appointment to receive benefits around 9:37 a.m. The father's friend came to the home and was asked to keep an eye out for the child and the child's sibling while the father ran an errand. Law enforcement confirmed the father's whereabouts at 11:13 a.m. The father

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returned home and found his friend still on the front porch. He went inside and noticed the child's sibling had made a mess, so he began cleaning. About 10 minutes into cleaning, the father realized he had not heard the child and went to check on them. This is when the father found the child face down and not breathing on the queen-sized bed with pillows and loose blankets. The father ran out of the room and yelled for the adult relative's friend to call 911 at 11:42 a.m. The father's friend who was left in charge of the children left the residence to find the child's mother. Law enforcement told the CPS caseworkers the mother was transient and was known to use substances, specifically using fentanyl and prescription pills. The mother came to the home while law enforcement and the ambulance were there. She reported she last saw the child a day and a half ago. The father told law enforcement the mother last saw the child four days ago. Law enforcement shared the child did not present with any injuries and the body was still warm with early rigor setting in. It was estimated the child died within a couple hours prior to the father finding them. There was a heater in the room that could have affected the temperature of the child's body.

Later in the evening on December 13, 2023, two CPS caseworkers completed a home visit at the father's home alongside law enforcement representatives. A full interview was not conducted at this time due to the circumstances as the father was visibly somber and upset. The father walked the CPS caseworkers through the home to check for safety. The home environment was documented as unkempt but not to the level of a child safety concern. The child's sibling was observed in the home and no concerns for their safety were documented. At the guidance of a CPS supervisor, a safety plan was put in place while the CPS assessment continued given the unknown circumstances of the child's death. The plan was the paternal grandmother would supervise all contact between the father and child's sibling through December 16, 2023, when the paternal grandmother needed to return to work.

On December 14, 2023, the CPS caseworker attended the interview of the adult relative's friend's, who was an unrelated 14-year-old child, for the criminal investigation. The 14-year-old child said they did not normally stay the night but did on the evening of December 12, 2023. After telling their mother about the child's death she agreed to let them stay the night again on the evening of December 13, 2023. The 14-year-old child reflected on

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the evening prior to, and the morning of the child's passing and did not note anything out of the ordinary. The 14-year-old child reported the deceased child slept in the father's room that evening but would sometimes sleep in the paternal grandmother's room. The child's sibling reportedly slept either in the father's room, paternal grandmother's room or on the chair with the dog. The 14-year-old child said that the morning of the child's passing, they helped the adult relative's younger sibling get to school via Uber. They noted this child did not live at the paternal grandmother's home but would stay the night occasionally. When the 14-year-old child left, the father and father's friend were on the front porch and the child's sibling was sleeping. When the 14-year-old child returned, the father and his friend were still on the front porch and the child's sibling was playing with toys in the living room. The 14-year-old child reported they believed the deceased child was still sleeping because they never heard crying. The 14-year-old child took a shower and believed the father had left to do an errand but wasn't aware the father had been gone until after the child was discovered deceased. The 14-year-old child heard the father and his friend screaming to call 911 while the father attempted to give CPR, first on the bed and then they moved the child to the floor. The child's sibling was in the living room, but the adult relative's friend had them go in paternal grandmother's room with the dog to keep them from seeing everything. The 14-year-old child noted after law enforcement and the ambulance responded, a lot of family visited the home. They shared later that night the father and one of the relatives got into an argument and the father left. The 14-year-old child did not want to get into specifics about why they were fighting. Law enforcement responded to the home due to the father screaming in the street. The 14-year-old child reported they were unsure about substance use in the home. They noted the paternal grandmother had marijuana locked in her bathroom, and the father and paternal grandmother both smoked marijuana. The 14-year-old child noted the father's friend visited the home once a month. The 14-year-old child also noted the home had a camera on the front porch.

On December 14, 2023, the 2-year-old sibling was seen for a medical exam and was accompanied by the paternal grandmother. Law enforcement was also present and shared updates with the CPS caseworker. It was learned about a month ago the family brought the child

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to the emergency room due to them falling off the bed, but the child was cleared by medical. The father denied all substance use except for marijuana, and the child's toxicology results were pending. The doctor examining the sibling and reviewed the children's primary care records. It was noted the sibling was small for their age and missed an appointment on December 12, 2023, for a weight check. Their last well child visit was in May 2023, and they had another weight check on December 5, 2023. After the appointment, the doctor sent an email to the CPS caseworker and detective indicating the paternal grandmother was escalated throughout the appointment and she felt the sibling's evaluation was unnecessary. The father initially consented to a hair test for the sibling but then changed his mind as he reported he did not want anything to negatively impact their life, despite the father denying any exposures in the home. The sibling's medical exam was normal with no injuries. The doctor discussed concerns about the sibling's low weight with the paternal grandmother. It was learned the sibling had been drinking formula from the deceased child's bottles and therefore was not eating enough solids. At the end of the appointment, the father consented to a urine drug test for the sibling given the smaller window of detection.

On December 14, 2023, the CPS caseworker attempted to reach the mother by phone and left a voicemail. The CPS caseworker also called the father to set up a time for the full interview and discuss the safety plan. The CPS caseworker was unable to leave a voicemail and sent a text message requesting a call back.

On December 15, 2023, the CPS caseworker visited the father and paternal grandmother's home and completed interviews with both. The father explained he did not want a hair test due to knowledge the 2-year-old sibling had been around the mother who could have exposed her to substances. He noted he had been wanting to move into the bigger bedroom the paternal cousin had so the bedside bassinet would fit but the paternal cousin did not want to switch rooms. The father noted he checked on the child on the morning of December 13, but he did not touch them or roll them onto their back as the child always rolled to their stomach even when placed on their back. The father reported the child was sleeping through the night and did not typically sleep in past 9 a.m. but did not question the child staying asleep longer than usual on the day the child was

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found deceased. The father noted he was enrolled in supportive services from the previous CPS assessment, opened when the child was born due to the child's prenatal substance exposure. The father completed a release of information and noted he had all clean urinalyses. The father noted he had not used methamphetamine in the 1.5 months before the child was born. The father reported daily marijuana use in the late afternoon, smoking on the front porch. He denied using any marijuana on the day the child was found deceased. The father did not feel his marijuana use impacted his ability to safety parent. At the conclusion of this home visit the safety plan for the 2-year-old sibling was ended as there was no present danger identified in the home. Grief related supports and financial supports for the funeral costs were offered to the father.

On January 3, 2024, it was learned the mother was arrested at the paternal grandmother's home for a warrant. The CPS caseworker met with the mother who was in custody on the same day and completed an interview. The mother reported she used methamphetamine and fentanyl daily. She denied concerns for the father's parenting and did not believe he was using substances.

Late in the morning of January 3, 2024, a voicemail was received regarding the 2-year-old sibling's urinalysis results. The CPS caseworker and child safety consultant had made several requests for updates on these results over the past week. At 5 p.m., ODHS learned the sibling's urinalysis from December 14, 2023, came back positive for amphetamine/methamphetamine and presumptive positive for fentanyl/norfentanyl. The confirmation test was positive for methamphetamine, and fentanyl was not detected; however, norfentanyl was not included in the confirmation test.

On January 4, 2024, a new report of concern for the 2-year-old sibling was received due to the positive urinalysis results. The report was assigned as neglect to the sibling by an unknown perpetrator with a 24-hour response.

