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.

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September 28, 2024</td><td colspan="2">Date Department became aware of the fatality:
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September 28, 2024</td><td colspan="2">Date of child protective services (CPS) assessment disposition:

November 4, 2024</td></tr>
<tr><td>Date CIRT assigned:

October 2, 2024</td><td colspan="2">Date Final Report submitted:

January 10, 2025</td></tr>
<tr><td>Date of CIRT meetings:

October 25, 2024
December 2, 2024</td><td>Number of participants:
20
25</td><td>Members of the public?
No
Yes</td></tr>
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Level 3 - Restricted

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

Date of report:	**Allegation(s):**	**Disposition(s):**
September 28, 2024 **Assignment decision:** Within 24 Hours	Neglect by the father, Threat of Harm by the father	Founded Founded

On September 28, 2024, the Oregon Department of Human Services (ODHS) received a report of neglect by the father to the 3-month-old child and 2-year-old sibling. Additionally, there was a report of threat of harm to the 9-year-old paternal half-sibling by the father. It was reported the child and the 2-year-old sibling were staying with the father in an uncle's trailer the day prior. The mother was present but left midday due to a conflict with the father. She requested law enforcement (LEA) conduct a welfare check on the children stating the father was under the influence of alcohol and methamphetamine. It was believed the mother was also under the influence of alcohol. When LEA contacted the father, they observed him to be intoxicated but believed the children to be safe in his care. Later in the night, the father went to bed while under the influence and shared a sleep space with the 3-month-old child on a fold-out futon in the trailer. He woke to find the child non-responsive and called for emergency services who declared the child deceased. This report was assigned to CPS for assessment.

Though this incident occurred in the morning of September 28, the local office did not receive the report until later in the day. An on-call supervisor

contacted LEA, however, communication with LEA appeared to be challenging as the responding officer was no longer on shift and the sergeant was not able to provide information about the children's current whereabouts. The sergeant did report the 2-year-old sibling remained with the father when LEA cleared the scene.

A CPS caseworker attempted to contact the family late that night to assess the safety of two children, aged 2 and 9, but received no response at the family home. On the morning of September 29, the caseworker communicated with law enforcement (LEA) and contacted a forensic pediatrician. LEA was uncertain about the cause of the child's death and mentioned that the mother had been trying to reach ODHS. The CPS caseworker then tried to contact the mother both at home and by phone but was unsuccessful.

It was learned from the forensic pediatrician the child had an adrenal mass in utero that appeared to be resolving itself after birth, though oncology and surgery was still recommended. The doctor determined this would not have contributed to the child's death. The doctor also noted two well-child checkups for the child, one at 8 weeks and one at 2 months old. There were several missed or cancelled appointments. After death, the child had a skeletal survey completed, showing a slipped vertebrae and two potential rib fractures, all of which could have been from resuscitation efforts.

The 2-year-old was not with the father when he participated in a reenactment with LEA. The father reported he gave the 3-month-old child a bottle of formula before bed and shared a sleep surface, which was a pull-out futon couch/mattress. He slept through the night and woke to find the child unresponsive. The father denied being intoxicated.

The CPS caseworker later met with the father at a friend's home and learned the 2-year-old was with a relative. The father reported while he and the mother were at his brother's trailer, the two were not getting along so the mother left, and the kids stayed with him. He reported he took a prescription pain pill midday due to a tooth ache, drank a 6 pack of beer and had a few shots of vodka that night. He gave the 3-month-old child a 4 oz. bottle before they went to bed at 11 p.m. and slept through the night.

The father denied substance use concerns and declined supportive drug and alcohol services.

The 9-year-old's mother was contacted and confirmed she had her child in her care. She disclosed concern for the father's alcohol use. The 9-year-old participated in an interview and reported they had not seen their dad in a long time because it was not safe. The 9-year-old talked about verbal altercations between the father and the child's mother. The 9-year-old reported they saw the child's mother hit the father in the past but had never seen the father hit the child's mother. The 9-year-old discussed ways they helped take care of the child and 2-year-old while at the father's house. They also confirmed there was alcohol use by the father and the child's mother.

Face-to-face contact with the 2-year-old by the CPS caseworker took place at a relative's home, and the 2-year-old appeared healthy and bonded with the relative. The relative provided her perspective on the family dynamic and the parent's alcohol use. A urinalysis was completed on the 2-year-old as there was concern the father was using methamphetamine the night of the incident. The results were negative for all substances at the time; however, a later hair follicle test was positive for cocaine.

The CPS caseworker spoke with the medical examiner and learned that at the time of death, the child smelled heavily of urine and the diaper was believed not to have been changed for at least a day. There was concern the father had cleaned up the trailer before calling for emergency services.

During the initial phone contact with the mother, she voiced significant concern regarding the father and stated she didn't feel safe with him. As the CPS assessment progressed, the mother changed her position on the father and her relationship with him. The mother denied having any substance use concerns and declined related services. In addition, she declined developing a safety plan for the 2-year-old child.

The 8-year-old maternal half-sibling was interviewed at the father's home and disclosed significant alcohol use by the mother and father of the child. The 8-year-old described significant concern for the mother's safety and described an instance when the father of the child broke the mother's

phone with a knife. The 8-year-old also discussed caretaking the younger children in the home. The 8-year-old's father also reported significant concern for the mother's alcohol use.

The father was arrested and charged with a crime related to the child's death. A police report from September 27, 2024, was reviewed by the CPS caseworker. LEA's involvement the day prior as well as LEA's response and investigation into the child's death corroborates the information gathered in the CPS assessment.

At the conclusion of the CPS assessment, ODHS developed an out-of-home safety plan for the 2-year-old child. The 8-year-old and the 9-year-old half siblings were determined safe in the care of their respective parents. The allegation of neglect by the father to the 3-month-old child and threat of harm to the 2-year-old and 9-year-old were all founded.

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

Date of report:	**Allegation(s):**	**Disposition(s):**
March 8, 2022 **Assignment decision:** Within 24 Hours	Threat of Harm by the father	Unfounded

On March 8, 2022, ODHS received a report of a threat of harm to the 6-year-old paternal half sibling of the child by their father. It was also reported the 5-year-old maternal half-sibling of the child disclosed instances of domestic violence, which was described by the 5-year-year old as wrestling. The 5-year-old reported seeing their mother harmed by the father. This report had a companion report generated under the mother's case name where the safety of the 5-year-old was assessed. It was determined these reports met criteria for CPS assessment.

On March 9, 2022, the CPS caseworker reviewed prior history and contacted LEA, learning their last contact with the family was in April of the previous year for a child welfare check.

The 5-year-old described the father as mean with many rules and mentioned that when the father and child's mother disagree, they wrestle, but no one gets hurt. The child also said the child's mother sometimes leaves. The 6-year-old described the mother of the child as mean but denied witnessing any physical conflict. The school counselor was contacted and did not report any concerning information about the children's care.

The child's mother denied domestic violence, stating that during conflicts, she and the father sometimes yell but typically separate and continue the discussion later or via text. She recalled one incident where tickling led to wrestling but emphasized that no one was harmed. The mother also reported being sober since 2021, though it was unclear which substances she was referring to. The CPS caseworker provided her with local domestic violence resources. The father denied he was domestically violent.

The CPS caseworker attempted to contact the 6-year-old's mother; however, contact was not successful. A relative stated they had not had contact with her for approximately 3 years and attributed this to substance use and houselessness.

At the conclusion of this CPS assessment, the allegation of threat of harm to the 6-year-old half-sibling was unfounded. Of note, this CPS assessment was closed using the Documentation Protocol. The Documentation Protocol was created to help reduce the number of pending unfounded CPS assessments by providing a tool and template, including guidance and parameters, on appropriate use of condensing documentation within the case management system. This protocol has been discontinued.

Date of report:	**Allegation(s):**	**Disposition(s):**
November 13, 2022	Neglect by the father	Founded
Assignment decision:		Founded

Within 24 Hours	Neglect by the father's significant other	

On November 13, 2022, ODHS received a report of neglect involving a 7-year-old paternal half-sibling, the child's father, and the father's significant other. The 7-year-old and a 6-year-old maternal half-sibling were found in the home, caring for an infant sibling while their father was passed out from alcohol intoxication. The children were attending to the infant by warming a bottle and changing diapers. It was also reported that the children's mother was not at home because the father had locked her out, allegedly due to her cocaine use. The children were later picked up by a known individual, and the infant sibling was taken to urgent care for concerns about a cough. As a result, the case was assigned to CPS for further assessment.

On November 13, 2022, the CPS caseworker contacted the family friend who was caring for the children. The friend reported the mother was locked out of her home the night prior due to an altercation that took place as she tried to end the relationship with the father. The mother called and asked the friend to go by the house to ensure the children were safe, admitting that she was drunk and had used cocaine. The family friend was greeted by the 7-year-old and 6-year-old while the father slept on the couch. The children were excited to see the friend and explained they had been caring for the infant sibling. The father was difficult to wake and was informed the children would be going with the family friend. The family friend confirmed that the mother used alcohol and cocaine on the weekends, and stated the mother has talked about ongoing emotional and verbal abuse occurring in the home by the father.