On January 4, 2024, the CPS caseworker completed an unannounced home visit with the paternal grandmother and 2-year-old sibling. The father was not home. The paternal grandmother was uncertain how the sibling was exposed to substances and noted the father's friend used substances but was not sure if they used anything the day he was there and had not

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returned to the home since. The paternal grandmother reported it may have come from the mother or paternal aunt but believed they were not using. The paternal grandmother agreed to take the sibling for another medical exam that day. The sibling received another urinalysis and had a weight check where it was noted that their weight increased from 1 percent to 3.5 percent on the growth chart.

Another unannounced home visit occurred later that same day to discuss the sibling's urinalysis results with the father. The father was unable to explain how the 2-year-old sibling was exposed.

On January 5, 2024, CPS caseworker spoke with the mother who provided other possible ways the sibling could have been exposed including the paternal aunt or a friend of the paternal grandmother. The mother did not believe it could have been due to her own use. It was alleged the paternal grandmother also used substances. The mother continued to report she believed the father was not using substances. Later in the day, an anonymous source shared with the CPS caseworker concerns regarding everyone in the paternal grandmother's home, numerous adults actively using substances, and the paternal grandmother's inability to set boundaries around substance use in her home. The individual expressed concern for the sibling's safety in the father's care. Later that day, an out-of-home safety plan was initiated for the sibling.

On January 7, 2024, the Department received another report alleging threat of harm to the 2-year-old sibling by both parents, the paternal grandmother and paternal aunt. It was reported the paternal aunt was actively using substances in the home and possible selling substances out of the home. The reporting party noted burnt tin foil was found in the home and on the porch on the day the child was found deceased. It was reported on the night of January 7 a lot of screaming was heard coming from the home between paternal aunt and their 8-year-old child, the father, and paternal grandmother, and that the home had a strong ammonia smell coming from it. The report indicated the family's laundry was done by a neighbor after the child passed away and small bags of a grainy substance were found in the belongings from the paternal grandmother's home. The report indicated concern for the sibling's supervision and noted a time the sibling was almost hit by a car while outside alone without the father's

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knowledge. This was assigned as a 72-hour response. Companion cases regarding these concerns were opened for paternal aunt, their 8-year-old child and an unrelated 14-year-old child who was also noted to frequent the home and believed to be the significant other of the 18-year-old paternal cousin.

On January 8, 2024, the CPS caseworker spoke with the father and paternal grandmother about the new report. They denied the allegations around substance use and distribution and noted there were no bags of substances in their laundry. The father reported he completed a new intake assessment for supportive services earlier in the day. A CPS supervisor and Coaching and Training Specialist (CTS) worker attempted contact with the paternal aunt at the paternal grandmother's residence and while it sounded like someone was in the home, no one answered the door.

On January 9, 2024, the CPS caseworker visited the mother in jail to discuss the new allegations. The mother noted the paternal aunt and an unnamed friend sold substances out of the paternal grandmother's home, and she knew this because she purchased substances from them the week of the child's passing. The mother remained adamant the father was not using substances. The paternal aunt was also contacted on this day. They reported they believed the mother was the reason the sibling had tested positive for substances and the father had hidden the mother's presence in the home from the CPS caseworker in the past. The paternal aunt denied current substance use but believed it was plausible the friend the mother referenced was selling substances out of the home. The paternal aunt noted she did not believe the paternal grandmother was using substances but was unsure as the paternal grandmother had struggled since her husband passed away in December 2022.

On January 10, 2024, CPS caseworker received information from an Addiction Recovery Team worker who met with the mother while in jail. During their visit, the mother noted the father does use methamphetamine at the paternal grandmother's home along with the paternal aunt and family friend.

On January 11, 2024, CPS caseworker learned the sibling's second urinalysis was negative, however they were not tested for

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fantanyl/norfentanyl in this test. The father's urinalysis from January 8, 2024, was positive for cannabis, alcohol and methamphetamine.

On January 23, 2024, it was learned the mother overdosed on fentanyl at the ODHS Self-Sufficiency office. The mother reported she had gotten in an argument with the father, and she ended up using. She was revived with Narcan and refused medical treatment. She told the father this had occurred, and he picked her up from the location.

On January 24, 2024, the mother was found under the influence and was detained by her probation officer. At the conclusion of the CPS assessment, the allegation of neglect to the 6-month-old deceased child by the father was founded due to the father leaving the child unattended for several hours without checking on him and concerns regarding the father's decision making leading up to the child's passing.

The allegation of neglect to the 2-year-old sibling by the father was founded due the sibling's exposure to substances while in the primary care of the father and the father was unable to provide an explanation as to how that occurred.

The allegation of threat of harm to the 2-year-old sibling by the father was founded due to concerns related to the father's decision making, ability to meet supervision needs and substance use.

The allegation of threat of harm to the 2-year-old sibling by the mother was founded due to the mother's continued use of methamphetamine and fentanyl while visiting the sibling.

The allegation of threat of harm to the 2-year-old sibling by the paternal grandmother was unable to determine due to conflicting information regarding the paternal grandmother's own substance use and her awareness of use in the home.

The allegation of threat of harm to the 2-year-old sibling by the paternal aunt was unable to determine due to conflicting information regarding their substance use as well as their access and proximity to the sibling when visiting the paternal grandmother's home.

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Description of relevant prior Department reports under the mother's case name:

Date of report: May 4, 2021	Allegation(s): Neglect by the mother	Disposition(s): Unfounded
Assignment decision: 24 Hours		

On May 4, 2021, the Oregon Department of Human Services (ODHS) received a report concerning neglect to the deceased child's sibling by the mother. The sibling was born on May 4, 2021, and receiving treatment at the hospital NICU. The sibling was reported to be substance affected due to intrauterine drug exposure. During admission for delivery, the mother self-reported she had used heroin and methamphetamine during her pregnancy and had a positive urinalysis for amphetamine and THC. The mother had received minimal prenatal care and it was reported her urinalysis was positive for opiates, morphine, amphetamines and THC on February 16, 2021, and on April 8, 2021, was positive for opiates, methamphetamine, THC and buprenorphine.

The father reported he drank alcohol on occasion and smoked marijuana. Additionally, the father stated he used methamphetamine two to three weeks prior and had not previously used for about a year. The father stated he did not have a problem with substance use, however he believed he should attend Narcotics Anonymous (NA) because "if someone isn't attending NA they are probably using." The mother expressed a desire to participate in a drug treatment program and was previously clean from using methamphetamine for six years, however relapsed in 2016 when she began using pain medications and heroin daily. The mother stated she had used methamphetamine in the past several years to help her wake up to get to appointments and was using daily while she was pregnant. The mother began taking medication, typically used to treat pain as well as addiction to narcotic pain relievers, while she was seven months along in her pregnancy but continued to use heroin. An allegation of threat of harm to the newborn sibling by the mother was assigned for CPS assessment with a 24-hour response time.

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On May 5, 2021, the CPS caseworker contacted the mother and the sibling at the hospital. Documentation reflects the CPS caseworker observed the infant's sleeping environment and indicated the sibling slept in a hospital bassinette. The mother disclosed using substances throughout her pregnancy and was concerned she would experience withdrawal symptoms if she stopped. She attempted to limit her substance use, however she could only maintain her sobriety for a few days before using again. She began receiving prenatal care around five and a half to six months into her pregnancy. She was prescribed medication to help manage her opiate addiction for the remainder of her pregnancy.

The mother stated she began using methamphetamine off and on when she was 11 years old. At age 19, she got deeper into her addiction by using opiates in the form of pain pills and then using heroin in 2016 following the incarceration of her brother. She said she "tried everything in the book" to stay clean but was unsuccessful. She attended a residential program and graduated in 2014. By the time the sibling was born, she reported she was using methamphetamine, heroin and a prescribed medication. Additionally, she was smoking cigarettes and self-medicated her nausea with marijuana use. She denied any alcohol use. She reported to struggle with stress management and utilized substance use to cope but expressed a desire to change. The mother reported being diagnosed with mental health conditions when she was around 14 or 15 years old. The mother reported she had initiated locating a residential facility to secure a bed in the program and was told they would have a bed for her within a few days.

The mother reported she and the father had been in a relationship for more than a year, however she was unsure if they would remain together due to the father's continued substance use while she was attempting to maintain her sobriety.

On May 6, 2021, the CPS caseworker contacted the father at his parents' home where he was currently residing. The CPS caseworker completed a safety walkthrough of the home and there were no safety concerns noted. The father reported he last used methamphetamine three weeks prior to the sibling's birth and had been clean for a year prior. He stated he was aware of the mother's substance use during her pregnancy, however he

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tried to “stay blind to it.” On this date, both parents were referred for further support Addition Recovery Team (ART) services.

On May 8, 2021, while this CPS assessment was open, ODHS received a report concerning the father actively using substances and was unable to provide adequate care of the sibling. This report was assigned for CPS assessment and assessed together with the report from May 4, 2021. On the same date as the new report, two on-call CPS caseworkers contacted both parents and the sibling at the hospital. The CPS caseworkers interviewed the father regarding the reported concerns. The father reported he relapsed on methamphetamine a month prior and was clean for a year and a half prior. He disclosed daily marijuana use and did so during his self-described clean time. He said he would be willing to complete a drug and alcohol assessment. He self-reported smoking marijuana and cigarettes daily, however he only smoked outside since the sibling was born. The father stated he managed stress in a variety of ways, including smoking marijuana. The father further stated he discouraged the mother from using substances during her pregnancy; however, she would hide it from him. The CPS caseworkers then interviewed the mother who disclosed the same information about her substance use as reported previously during her interview with the CPS caseworker assigned to the CPS assessment.

The on-call CPS caseworkers gathered collateral information from hospital staff who reported concerns about the father’s erratic and agitated behaviors. The father reportedly was inconsistent in his stories and lacked an awareness of time when interacting with hospital staff. The family planned for the paternal grandmother to be present with the father when the sibling was discharged from the hospital.

Medical records dated May 4, 2021, through May 10, 2021, for the sibling were received and reviewed as part of the CPS assessment. In summary, the report indicated the mother’s pregnancy was complicated by late prenatal care and drug use. The mother was prescribed medication, typically used to treat pain as well as addiction to narcotic pain relievers, in the seventh month of pregnancy and had several relapses with heroin and methamphetamine, as recent as four days ago. A maternal drug screen prior to birth showed the mother was positive for amphetamine, marijuana

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and opiates. Umbilical cord blood from the sibling was tested and returned positive for amphetamine, methamphetamine, opiates, morphine, codeine and cannabinoids. The sibling received care for intrauterine drug exposure and was noted to have no signs or symptoms of withdrawal by May 7, 2021. There were noted concerns for the father's behavior at the hospital, including his inability to distinguish the sibling's cues as well as being very defensive and accusing of the mother of being gone for hours though she had been gone for less than an hour. The hospital staff noted a safety plan was made for the sibling to be discharged with the parents and the paternal grandmother in the event the discharge took place prior to a bed becoming available for the mother at a residential program for moms. Upon discharge on May 10, 2021, there were no withdrawal symptoms observed or noted for the sibling. The infant was noted to be high risk for failure to thrive and all routine care was recommended to be maintained. A referral for Early Intervention services was completed with the mother by the occupational therapist at the hospital.

On May 10, 2021, the CPS caseworker contacted the father, the paternal grandmother, and the sibling, who was discharging from the hospital. A safety plan was implemented where the infant would reside in the paternal grandmother's home and the parents' contact with the sibling would be supervised by the paternal grandparents. The safety plan was reviewed and discussed with both parents and the paternal grandmother, by the CPS caseworker, and was agreed upon. The mother reported she would be going to a residential program specific for mothers the next day. The CPS caseworker contacted the paternal aunt to gather collateral information regarding concerns for the father's substance use. The relative denied having any knowledge of the father relapsing and believed the mother was lying to the father about her own substance use throughout her pregnancy.

On May 21, 2021, the CPS caseworker contacted the sibling at the father and paternal grandparent's home, during an unscheduled visit. On this same date, the CPS caseworker contacted the mother in person, while she was at a drug treatment facility. Documentation reflects the CPS caseworker observed the infant's sleeping environment and indicated the sibling slept in a bassinette.

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On July 28, 2021, the CPS caseworker and an ART worker met the mother and her primary counselor in person at the residential program to discuss her progress and support options needed post-graduation. The mother was noted to advocate for her needs and had several goals she hoped to achieve prior to completing the program. Throughout the month of August 2021, the ART worker made several attempts to contact the mother by phone but was unsuccessful.

On July 29, 2021, the ART worker contacted the father by phone to discuss service options. The CPS caseworker discussed the importance of completing an assessment for these services, prior to the mother and sibling leaving the residential program. The father stated he did not realize the importance of completing the assessment and reported he would take time off work within the week to complete a walk-in assessment. Multiple efforts were made by the father and the ART worker to expedite completing an assessment through multiple programs the following two weeks. Several barriers to address this need indicated the programs were either booked for call-in assessments or the assessing counselor was unavailable. On August 26, 2021, the father completed an assessment and was noted to be engaged with supportive services with the ART team weekly. By September 17, 2021, the father missed the last two weeks of counseling and the last contact with the program was on September 3, 2021.

On September 29, 2021, the CPS caseworker gathered collateral information from the mother's service counselor who gave a brief update. It was learned the mother was scheduled to graduate from the program on October 13, 2021, and was planning on discharging to the father's parent's home. This plan was confirmed by the paternal grandmother who expressed no concerns for the mother's sobriety or either parent's ability to safely parent.

On October 15, 2021, the ART worker reported the father had missed so many counseling appointments he was taken off the schedule and no progress had been made. Throughout the month of October, the ART worker made several attempts to contact both parents by phone but was unsuccessful in reaching them.

Circumstances surrounding the assessment noted the mother and father had secured a single wide trailer when they hoped to maintain the mother's

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sobriety in a controlled environment, while caring for the sibling. The mother expressed a desire to keep her living situation secret from a cousin who she reported was deep into their own addiction. The father reported he had relapsed within a few months of his relationship with the mother due to being exposed to her methamphetamine use.

At the conclusion of this CPS assessment, the allegation of neglect to the infant sibling by the mother was determined to be unfounded due to the mother's immediate engagement in services to continue to safely parent. The allegation of threat of harm to the infant sibling by the father was determined to be unfounded due to the father's self-report of a methamphetamine relapse prior to the sibling's birth and the sibling being safe under the care of the mother, who had completed services.