The CPS caseworker spoke with law enforcement who reported familiarity with the family due to frequently being called out for domestic disturbances. It was reported the mother is often under the influence when law enforcement would respond.

At the initial contact by the CPS caseworker, the father and mother appeared tired and disheveled. The parents did not allow access to the inside of the home. The mother denied any danger in the home and reported the children would be staying with friends for the night.

After leaving the family home, the CPS caseworker received a call from the family friend stating the parents intended to pick up the children immediately. The CPS caseworker later returned to the family home and found the 7-year-old there, however, the parents were not cooperative and were unwilling to collaborate in the development of a safety plan.

The CPS caseworker interviewed the 6-year-old at their father's house. The 6-year-old reported the night of the incident, the mother left, and the father of the 7-year-old fell asleep after drinking alcohol. Though the children tried, the father couldn't be woken, and the children stayed up all night. The 6-year-old reported they took care of the infant independent of the father, which included providing a bottle, feeding, burping, changing diapers and putting the infant down to bed.

While speaking with the 6-year-old, they reported the father of the 7-year-old locked their mother out of the house after the father broke the mother's phone during a fight. The police were notified, and the father of the 6-year-old had to come retrieve his child. The father of the 6-year-old also reported concerns for the mother's alcohol use and filed for an immediate danger order for the 6-year-old.

The assigned CPS caseworker contacted the mother and the father with LEA present. The 7-year-old was interviewed and reported the father did fall asleep, leaving the children to tend to the infant.

The 7-year-old's mother was contacted in the county jail, where she was serving time for burglary and theft. She intended to reside in sober living upon release. She had not been active in the 7-year-old's life due to substance use but expressed a desire to be an active and involved parent.

A police report associated with this report as well as collaboration between LEA and child welfare was included in the case file summary with no new details to add.

At the conclusion of this CPS assessment, the neglect allegations were founded, and the 7-year-old was placed in an out-of-home safety plan. Please see the companion report under the mother's case name for disposition as to the infant sibling and the 6-year-old maternal half-sibling.

Date of report:	Allegation(s):	Disposition(s):
May 20, 2023	Neglect by the father	Founded
Assignment decision:	Neglect by the father's significant other	Unfounded
Within 72 Hours		

On May 20, 2023, ODHS received a report alleging neglect to the 7-year-old paternal half-sibling by the father and the father's significant other, who is also the mother of the child. It was reported LEA responded to a domestic disturbance where the mother and father were reported to be highly intoxicated and unable to care for the children. The two adults denied any physical fighting. This report was assigned for a CPS assessment.

On May 20, 2023, the CPS caseworker contacted law enforcement and learned the 7-year-old and infant sibling would remain in the home with the father. The mother's behavior escalated, and she was trespassed from the property. She arranged for herself and her 6-year-old child to stay with a relative. Due to technical issues with the electronic case management system, the on-call CPS caseworker and supervisor were unable to review the family's case history. Given the technical challenges, the on-call CPS caseworker and supervisor agreed with LEAs plan for the children to remain with the father and attempted contact the following morning.

The following day on May 21, 2023, a review of the case record revealed the family had an open case with an in-home ongoing safety plan.

The CPS caseworker met with the mother in person, during which she explained that she didn't have access to her phone or wallet because the father took them during an argument the previous day. The mother stated that the father began drinking at 3 p.m., and while intoxicated, took her phone. In response, she went outside to signal a neighbor, who then called law enforcement. The mother discussed the safety plan, the safety service providers, and services she was engaged in. She expressed concern that the father might try to evict her. She also shared that she was not

employed because the father had consistently discouraged her from working throughout their relationship.

The CPS caseworker spoke with the father who reported he, his brother, and his 7-year-old went to stay at the family vacation home. The mother and her 6-year-old came over and shared a few alcoholic drinks. The father reported he had approximately 8 shots of alcohol and 6 beers throughout the day. After he and the mother had a few drinks together, they began verbally fighting. He reported being sober for four months until a few months ago, when he began drinking occasionally.

The CPS caseworker spoke with the 6-year-old and their father. The 6-year-old confirmed the details of the incident.

The 7-year-old paternal half-sibling confirmed the parents were arguing at the vacation home and the father was drinking alcohol. The 7-year-old described the father as mad and yelling.