Date of report: May 8, 2021	Allegation(s): Threat of Harm by the father	Disposition(s): Unfounded
Assignment decision: 24 Hours		

On May 8, 2021, ODHS received a report concerning threat of harm to 4-day-old sibling by the father due to concerns the father was actively using substances and showing signs of being under the influence. The father appeared to be agitated, aggressive, unable to track time or sit still while also not tending to the infant's needs. The reporter provided several examples of this behavior and stated the sibling was scheduled to be discharged from the hospital the following day. The father stated he was upset the sibling would not be discharged earlier as he wanted his friends and family to meet the infant. The father reported he did not have a drug problem, however, based on his behaviors observed by the reporter there was a concern he was currently under the influence and a concern for the current safety plan. The mother was reported to be attentive to the infant and appeared to be motivated to maintain her sobriety so she could safely parent.

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This report was assigned to CPS and assessed together with the report from May 4, 2021. The CPS activities and disposition are summarized under the May 4, 2021 report.

Date of report: May 15, 2022	Allegation(s): Threat of Harm by the father	Disposition(s): Unfounded
Assignment decision: 72 Hours		

On May 15, 2022, ODHS received a report regarding concerns of domestic violence perpetrated by the father in the presence of the 1-year-old sibling. It was believed the mother was assaulted nightly by the father with 1-year-old sibling present. The father was heard screaming and threatening the mother, while signs of a physical altercation could be heard within the family home. There were historical calls made to law enforcement when the father was reportedly assaulting the mother outside of their home. The mother was reported to be a good mother and there were no concerns for her care of the 1-year-old sibling. The father was described to be a violent man, and it was believed he had relapsed, however no additional details were provided. An allegation of threat of harm to the 1-year-old sibling by the father was assigned for CPS assessment with a 72-hour response time.

On May 18, 2022, the CPS caseworker and ART worker contacted the mother and 1-year-old sibling at their home. Documentation reflects the CPS caseworker and ART worker attempted to contact the father during an unscheduled home visit but was unsuccessful. The 1-year-old sibling was observed to have a happy disposition and had no observable bruises or injuries. The mother was interviewed regarding the reported concerns, and she denied any domestic violence occurring in the home. She stated the father can be loud and they occasionally “bicker a little,” however she denied any physical violence. The mother reported the father had been more unstable in the past and would throw items, however he did not exhibit those behaviors since the 1-year-old sibling was born.

She reported the father occasionally smoked marijuana, and she had a history of heroin and methamphetamine use. She completed services and

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was maintaining her sobriety by attending support meetings and kept in contact with her mother, who resided out of state, for additional support. An ART referral was made for the mother during this contact, however the ART worker was unsuccessful in contacting her to offer additional supports and resources.

The home was observed and noted to appear cluttered with large piles of clothing, trash, moldy food, empty alcohol bottles, as well as debris and dirt on the floor. The living room and hallway areas were also cluttered and indicated to be unsafe for the sibling. The kitchen, bathroom and baby's room were clean with no safety concerns. The mother reported the 1-year-old sibling was not crawling and was carried around everywhere. She also stated the sibling spent most of their time in their room, highchair or in a bathtub.

On May 22, 2022, the CPS caseworker attempted to contact both parents at their residence to observe if there was any progress cleaning up the home, however, they were unsuccessful as no one answered the door.

On May 23, 2022, the CPS caseworker and ART worker attempted to contact both parents and the 1-year-old sibling at their residence, however they were unsuccessful. The CPS caseworker received a text message from the mother apologizing for missing their meeting and stated they were working on getting their house clean.

On May 25, 2022, the CPS caseworker received a text message from the mother showing photos of the cleaned home. The photos included the hallway and the living room, with no clutter observed from the photos.

On August 11, 2022, the CPS caseworker consulted with the CPS supervisor who approved this CPS assessment to be completed following the documentation protocol. Documentation does not reflect the father was able to be contacted as part of this CPS assessment.

The CPS caseworker gathered collateral information from the paternal grandmother who reported they had not noticed any signs of relapse for either parent. They reported the father smoked marijuana and indicated the couple "argued too much." The father was described as someone who had a big heart but would yell and sometimes break things when he was

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irritated. The relative stated the father hurt people emotionally, rather than physically, by saying hurtful things.

At the conclusion of this CPS assessment, the allegation of threat of harm to 1-year-old sibling by her father was determined to be unfounded due to insufficient evidence. The father was unable to be interviewed as part of this CPS assessment. Interviews with both the mother and a relative collateral denied any domestic violence or substance use was occurring in the home.

Date of report: November 23, 2022	Allegation(s): Not Applicable	Disposition(s): Not Applicable
Assignment decision: Closed at Screening		

On November 23, 2022, ODHS received a report concerning the 1-year-old sibling who was residing with both parents. The family was served with an eviction notice based on criminal activity and uninhabitable conditions of the home. The reporter stated they briefly saw inside the home and observed trash from the ceiling to the floor, with only a single mattress laying in the living room. Additionally, the family had no access to a bathroom or shower. The reporter stated they had minimal observations of the 1-year-old sibling living there, however they indicated the child looked healthy and well cared for. The reporter expressed concern for the child residing in the home due to not having their own safe sleeping space. It was unclear why the home was in this condition and unknown to the reporter if the parents had any mental health conditions or were using substances. Law enforcement had been reportedly called out to the home several times, however the reporter was not aware of the reasons why. The parents had reportedly broken into other homes and were observed lighting fires on their porch with cookware.

The hotline screener gathered collateral information from an ART worker who indicated the mother was working with them to clean up their home, inside and outside. The ART worker reported the 1-year-old sibling's room was the only clean area inside the home, along with their high chair and

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bathing area. The family was reported to also have a baby gate on the 1-year-old's bedroom door to keep them away from the unclean parts of the home. It was unknown to the ART worker if there was any criminal activity the report of concern was referring to.

It was determined this report did not meet criteria for a CPS assessment and was closed at screening.

Date of report: 4/4/2023	Allegation(s): Not Applicable	Disposition(s): Not applicable
Assignment decision: Closed at Screening		

On April 4, 2023, ODHS received a report concerning the mother's unborn child due to the mother's ongoing substance use. Additionally, the reporting party shared concerns about both parents fighting around the 1-year-old sibling and another 17-year-old frequenting the home. The reporting party indicated the mother did not use in the home or care for the 1-year-old sibling when she was using. It was noted the father was the primary care provider to the 1-year-old sibling and the mother was not consistently in the home. There were no reports around the specifics of the mother's substance use other than it was believed she was using methamphetamine, fentanyl and heroin. The 1-year-old sibling was noted to be developmentally on track and functioning normally per the reporting party. When the screener tried to collect additional information for the report, the reporting party ended the call saying it was a waste of their time and just wanted someone to respond.

It was determined this report did not meet criteria for a CPS assessment and was closed at screening.

Date of report: June 29, 2023	Allegation(s): Threat of Harm by the mother	Disposition(s): Founded
Assignment decision: 24 Hours	Threat of Harm	Unfounded

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	by the father	
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On June 29, 2023, ODHS received a report concerning the birth of the deceased child who had tested positive for substances and was experiencing withdrawal symptoms. The child was having difficulty eating and was being considered by hospital staff for nasogastric tube. The child's drug screen was positive for amphetamines and fentanyl and considered a substance exposed infant. The mother also tested positive for amphetamines and fentanyl upon admission for delivery. The mother reportedly tested positive for meth, amphetamines and fentanyl during previous medical visits while pregnant.

The mother received her first prenatal visit on May 16, 2023, where she self-disclosed she had attempted to limit her fentanyl use, but was unsuccessful on her own and still using daily. She expressed interest in getting on methadone and completed a substance use assessment on May 25, 2023. It was recommended the mother go to the hospital for an induction of buprenorphine. The mother declined and decided to start a low dose indication on her own at home.

It was reported the mother presented at the emergency room several times during the month of June 2023. She had a concerning ultrasound and reported to be experiencing bad cramping. She self-disclosed ongoing fentanyl and methamphetamine use during each visit and was offered treatment but declined. She was prescribed medication for induction at home, however she did not follow through.

A plan of care for the infant and mother developed by hospital staff indicated the child would remain in the hospital for his symptoms to be monitored and treated as needed. The mother started detox and had a bed at a residential treatment program for mothers once she was ready for discharge. The mother had previously attended this program and graduated in October 2021, however she relapsed two months later. The mother expressed wanting to engage in supportive services at the same program. She stated she and the child's father had relapsed and were using since the paternal grandfather died in December 2022.

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Both parents were observed to be bonding appropriately with the child. It was reported the parents were no longer a couple and the mother was in a new relationship. Safe sleep was discussed with the mother and noted to be an ongoing conversation. The mother reported a plan to place the child on their back in a basinet when she felt tired. She acknowledged the importance of doing so and was agreeable to this plan. An allegation of threat of harm to the child and the 2-year-old sibling, by both parents was assigned for CPS assessment with a 24-hour response time.

On June 30, 2023, at 1:32 a.m., while this CPS assessment was open, ODHS received a report the mother had left the hospital and had not returned. This report was assigned to CPS and assessed together with the report from June 29, 2023. Additional information is described below.

The police report associated with the incident reported on June 30, 2023, was received and reviewed as part of the CPS assessment. The report summarized law enforcement's response to the reported bag of methamphetamine being found in the mother's hospital room after she left the hospital. In summary, law enforcement determined a male subject entered the birthing center and was asked to leave by hospital staff. The male subject told the staff he was there to retrieve his belongings from the mother's room, however he acted nervous and left the hospital after he was told they would bring the items to him. The mother left the hospital against medical advice shortly after. A welfare check was initiated, and a large plastic bag containing crystals, believed to be methamphetamine, was retrieved by law enforcement. The substance within the bag was tested and determined to be positive for methamphetamine.

On June 30, 2023, at 10:15 a.m., the CPS caseworker spoke with hospital staff who reported the mother returned to the hospital and was being monitored. The mother was first brought into the hospital with another male. When the mother went missing, after giving birth to the child, they found a bag in her room containing a large sandwich bag full of a crystallized substance. Law enforcement arrived and identified the substance as methamphetamine. The mother was located around 7:30 a.m. on this date and presented still wearing her hospital gown. She reported to staff she passed out from her pain killer medication that was prescribed to her at the hospital. The mother appeared to be under the

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influence based on her body behavior and dilated eyes, however she denied using when she was gone from the hospital. The mother later changed her story over time, reporting to hospital staff in the beginning that her significant other and father of the 2-year-old sibling was using substances as well but later reported the father was not using and it was only herself.

On June 30, 2023, at 3 p.m. the CPS caseworker and ART worker contacted the mother, who had since returned to the hospital. The mother was interviewed and stated when she was reported missing, she told hospital staff she was going outside to smoke a cigarette but was unable to re-enter the hospital through the door she exited from as it was locked. She said she eventually found another entrance and used the bathroom, at which point, she passed out and fell and hit her head. She denied being under the influence but believes it was due to the heavy dose of medications she was prescribed while at the hospital as she was drowsy from the medications.

The mother admitted to using fentanyl and methamphetamine daily, however she denied using substances around the 2-year-old sibling, or any other children in the home. She denied the father was using any substances besides marijuana. She reported she was not allowed to reside with the father or the 2-year-old sibling due to her substance use. She stated she used fentanyl prior to going to the hospital and was accompanied by her current partner when she went into labor.

The CPS caseworker verified there was a residential program bed ready for the mother upon discharge. It was learned from hospital staff the child was accepted into the treatment program but would not be discharged from NICU over the weekend. The CPS caseworker was unable to contact the child in person as they were still in NICU. Collateral information from hospital staff reported the mother disclosed she and the father used fentanyl and meth at the paternal grandmother's home, where the family reportedly resided, prior to the child's birth. The CPS caseworker attempted to contact the father by phone but was unsuccessful in reaching him.

The CPS caseworker contacted the paternal grandmother and the 2-year-old sibling for a scheduled home visit at the paternal grandmother's home. The paternal aunt and her two children were also present during this

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contact. The CPS caseworker completed a safety walk through of the home and did not note any concerns indicating active substance use. The 2-year-old sibling was unable to be interviewed due to their age and development. The CPS caseworker noted the sibling appeared to be underweight and petite for their age, however there was ample food in the home, and they appeared to be doing well.

The paternal grandmother was interviewed and reported the mother, to her knowledge, was the only one using methamphetamine and fentanyl. She further explained the mother was not allowed at the home or to have contact with the 2-year-old sibling if she appeared to be under the influence. She reported the 17-year-old paternal cousin, who also resided in the home, told her they smelled a chemical-type odor coming out of the bathroom when the mother was there, which caused her to believe the mother might have been using substances in the bathroom, when visiting in the past. She reported the father used marijuana and struggled with methamphetamine use in the past, however she did not observe behaviors indicative of current meth use. She stated she had no concerns for the father's marijuana use impacting his ability to safely parent. The paternal grandmother was asked if there were any concerns for domestic violence during the parent's relationship. She reported there were many times she heard the father screaming at the mother over her continued drug use but denied ever witnessing physical violence between them.

On July 1, 2023, it was learned the mother was discharged from the hospital at 11:30 a.m. Hospital staff located additional paraphernalia in the mother's gown pocket, which was later confiscated and returned to her at discharge. The CPS caseworker discussed supervised parenting time planning between the mother and the child with hospital staff while the child remained in NICU.

On July 2, 2023, ODHS received a report the mother left the hospital although she was supposed to stay there until a residential treatment bed became available on July 3, 2023. The mother reported she needed to leave and called someone for a ride and left. The child was reported to remain at the hospital with a plan to have the mother visit with an approved chaperone. This report was documented in a case note and the CPS caseworker and supervisor were notified.

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On July 11, 2023, the CPS caseworker spoke with hospital staff who reported the mother had not made any attempts to visit and bond with the child. The hospital staff reported the lack of bonding for the child was acutely impacting their health and negatively affecting their withdrawal symptoms. The CPS caseworker then contacted the mother's residential program. It was learned the mother arrived for intake on July 8, 2023, but the day after was observed searching through some bushes outside of the facility. She was confronted about this, and the mother denied looking for anything in the bushes. Staff searched through the bushes and found a bag of fentanyl in the area the mother was observed in. Later that day, she left the facility without notice and went missing. Due to this, the residential program discharged the mother.

On this same date, the CPS caseworker and ART worker made an unscheduled visit to the paternal grandmother's home, where the family resided. The CPS caseworker and ART worker were able to contact and interview the father. The paternal grandmother was not present during this contact. The father reported he had recently returned from working out of state. He reported he last used methamphetamine two months prior, while he was working out of state. He denied any current methamphetamine or fentanyl use and reported only using marijuana and alcohol. The ART worker noted the father did not appear to be under the influence of methamphetamine or fentanyl, however he appeared to be under the influence of marijuana or alcohol due to his eyes appearing foggy and dilated. The father was notified ODHS would be filing protective custody of the child and possibly the 2-year-old sibling due to current substance use concerns. The CPS caseworker and ART worker completed a safety assessment walkthrough of the home and observed marijuana on the dresser in the father's room. The CPS caseworker discussed safety considerations for proper storage of the marijuana with the father. The father agreed to ART service support as well as completing a substance use disorder assessment. During this contact, the father was noted to be attentive to the 2-year-old sibling's needs. The CPS caseworker submitted a referral for supportive services for both parents the following day.