At the conclusion of this CPS assessment, the allegation of neglect by the father toward the 7-year-old was founded and the allegation of neglect by the father's significant other was unfounded. Allegations of threat of harm to the 7-year-old were founded as to the father and significant other. The children remained in the home with a safety plan in place. For information regarding the 6-year-old maternal half-sibling and infant sibling, please see the companion report under the mother’s case name.

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

Date of report:	**Allegation(s):**	**Disposition(s):**
September 16, 2021 **Assignment decision:** Within 72 Hours	Neglect by the mother	Unfounded

On September 16, 2021, ODHS received a report alleging neglect by the mother to the 5-year-old maternal half-sibling. On September 13, 2021, the

mother was experiencing suicidal ideation, drinking alcohol, and taking prescription medications. She stole her significant other's car and fled law enforcement. Though many details were unknown at the time of this report, there was concern the mother might have been parenting the 5-year-old around or during this incident. Upon the mother's return home, her significant other ended their relationship and evicted the mother from the home. The father of the 5-year-old retrieved his child. There was concern the significant other's child was also present for this incident. This report was assigned for a CPS assessment.

On September 17, 2021, the CPS caseworker reviewed criminal history, and spoke with the reporting party and the father of the 5-year-old. It was confirmed the 5-year-old was staying with their father and a home visit was scheduled for later this same day. The CPS caseworker also called the mother's significant other to schedule a home visit, but he was out of town with his child. A voice message and a text were left on the mother's phone. The CPS caseworker interviewed the 5-year-old and their father. The 5-year-old reported they heard their dad talking about their mom stealing a car. The 5-year-old was with their father for parenting time when the incident occurred. The father filed a petition hoping the court would give him full custody, however the judge dismissed the petition and the parents continued to share 50/50 custody.

On September 24, 2021, the CPS caseworker met with the mother who denied allegations of car theft. She reported the night of the incident, she and her significant other argued because a friend stayed later than expected. The mother used her significant other's car to take the friend home and ended up staying at her friend's home, shutting off her phone for the night. She reported while she was away, the father called several people to locate the mother, including the father of her 5-year-old child. The mother denied any children were home when the disagreement happened. She returned the car the next morning and they resolved their argument.

The mother disclosed she was receiving support for drug and alcohol use. She reported she was medicated for depression and hadn't consumed alcohol in 13 months. She declined to sign a release of information (ROI).

The significant other denied he reported his car as stolen. While documentation suggests the significant other's son was interviewed, details

of this interview were not documented. (See companion case for additional information.)

A police report from September 10, 2021, was included in the case file and outlined concerns that the mother was suicidal.

At the conclusion of the CPS assessment, it was determined the allegation of neglect to the 5-year-old by the mother would be unfounded. While a disagreement occurred between the mother and her significant other, there appeared to be a misunderstanding regarding the circumstances.

Date of report: March 8, 2022 **Assignment decision:** Within 24 Hours	**Allegation(s):** Threat of Harm by mother's significant other	**Disposition(s):** Unfounded

On March 8, 2022, ODHS received a report alleging threat of harm to the 5-year-old maternal half sibling and 6-year-old paternal half-sibling by the 6-year-old's father. It was reported the 5-year-old disclosed instances of domestic violence, which they described was like wrestling. They reported on one occasion, the mother was bleeding after the father pushed her and they did not feel safe at home. The 5-year-old reported several additional incidents of domestic violence, and the report was assigned for a CPS assessment.

On March 9, 2022, the CPS caseworker reviewed prior history and interviewed the 5-year-old and 6-year-old at school. Subsequently, the father of the 6-year-old was interviewed over the phone and in-person. The mother was interviewed in her home. In speaking with law enforcement, it was learned the last contact LEA had with the family was in April of the previous year for a welfare check.

When the 5-year-old was interviewed, they reported the mother's significant other was mean and had a lot of rules. When there is a disagreement, the

parents wrestle but no one is harmed and sometimes the mother will leave during an argument. When the 6-year-old was interviewed, they reported the mother of the 5-year-old was mean but denied seeing physical conflict between the parents. The school counselor was contacted and did not provide concerning information regarding the care of the children.

The mother denied concerns for domestic violence and stated during conflict, she and the significant other sometimes yell but mostly separate and continue the discussion at another time or through text. She recalled one occasion when the two were tickling each other, which evolved into wrestling, but no one was harmed nor was it a serious matter. The mother reported she had been sober, since 2021, though documentation is not clear for which substances. The CPS caseworker provided the mother with local domestic violence resources.

The CPS caseworker met with the mother and her significant other on March 11, 2022. The significant other denied allegations of domestic violence. Each parent described their parenting time agreements; the significant other had full custody of his son at the time of this report and the mother had 50/50 custody of her 5-year-old.

The CPS caseworker called and met with the 5-year-old's father and stepmother. Neither of them reported concerns for the 5-year-old while in the care of the mother and her significant other. The CPS caseworker also attempted to contact the mother of the significant other's child; however, contact was not successful. A relative collateral contact stated they had not had contact with her for approximately 3 years and attributed this to her struggles with substance use and houselessness.

At the conclusion of this CPS assessment, the allegation of threat of harm to the children was coded as unfounded. There were no disclosures or evidence of abuse or neglect. Of note, this assessment was closed using the documentation protocol. Documentation protocol was a temporary protocol in place to support timely completion of CPS assessments. This protocol has been discontinued.

Date of report:	**Allegation(s):**	**Disposition(s):**

September 26, 2022 **Assignment decision:** Within 72 Hours	Threat of Harm by the mother's significant other	Unable to Determine

On September 26, 2022, ODHS received a report alleging threat of harm to the 6-year-old maternal half-sibling and infant sibling by the father of the infant, who was also the stepfather to the 6-year-old maternal half-sibling. The 6-year-old stated that over the summer while at a vacation home, the 6-year-old, the infant sibling and the mother were locked out of the house during a fight between the mother and her significant other. It was not known how long this went on, what time of day this occurred, or what the weather conditions were. The significant other's 7-year-old was not listed as an alleged victim on this report, nor did this report contain information on their whereabouts. This report would be assigned to CPS for assessment.

On September 29, 2022, the assigned CPS caseworker made contact the 6-year-old and 7-year-old at school, then attempted contact with the parents at home, which was unsuccessful. The 6-year-old referenced the reported incident and verified that law enforcement had contact with the family, however, the 6-year-old did not offer any further details and cited the mother did not want them sharing information. The 7-year-old did not make disclosures regarding the reported incident.

The father of the 6-year-old was contacted and reported he knew about the incident at the vacation home. He reported being bothered that the mother's significant other uses spanking for discipline with the 6-year-old. He also reported being aware of other behaviors in the home such as yelling, screaming and slamming of doors.

Of note, documentation reflects that the mother and significant other were not contacted during this assessment. Additionally, during this assessment, another screening report was received (summarized below) and was not addressed in this CPS assessment.

At the conclusion of this CPS assessment, it was determined the allegations of threat of harm to the children would be unable to determine.

Date of report:	Allegation(s):	Disposition(s):
November 13, 2022	Neglect by the mother	Founded
Assignment decision:	Neglect by the father	Founded
Within 24 Hours		

On November 13, 2022, ODHS received a report alleging neglect to the infant sibling, the 6-year-old maternal half-sibling and 7-year-old paternal half-sibling, by the mother and father (mother is stepmother to the 7-year-old and father is stepfather to the 6-year-old). It was reported the three children were found in the home with the father who was under the influence of alcohol. The 6-year-old and 7-year-old were caring for the infant sibling by warming a bottle and changing diapers. It was reported the mother was not home because the father locked her out due to using cocaine. The children were picked up by a known person, and the infant was taken to urgent care for concerns of a cough. This report was assigned for a CPS assessment.

On November 13, 2022, the assigned CPS caseworker contacted the family friend who reported the mother was locked out of her home the night prior after an altercation took place as she tried to end the relationship with the father. The mother called and asked this friend to go by the house to ensure the children were safe and admitted that she was drunk and used cocaine. Upon arrival, the family friend was greeted by the 6-year-old and 7-year-old while the father slept on the couch. The children were excited to see the friend and explained they had been caring for the infant sibling. The father was difficult to wake and was informed the children would be going with the family friend. The family friend confirmed that the mother used alcohol and cocaine on the weekends, and stated the mother has talked about ongoing emotional and verbal abuse occurring in the home.

The assigned CPS caseworker spoke with law enforcement who reported familiarity with the family due to frequently being called out for domestic

disturbances. It was reported the mother is often under the influence when law enforcement responds.

When the CPS caseworker contacted the father and mother in the family home, the two appeared tired and disheveled. The parents did not allow access to the inside of the home. The mother denied any danger in the home and reported the children would be staying with friends for the night.

After leaving the home, the CPS caseworker received a call from the family friend stating the parents intended to pick up the children immediately. The CPS caseworker returned to the family home and found the 7-year-old there, however, the parents were not cooperative and were unwilling to develop a safety plan.