On July 13, 2023, the CPS caseworker spoke with the father on the phone. He expressed a willingness and commitment to provide care for the child. He verified visiting with the child at the hospital the previous day for a few

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hours and displayed an engagement with supportive services by maintaining open communication. The CPS caseworker staffed with the CPS supervisor, and it was determined ODHS would safety plan with the father in-home, based on this new information.

The CPS caseworker contacted the father and the 2-year-old sibling at the Children's Advocacy center to conduct a hair follicle test. The results of this test were positive for amphetamines, methamphetamine, fentanyl and cannabis. Documentation reflects the test results were likely due to the sibling's exposure from the mother's substance use due to the father's engagement in supportive services as well as no evidence the father was currently using methamphetamine or fentanyl. The father signed an ROI for parent mentor services. An initial safety plan was implemented with the children residing with the father at the paternal grandmother's home.

On July 17, 2023, the CPS caseworker was contacted by hospital staff indicating the child was ready to be discharged and they were unsuccessful reaching the father by phone. The CPS caseworker was later notified the father picked up the child from the hospital and had taken them home.

On July 19, 2023, the CPS caseworker contacted the father, the child and the 2-year-old sibling, and the paternal grandmother at their home. Upon contact, the child was initially observed to be sleeping in a bassinet. The CPS caseworker reviewed safe sleep practices with the father and the paternal grandmother and completed a safe sleep checklist, indicating the child slept in a bassinet in the living room area on a loosely tucked fleece blanket. The CPS caseworker discussed finding a better sleeping surface with the father. The CPS caseworker provided a safe sleep pamphlet and explained the contents to the father and the paternal grandmother before leaving. The father reported he was referred to supportive services to schedule an assessment and was planning on scheduling the appointment by the end of the week. The CPS caseworker noted the father was attentive to the child's needs throughout this contact.

On July 24, 2023, the CPS caseworker was contacted by the mother's attorney. It was learned the mother was lodged at the county jail and facing 18 months in prison for theft charges. The attorney inquired if there were still any residential program beds available for the mother and the CPS caseworker verified there were not.

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On July 26, 2023, the CPS caseworker and ART worker contacted the mother at the county jail. The mother agreed to supportive services as soon as possible. She recanted her original statements about the father and paternal grandmother's substance use and reported they both actively used methamphetamine. She was unable to provide any details of recent instances of the father's substance use and only reported seeing him use months prior to the assessment. The CPS caseworker then contacted the father by phone to address the concerns. He and the paternal grandmother denied any current substance use. He further stated he was making progress through his engagement in support services.

On July 31, 2023, the CPS caseworker facilitated efforts for the mother to receive support services while lodged at the county jail. It was learned she would need to complete a new intake assessment. The CPS caseworker contacted the father in person at his home to provide transportation for his scheduled intake assessment.

On August 14, 2023, the father contacted the CPS caseworker by phone. It was learned the mother was released from jail and she arrived at his home to see the children, which he refused. He reported he received threatening text messages from the mother's current partner, regarding him not allowing the mother to take the children with her. The CPS caseworker consulted with the CPS supervisor, and it was determined a new safety plan would not be needed as the father and paternal grandmother were protective by not allowing the mother unsupervised contact with the children.

The mother contacted the CPS caseworker by phone to inquire about parenting time with the children. The CPS caseworker advised her to contact the father in coordinating supervised parenting time with ODHS approved safety service providers. The mother reported she scheduled an appointment for an intake assessment with supportive services the following day.

On August 15, 2023, the father sent the CPS caseworker a text message informing them the mother messaged him the previous night that she had overdosed and Narcan was administered twice to resuscitate her back to life. The father reported she sent him a text message with a picture of her, as well, and sent the photo to the CPS caseworker. The photo was

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described to show the mother incapacitated while lying in the driver's side of a vehicle with the seat down. The CPS caseworker made several attempts to contact the mother by phone, her residential program, as well as through the ART worker, however, was unsuccessful.

On August 30, 2023, the CPS caseworker spoke with the mother's service counselor who reported the mother had been admitted for a residential program. The CPS caseworker received the father's service records indicating he was engaged and attending all scheduled appointments in the month of August 2023, except for one appointment that was verified to have been missed due to lack of transportation.

On September 11, 2023, the CPS caseworker engaged in a virtual meeting with the mother and her service counselor. She reported she was making significant progress and was 51 days sober from substance use. The CPS caseworker noted the mother appeared to be more alert, articulate and healthy. At the conclusion of the assessment, the mother was approved to have the child reside with her while at the program as long she continued to engage in treatment and inpatient services. The 2-year-old sibling was also approved to stay at the residential program with the mother at any time of their choosing. Documentation does not reflect service records for the mother were requested or reviewed as part of this CPS assessment.

Circumstances surrounding the reported concerns summarized the mother struggled with substance use disorder throughout her adult life. She reported her most recent relapse was due to the incarceration of her brother, whom she was very close with, in December 2022. She reported her brother was a support for her in her sobriety and when she found out about his relapse, she lost faith in the possibility she could maintain her own sobriety. Despite reported concerns involving the mother's current partner, she denied he provided her with any substances or had anything to do with her relapse. The mother stated when she relapsed, she knew she needed to stop again especially since becoming pregnant but did not know how to on her own and did not want to seek professional help due to fear of having her children taken from her.

At the conclusion of this CPS assessment, the allegation of threat of harm and neglect to the 3-month-old child and threat of harm to the 2-year-old sibling by the mother was determined to be founded. The mother used

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substances throughout her pregnancy, had substances positive for methamphetamine in the hospital room and left the hospital against medical advice. Collaterals reported the mother's failure to meet the child's needs during this time significantly worsened the child's withdrawal symptoms, which resulted in the child needing to remain in the NICU for an extended period of time. The 2-year-old sibling's hair follicle test was positive for substances and there was a reasonable cause to believe this was due to exposure from the mother's substance use.

The allegation of threat of harm to the 3-month-old child and the 2-year-old sibling by the father was determined to be unfounded. The father admitted to relapsing on methamphetamine two months prior to the CPS assessment while working out of state, however he denied any current substance use other than marijuana. Collaterals corroborated this information and did not have any concerns for the father's substance use. The father was engaged in supportive services and consistent in attending scheduled appointments.

Date of report: June 30, 2023	Allegation(s): Neglect by the mother	Disposition(s): Founded
Assignment decision: 24 Hours		

On June 30, 2023, ODHS received a concern reporting the mother left the hospital where she gave birth to the child and had not returned. The mother reported she wanted to go outside to get some fresh air and left behind a sandwich bag full of a crystallized substance in the hospital room she was staying in. Law enforcement was contacted to confiscate the found substance, and hospital security were actively searching for the mother. It was noted the mother was positive for substances upon admission the day prior and there was a current open CPS assessment. The child was fitted with a feeding tube due to concerns with his symptoms of possible withdrawal and was being transferred to the NICU due to being without a parent. There was no additional information regarding where the mother might have gone to or whether she was planning to return to the hospital.

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An allegation of neglect to the infant child by the mother was assigned for CPS assessment with a 24-hour response time. This report was assessed together with the report from June 29, 2023. The CPS assessment activities and disposition are summarized under the June 29, 2023 report.