The 6-year-old was interviewed at their father's house and disclosed the night of the incident, the mother left the home and the stepfather fell asleep after drinking alcohol. Though the children tried, the stepfather couldn't be woken, and the children stayed up all night. The 6-year-old reported they took care of the infant sibling independent of the stepfather, which included providing bottles, feeding, burping, changing the diapers and putting the infant sibling down to bed.

While speaking with the 6-year-old about this incident, she provided details of another time when the stepfather locked the mother and the children out of the house after he broke the mother's phone during a fight. The police were notified, and the father of the 6-year-old came to retrieve his child. The father of the 6-year-old also reported concerns for the mother's alcohol use and filed for an immediate danger order of his child.

The CPS caseworker contacted the mother and father while LEA was present. The 7-year-old was interviewed and reported the father did fall asleep, leaving the 7-year-old and the 6-year-old to tend to the infant sibling.

The 7-year-old's mother was contacted in the local county jail where she was serving time for burglary and theft. She intended to reside in sober living upon release. She had not been active in the 7-year-old's life due to substance use but expressed desire to be an active and involved parent.

At the conclusion of this CPS assessment, the allegations were determined to be founded. An out-of-home safety plan was developed for the infant

sibling and 7-year-old paternal half-sibling. The 6-year-old was determined to be safe in the care of their father.

Date of report: May 20, 2023 **Assignment decision:** Within 24 Hours	**Allegation(s):** Threat of Harm by the mother	**Disposition(s):** Founded

On May 20, 2023, ODHS received a report of threat of harm to the infant sibling and 6-year-old maternal half-sibling by the mother. It was reported there was a domestic disturbance that involved a LEA response. The mother and father were highly intoxicated and unable to care for the children. The two adults denied any physical fighting to LEA. Though the 7-year-old paternal half-sibling was not listed as a victim in the report, they were also present. This report was assigned to CPS for assessment. A companion report was generated under the 7-year-old's mother's case name and summarized under that section of this report.

The CPS caseworker contacted LEA and learned the infant sibling and the 7-year-old would remain in the home with the father. The mother escalated and was trespassed from the property, and she arranged for herself and her 6-year-old to stay with a relative. Due to technical issues with the electronic case management system, the on-call CPS caseworker and supervisor were unable to review case history. Given the technical challenges, the on-call CPS caseworker and supervisor agreed with LEA's plan for the children and would make contact the following morning.

The morning of May 21, 2024, a review of the case history showed that the infant sibling and the 7-year-old were involved in an ongoing in-home safety plan.

The CPS caseworker had in-person contact with the mother who reported she didn't have access to her phone or wallet due to the father taking them during conflict the day prior. The mother reported the father started drinking at 3 p.m. and while under the influence, took her phone away. She went

outside to flag down a neighbor and that neighbor called LEA. The mother talked about the safety plan, safety service providers, as well as services she was engaged in. She reported she felt worried that the father would evict her. She was not employed because the father didn't want her to work, and this had been his position for the entirety of their relationship.

The CPS caseworker spoke with the father regarding the incident, he reported he, his brother and his 7-year-old child went to stay at the family vacation home. The mother came over with her 6-year-old child and their shared infant child. The mother and father shared a few drinks with the brother. The father reported he had approximately 8 shots of alcohol and 6 beers throughout the day. After he and the mother had a few drinks together, they began verbally fighting. He reported he was 4 months sober until a few months prior when he started having a few drinks on occasion.

The CPS caseworker spoke with the father of the 6-year-old and the 6-year-old. The 6-year-old confirmed that they and the mother went to the vacation home while the 7-year-old and the father of the 7-year-old were there. The 6-year-old confirmed he was drinking, had taken their mom's belongings and locked them out of the house.

When the 7-year-old was interviewed, it was confirmed the mother of the 6-year-old, and the father were arguing at the vacation home and the father was drinking alcohol.

At the conclusion of the CPS assessment, the allegations of threat of harm to the infant sibling and the 6-year-old maternal half-sibling by the mother was founded due to her intoxication and escalation to the point of being trespassed by law enforcement. The children remained in-home with a safety plan.

Date of report:	**Allegation(s):**	**Disposition(s):**
August 16, 2024 **Assignment decision:** Closed at Screening	Not Applicable	Not Applicable

On August 16, 2024, ODHS received a report with concerns for the 1-month-old child, the 2-year-old sibling and the 8-year-old maternal half-sibling. The father of the child and the mother were drinking in their yard the night of August 15, 2024, into the following day. The two got into a verbal altercation and when the father of the child told the mother to stop drinking, she drove away, leaving the 8-year-old behind. The father went inside and locked all the doors, not realizing the 8-year-old was still alone outside. The 8-year-old was locked out for around 35 minutes and went to a neighbor's house. It was not clear where the 1-month-old child or the 2-year-old were during this incident. Though the father of the child had been drinking for most of the day, he was observed to be caring for the child adequately and this report was closed at screening.