Date of report: October 27, 2023	Allegation(s): Neglect by the mother and the father	Disposition(s): Founded for the mother Unfounded for the father
Assignment decision: Within 24 Hours		

On October 27, 2023, ODHS received a report alleging neglect to 2-year-old sibling and the 4-month-old child by both of their parents due to concerns of the mother's methamphetamine and fentanyl use and the father allowing the children to be present around the mother while actively using. The reporter indicated they had photos of the mother in the father's home appearing unconscious. It was reported the father and his mother, whom he resides with, have historically been protective and kept the mother out of the home if she was actively using substances or under the influence but this was no longer happening. At the time of the report, it was unclear what the mother's contact with the sibling and the child looked like while she was using at the father's residence. Concerns for the father's substance use was also reported although indicated to be less significant. The reporting party shared the father drinks a couple beers in the evening and smokes cannabis noting there has been times where the sibling could reach marijuana-related paraphernalia such as bongs. No impacts were reported regarding the father's parenting despite his alleged daily use of alcohol and cannabis. The reporting party noted both parents have been educated on safe infant sleep practices and a bassinet is in the home although it was unclear if the parents follow best practices. This report was assigned for CPS assessment with a 24-hour response time.

On October 27, 2023, an on-call CPS caseworker was notified of an after-hours assignment and coordinated a response to the father's home after

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speaking with the father and mother's previous CPS caseworker. Two CPS caseworkers responded to the family home that evening. During the visit both children were observed while they were sleeping, and the workers spoke with the father and paternal grandmother. No immediate concerns were noted for either child, and the CPS caseworker documented safe sleep was discussed with the paternal grandmother and father where the father shared he also learned about safe sleep in the hospital and had concerns about back sleeping but understood it prevented SIDS. The CPS caseworker discussed the risks of bed sharing and completed a safe sleep checklist with the father. No signs of substance use were noted in the family home, although the overall environment was noted to be cluttered. The father noted the mother was not present but acknowledged there were times she spent the night although she was never left alone with either child. The father confirmed he or his mother were the primary caregivers for both children as he believed the mother was still active in her substance use. The father acknowledged his own substance use history and had not used methamphetamine in the last two months, prior to the child's birth. The father reported he was still engaged in supportive services and had previous service engagement in 2019 after receiving a DUI where he completed services. The father reported he occasionally drank alcohol and smoked marijuana outside. The paternal grandmother shared the mother had been using since the last CPS case closed and was often gone for long periods of time when she was active in her use. The paternal grandmother shared she and the father were protective of the kids when this happens and do not allow the mother to leave with them. The paternal grandmother reported no concerns for the children's safety under the father's care. This visit concluded with a safety plan being implemented. The safety plan outlined the father and paternal grandmother would ask the mother to leave the home immediately should she arrive under the influence and to contact call law enforcement if she refused. The workers noted the mother was not allowed to stay in the home or be left unattended with the children. The father and paternal grandmother were listed as the safety service providers for this safety plan. Documentation reflects a safe sleep checklist was completed by the on-call CPS caseworker with the father where the father reported bedsharing. The CPS caseworker documented they discussed the risks of doing so and advised against it.

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On October 30, 2023, the assigned CPS caseworker followed up at the family home. An interview was attempted with the sibling, but they did not wish to engage. The sibling was observed to be attached to the father and ate some cereal during the home visit. The CPS caseworker did not notice any concerns about the sibling at this visit. The CPS caseworker followed up with the father and further explored the father's awareness and impacts of the mother's substance use. The father shared he first suspected the mother of using again about a week prior and started drug testing the mother prior to her visiting the kids. He referenced this was per the safety plan implemented with ODHS. The father shared he could tell when the mother was under the influence due to increased drowsiness and a "glazed-over look." The father and mother were reportedly separated for a couple months due to her substance use and previously were together for about 2 years. The father stated he knew the mother was using fentanyl, however he thought she was doing better after engaging in supportive services. The father believed the mother completed the program about 3 weeks ago and at that point they agreed to cohabitate where she would stay at his house as needed. The father estimated the mother had stayed over a total of 2 times since her services had ended. It was later learned the mother had not successfully completed services but was asked to leave due to rule violations related to vaping. The father believed at the time the mother was staying with another individual and was no longer attempting to access the home. The father reported his current substance use involved daily marijuana use and occasional alcohol use but noted he did not drink every day. No alcohol was observed in the home by the CPS caseworker. The father noted a history of methamphetamine and mushroom use after graduating high school when he was houseless. He noted since being able to live with his mother who was a great help for stopping his use of methamphetamine. He noted he was not a consistent user of methamphetamine. The father told the CPS caseworker he would like to stop using marijuana, which was currently stored in the paternal grandmother's room as there is a lock on the door. He noted he smoked once a day and it "chills him out." The CPS caseworker again discussed safe sleep with the father and completed an additional checklist where the father denied bed sharing and shared the child slept in a blue basket with nothing surrounding them. The CPS caseworker offered the father a pack n play for the child, however the father declined stating they already had a

bassinet. The child was observed while being held by the paternal grandmother during this home visit and no concerns were noted. The CPS caseworker was able to observe the sleeping device the father described for the child which was described to be a “blue bassinet” that the father puts on top of his bed. Documentation reflects a safe sleep checklist dated October 30, 2023, was completed with the father that indicated the child was always placed on his back to sleep on his own sleep surface with no risks in the infant’s sleep area. A written comment notes “co-sleeping in co-sleeper with the sibling.”

On November 3, 2023, the CPS caseworker spoke with the paternal grandmother over the phone to talk further about the father’s parenting and substance use. She reiterated she had no concerns about the father and that she would not let the mother come to the home if she was under the influence of substances. She noted the father had been protective of the children and practicing safe sleep with the child. The CPS caseworker placed an additional phone call to the father to share the safety plan would be ending on November 4, 2023. The father confirmed the mother had not visited the children since the safety plan was implemented but they had spoken about her food stamp card. The father shared he would continue to ensure the children are safe and not around the mother if she was under the influence or had fentanyl on her person. The father noted if he saw the mother, he would ask her to call the CPS caseworker.

Multiple attempts were made by the CPS caseworker to contact the mother over the course of the CPS assessment between November 7, 2023, and December 14, 2024 through text messages, phone calls and voicemails. Throughout the CPS assessment, an address was never located for the mother to receive written correspondence or engage through in person contact.

On November 21, 2023, the caseworker spoke with the paternal cousin who resided in the home with the father and paternal grandmother. They reported they saw the mother smoke powder out of tinfoil outside the family home and when this occurred the father and paternal grandmother no longer allowed the mother to come over.

On November 28, 2023, the caseworker spoke to the paternal aunt about the mother’s substance use. They were aware the mother was using but had

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not been around her when she was using. The paternal aunt also noted generational drug use within the family.

The allegations of neglect to the 2-year-old sibling and the child by the father was determined to be unfounded as the father appeared to be willing and able to protect the children from the mother's substance use.

Additionally, no information was found to suggest the father's substance use had a negative impact on either child. The allegations of neglect to the sibling and child by the mother were determined to be founded as there was reasonable cause to believe she smoked fentanyl on the property and was around both children while under the influence before the father and paternal grandmother asked her to leave.