Description of relevant prior Department reports under the paternal half-sibling's mother's case:

Date of report:	**Allegation(s):**	**Disposition(s):**
February 19, 2018 **Assignment decision:** Within 24 Hours	Neglect by the mother Neglect by the father Threat of Harm by the mother	Unfounded Unfounded Founded

On February 19, 2018, ODHS received a report of threat of harm and neglect to the 2-year-old paternal half-sibling by their mother as well as neglect by their father. The 2-year-old's mother disclosed the father was verbally abusive and confrontational when under the influence of alcohol. She reported she blacks out and becomes physical with him, sharing that she has a lot of guilt for this happening in front of their 2-year-old. Additionally, she reported thoughts of suicidality. She agreed to a safety plan for her mental health and was also provided suicide and DV resources. This report was assigned for a CPS assessment.

The CPS caseworker attempted contact with the family on February 20 and 21, and left business cards both times. On February 21, the 2-year-old's mother was contacted by phone, and it was agreed she would meet the caseworker at the local courthouse that day. Upon contact with the 2-year-old's mother and the 2-year-old, the 2-year-old appeared healthy and well, though an interview did not take place due to their age and development.

The CPS caseworker attempted contact with the father several times throughout the CPS assessment and finally had contact with him in August.

Documentation states the father and the mother of the 2-year-old have a tumultuous relationship and have found themselves in physical and verbal altercations. Arguments seem to increase when the father drinks. He appeared to struggle with alcohol and was charged with a DUII. During one incident, the mother of the 2-year-old left bruises on the father. After these incidents, the 2-year-old went to stay with a grandmother. The grandmother had concerns for both parents and she stepped in to keep the 2-year-old safe and would continue to do so.

During this CPS assessment, another report was generated and is outlined below. These two reports were linked and assessed together.

The CPS caseworker reviewed several LEA reports regarding domestic disturbance calls, however neither parent had been arrested in any of the police reports.

At the conclusion of the CPS assessment, the allegations of neglect by the mother and father were determined to be unfounded and the allegation of threat of harm by the mother was founded.

Date of report:	**Allegation(s):**	**Disposition(s):**
August 16, 2018	Neglect by the mother	Unfounded
Assignment decision:	Neglect by the grandfather	Unfounded
Within 24 Hours	Threat of Harm by the mother	Founded

On August 16, 2018, ODHS received a report of neglect and threat of harm to a 3-year-old paternal half-sibling by their mother as well as neglect by a relative. It was reported the father went to the mother of the 3-year-old's residence to discuss parenting time and while at her house, she became assaultive toward the father. She broke his phone, hit, and bit him, threw items such as rocks and 2x4 boards, and chased him. The mother of the 3-year-old had the child in her arms as this was happening. The reporting party had significant concerns for the mother's mental health as she had been expressing thoughts of suicide. There was additional concern that the relative was residing on the property in a trailer and was using substances such as heroin and meth. This report was assigned to CPS for assessment and was assessed with the previous report.

At the conclusion of the CPS assessment, it was determined the allegation of neglect by the relative and mother would be unfounded. The allegation of threat of harm by the mother was determined to be founded and a threat of harm allegation was added and founded for the father.

Description of relevant prior Department reports under the maternal half-sibling's father's case:

Date of report:	**Allegation(s):**	**Disposition(s):**
September 28, 2024 **Assignment decision:** Within 72 Hours	Threat of Harm by the mother's significant other	Founded

On September 28, 2024, ODHS received a report of threat of harm to the 8-year-old maternal half-sibling of the child by the mother's significant other. It was reported the child died after the father shared a sleep space with the child while potentially under the influence of alcohol. It was unknown where the 8-year-old was during this incident. This report was assigned to CPS for assessment.

This report is a companion to the initial abuse report regarding the child's death, which was handled under the father's case. For details about the individuals interviewed, collaterals contacted, and information gathered related to the child's death and the safety of the siblings, please refer to the earlier summary. The father was found to have neglected the child by being under the influence of alcohol while sharing a sleep surface with the child.

During the CPS assessment, the 8-year-old and their father were interviewed. Although the 8-year-old was not present for the specific incident, they reported ongoing conflicts between the parents, including alcohol use, and described taking care of their younger siblings during these fights. The father confirmed these incidents, expressing concerns about the pattern of alcohol use by the child's father and 8-year-old's mother. He mentioned that the mother's alcohol use was the reason he sought emergency custody of the 8-year-old. Ultimately, the CPS assessment concluded the allegation of threat of harm to the 8-year-old by the child's father was founded.

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:

In the period leading up to and following the critical incident, the Critical Incident Review Team (CIRT) identified opportunities for improved collaboration and coordination between law enforcement and child welfare. On September 27, 2024, law enforcement encountered the father, who was under the influence of alcohol while caring for his two young children. However, this information was not cross reported to child welfare for further consideration. The CIRT also identified additional opportunities for cross-reporting within the case history. After the critical incident, child welfare professionals made efforts to coordinate with law enforcement regarding the safety of the surviving sibling. The CIRT observed that these efforts were hindered by challenges in collaboration and information sharing, leading to delays in contact and safety assessment for the surviving child.

The case file summary and associated police reports revealed a bias in the collection of information from, and the credibility given to, survivors of domestic violence. The CIRT identified a clear pattern of power and control exerted by the father, further complicated by substance abuse issues from both parents and the mother's mental health concerns. The CIRT observed

that child welfare professionals had opportunities to better assess and understand the dynamics of the parents' relationship and the impact of substance use. Additionally, the CIRT noted the mother's proactive efforts to ensure the safety of her children, including seeking support from law enforcement through welfare checks. Despite both parents frequently being under the influence, law enforcement often aligned with the father's narrative, which further complicated the situation.

The CIRT identified unintended consequences resulting from external pressures to engage families in the least intrusive manner. In this case, an ongoing in-home safety plan was in place due to identified safety threats, along with a case plan that required the parents to complete specific services. However, legal and judicial partners strongly believed the children were safe in the home and that continued child welfare oversight was unnecessary. As a result, the case was prematurely closed before the parents had the opportunity to fully engage in services designed to support sobriety and promote safe parenting.

Finally, the CIRT noted concerns regarding a closed at screening report from August 2024, which involved concerns regarding the parents' substance use and domestic violence. The report was initially closed at screening because the children appeared safe at the time of the call. However, a comprehensive review of the child welfare history revealed a pattern of behavior related to domestic violence and substance use. Had this pattern been considered and the report assigned for further assessment, it may have provided an opportunity for child welfare to more thoroughly assess the safety of the children.

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 acknowledged that effective communication and collaboration with other child, family, and community-serving agencies, such as law enforcement, are crucial for a comprehensive understanding and assessment of child safety. To strengthen this approach, the CIRT recommends that local district leadership, the assigned safety consultant with support from the local Assistant Attorneys General (AAG), and Oregon Child Abuse Solutions (OCAS) explore strategies to enhance collaboration with law enforcement and other relevant community providers involved in

the Multidisciplinary Team (MDT). This exploration and development of strategies should occur no later than March 2025.

ODHS Child Welfare utilizes the Safe and Together Model when assessing families potentially impacted by domestic violence. Currently, there is an active CIRT recommendation calling for a meaningful reinvestment in the model, including opportunities for "train-the-trainer" opportunities. Additionally, the recommendation suggests that the Domestic Violence Coordinator, along with the Child Safety Program, implement a standardized schema to ensure consistent documentation of domestic violence and its impact on the child. The CIRT acknowledged both the importance and the challenges of accurately assessing domestic violence, particularly when compounded by factors such as substance use and mental health issues. Therefore, the CIRT recommends continued efforts to reinvest in the Safe and Together Model, as well as other initiatives aimed at enhancing casework practices related to domestic violence.

On January 2, 2025, the Child Abuse Hotline introduced updated procedures to improve the review and analysis of child welfare history during screening decisions. The CIRT recommends follow-up activities for ORCAH staff, including reviewing the new procedure, in-person training, and additional reinforcement of best practices. ORCAH's Training Program has developed micro-learnings to support these practices, and its CQI Program conducts quality assurance reviews to measure the sufficiency of history reviews. These findings are reported quarterly and analyzed by a multi-disciplinary CQI committee every six months. The effectiveness of the changes will be assessed in Fall 2025.

The CIRT also recommends the local permanency consultant create a plan to support the workforce’s consideration for and evaluation of parental behavioral changes in alignment with the Oregon Safety Model. It is recommended the local office collaborate with the Oregon Judicial Department to develop educational materials and/or training for local court partners on the Oregon Safety Model. These efforts should focus on clarifying the intent, purpose, and parameters of in-home safety plans, highlighting the importance of parental behavioral changes, and emphasizing the critical role of the court in collaboratively managing child safety alongside child welfare professionals.

Level 3 - Restricted