Description of relevant prior Department reports under the paternal aunt (biological mother to other child in the home):

Date of report:	Allegation(s):	Disposition(s):
October 27, 2023	Neglect by the paternal aunt	Unfounded
Assignment decision: 72 Hours	Threat of Harm by the paternal aunt	Unfounded

On October 27, 2023, ODHS received a report regarding 8-year-old paternal cousin who resides with their mother, who is the paternal aunt to the deceased child. The report alleges the 8-year-old child and paternal aunt are frequently at the home where the mother uses fentanyl and methamphetamine. The report also states the paternal aunt was using methamphetamine and was observed unconscious from use. It is reported the paternal aunt did not live at this residence but regularly allows the 8-year-old cousin to stay there in the care of the paternal aunt who reportedly allows the mother to use substances in the home. The 8-year-old cousin was reportedly left in the mother's care for days at a time. No specifics were provided regarding the 8-year-old's developmental or vulnerabilities aside from their age. The report was assigned for threat of harm and neglect by the paternal aunt to the 8-year-old cousin as a 72-hour response.

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On October 27, 2023, two on-call CPS caseworkers made face-to-face contact with the paternal aunt and 8-year-old cousin at the paternal grandparent's home. The 8-year-old cousin was sleeping, and the paternal aunt was present but appeared under the influence of marijuana.

Between October 31, 2023, and November 2, 2023, the assigned CPS caseworker made several efforts to contact the paternal aunt, the 8-year-old cousin, and the father of the 8-year-old with no success via unannounced visits, phone calls and letters. On November 8, 2023, the father of the deceased child shared the paternal aunt's children, 8-year-old and 18-year-old paternal cousins, lived with the paternal grandmother.

Throughout the month of November, the CPS caseworker continued efforts to locate the paternal aunt via relatives, phone calls, letters, and collaborating with other collaterals. On November 21, 2023, the paternal cousin spoke with the CPS caseworker and did not report concerns about the paternal aunt's substance use. They also shared the 8-year-old cousin does not live with the paternal grandmother but rather visited occasionally.

On November 28, 2023, the CPS caseworker spoke with the paternal aunt via phone and scheduled a home visit for the following day. On the phone the paternal aunt noted a history of substance use but reported she was not using substances and is engaged in services. The paternal aunt reported awareness of the mother's use but reported the 8-year-old cousin was not exposed to it. The 8-year-old cousin had not talked to them about the mother using substances in their presence. The paternal aunt noted their family has "generational drug use."

On November 29, 2023, the CPS caseworker had face-to-face contact with the 8-year-old cousin and paternal aunt. The 8-year-old cousin was interviewed and made no disclosures regarding the paternal aunt's substance use but noted the mother was kicked out of the paternal grandmother's home for using fentanyl, but they had not seen her use. The 8-year-old cousin reported feeling safe with the paternal grandmother and with their mother. The 8-year-old cousin noted they lived with their mother and only visits their grandmother's home.

Documentation reflects the CPS caseworker contacted and interviewed the father of the 8-year-old cousin on January 7, 2024, as part of the companion CPS assessment related to the deceased child. The father of

the 8-year-old cousin was incarcerated and interviewed by phone. He reported he spoke with the 8-year-old cousin daily and expressed concerns for the paternal aunt's substance use due to their previous use. He reported using substances with the paternal aunt a year prior, before he was arrested, which contradicted the paternal aunt's statements regarding their last use.

At the conclusion of this CPS assessment, the allegations of neglect and threat of harm to the 8-year-old cousin by their mother was determined to be unfounded due to insufficient information gathered from the family as well as collaterals. The paternal aunt reported the paternal grandmother and father to the deceased child was protective by not allowing the deceased child's mother to be in the home. The paternal aunt did not appear to be under the influence of substances throughout the course of the assessment, and the 8-year-old child did not make any concerning disclosures regarding their mother actively using substances.

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 acknowledged conversations about safe sleep had occurred multiple times over the course of the child's life, however it does not appear this particular child's increased vulnerabilities were clearly articulated to the family to help inform their decision making about where and how the child was laid to sleep. While the Department does endorse a harm reduction approach to safe sleep education, it is important all factors such as parental substance use, and enhanced vulnerabilities are considered when providing education to caregivers.

The CIRT recognized the importance of a thorough review of child welfare history when parental substance use is a presenting factor. Long-term substance misuse is a complex dynamic that requires highly skilled assessment and intervention. Reviewing extensive case history to analyze and synthesize, particularly when timeliness to agency response impacts child safety, presents as a challenge for thorough review and has been acknowledged in previous CIRTs. These challenges are exacerbated in

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offices where work pressure is high due to high vacancy rates resulting in the need to often respond to multiple reports weekly and sometimes daily.

The CIRT noted there was limited understanding of the scope of substance use challenges the family was experiencing during the June and October 2023 CPS assessments. The Department made multiple contacts during the time the assessments were open, which included consultation with the Addiction Recovery Team (ART), as well as counseling on safe sleep practices. However, the conflicting information about substance use in the household presented a challenge in understanding the day-to-day safety of the children in the home. In these types of circumstances, additional collateral contacts and observations of the home/caregiving environment as well as direct engagement with substance use support services can be helpful to gather clarifying information about parental functioning and child safety. With two very young children in the household, it is important to understand eating and sleep schedules, supervision needs including an understanding of what a day in the life looks like for both the caregivers and children. The Department was aware of daily marijuana use occurring in the home by the adult caregivers. Safe Systems data has shown bias regarding the risks associated with marijuana use versus other substances has impacted case practice decisions in other cases reviewed by the CIRT. Parent/Caregiver marijuana use must always be factored into overall safety considerations for a highly vulnerable infant when a parent/caregiver indicates a preference for bed sharing.

The CIRT noted the child and family experienced socioeconomic barriers and challenges that were not fully understood and addressed through contacts with Child Welfare or other family serving systems that they interfaced with. Additionally, the father's role as the primary custodial parent was not acknowledged or supported by upstream community supports that are necessary for families to thrive. The ODHS vision for transformation recognizes ODHS is part of a larger statewide social safety-net system that works to support families and communities. Collectively, ODHS, public and private partners are working to support families experience safe, stable, healthy lives in a healthy community.

In addition, the CIRT noted the importance of ODHS partnering with health professionals, substance use disorder treatment programs, early education

professionals and other social service agencies to develop Plans of Care to support the needs of infants with prenatal substance exposure and their families. Plans of Care are an essential component of the federal Comprehensive Addiction and Recovery Act (CARA), which aims to connect infants with prenatal substance exposure and their family members to services and supports. The CIRT recognized families are best served when child and family serving systems work together rather than in isolation.

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 recognizes the Child Safety and Child Fatality Prevention and Review Programs are currently engaged in system improvement efforts related to increasing staff skills and knowledge around parental substance use and impacts to child safety through the creation of ongoing workforce education strategies. Additionally, system improvement work is underway for the (CFPRP) Safe Sleep Coordinator to build on improvements to the safe sleep checklist and evaluate areas for improvement related to substance use. This evaluation and any recommended changes will be completed by July 1, 2024.

The CIRT recommends the Child Fatality Prevention and Review Program, in collaboration with the Child Safety and the Child Welfare Equity Training and Workforce Development Programs, create a statewide plan for hosting regular learning collaboratives. These collaboratives should share valuable insights based on trends and data gathered in the CIRT process, such as comprehensive assessment information gathering and safety planning, safe sleep education strategies when engaging families with vulnerable infants, father engagement, connecting families with culturally responsive community supports, and coordinating Plans of Care. The CIRT recommends planning for this begin in the second quarter of 2024, with implementation by November 2024.