Critical Incident Review Team Final Report

Oregon Department of Human Services
CHILD WELFARE

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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<tr><th colspan="3">CIRT ID: U6ORKO1CMF</th></tr>
<tr><td>Date of critical incident:

April 9, 2024</td><td colspan="2">Date Department became aware of the fatality:

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<tr><td>Date Department caused an investigation to be made:

April 9, 2024</td><td colspan="2">Date of child protective services (CPS) assessment disposition:

September 6, 2024</td></tr>
<tr><td>Date CIRT assigned:

June 24, 2024</td><td colspan="2">Date Final Report submitted:

October 2, 2024</td></tr>
<tr><td>Date of CIRT meetings:

August 23, 2024</td><td>Number of participants:

14</td><td>Members of the public?

No</td></tr>
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Level 3 - Restricted

Description of the critical incident and Department contacts regarding the critical incident (Please note the child has a different father than their younger siblings, who all share the same father):

Date of report: April 9, 2024 **Assignment decision:** Within 24 hours	**Allegation(s):** Neglect by the mother	**Disposition(s):** Founded

On April 9, 2024, ODHS received a report the child (13) was found in their family's bathroom with blood coming from their mouth. The reporter stated first responders who arrived on scene said the child appeared to be emaciated. The child's mother said the child had been ill with the flu for the past two weeks. It was further reported the condition of the home was concerning. First responders transported the child to the hospital, but the child was not expected to survive, and it was later reported that the child had passed away. Allegations of neglect to the child, the child's twin siblings (8), and the child's two youngest siblings (4 and 1 years old respectively) were assigned for CPS assessment with a 24-hour response time. A companion assessment was assigned regarding allegations of threat of harm by the mother to the child's friend (17) who was reported to be living in the home at the time of the incident.

On the day the report was made, the CPS caseworker contacted the family at home. The CPS caseworker found the condition of the home to be messy and unorganized but not as concerning as was reported by law enforcement. The home conditions were not determined to be a threat to the safety of the children. The children were being cared for by a neighbor as the mother spoke with law enforcement and the CPS caseworker. The mother said she did not feel the child's illness was so serious it would have resulted in their death. She reported the child was vaccine injured when they were young resulting in them having to be taken to a facility to detox heavy metals from their body. She said the child had a weakened immune system that had impacted them throughout their life. The mother consented to the children being interviewed and to have medical examinations, but stated she wanted to be present for the medical examinations.

The CPS caseworker had face-to-face contact with the child's siblings at the home of their neighbor before they were interviewed. A police report summarizing the interviews revealed the child's friend said they had been on a trip with the family to another state to fix up a home owned by the mother when the child became sick on one of the final days. When asked about the child's symptoms over the past two weeks, the friend described the child as moaning and groaning, sore, sleeping frequently, and not able to breathe. The friend said the child appeared really sick, was sweaty, and their face was dead looking. The friend reported the child was not eating but would try. They said the child's cough was really bad and they were not getting better. The friend stated the mother had been telling the child they needed to go to the hospital, but the child would not go. The child's friend reported the child had been drinking Liquid IV (a hydration drink) and taking children's ibuprofen for their symptoms. On the day prior to their death, the friend said the child appeared to be feeling better as they were more talkative. The child's friend said they slept on a futon in the child's room that evening and woke to the child coughing in the morning. The child went into the mother's room and the friend went to watch television and play video games before hearing yelling and witnessing the mother providing CPR to the child. The mother then asked the child's friend to help direct first responders to the home. One of the child's twin siblings said the child had been sick for approximately two weeks. They said the child would lie in bed all day, was drinking Liquid IV, and would occasionally get up for food. They reported their mother had been encouraging the child to go to the hospital, but the child insisted they were fine. The child's other twin sibling said the child had become sick about two weeks prior while the family was in another state. They reported at one point the child appeared confused, called their mother by the wrong name, and said they were going to take a taxi back to Oregon. They stated the child had always been skinny but had lost 5-10 pounds since becoming sick and looked like a skeleton. The twin sibling said their mother wanted to take the child to the doctor, but the child refused. They stated on the day prior to their death the child was lying in bed trying to sleep, drinking Liquid IV, and had some Taco Bell. The child's 4-year-old sibling said while the child was sick, they had been coughing loudly, laying in their mother's bed, and possibly had diarrhea.

On April 10, 2024, the CPS caseworker spoke with the mother who stated she was taking the children to the emergency room for examinations. After the children's medical examinations were complete, the mother called the CPS caseworker to notify them they were all medically cleared, and she requested ODHS assistance in enrolling the children in counseling. The CPS caseworker made a counselling referral for the children. The CPS caseworker then spoke by phone with the child's father who reported he had encouraged the child to go to the doctor on two occasions in the weeks leading up to their death, but the child said they were feeling better and did not want to go. The CPS caseworker then spoke with a social worker at the hospital who confirmed there were no concerns regarding the children's medical evaluations.

On May 8, 2024, a staffing occurred involving ODHS, law enforcement, and other community partners where it was stated the child's cause of death was reported to have been advanced pneumonia.

Police reports obtained by ODHS during the assessment revealed when law enforcement arrived at the home on April 9, the residence was dirty with clothes, food wrappers, and items strewn about. Dog feces, a dirty diaper, clothes, and blankets were found throughout the master bedroom. A large spot of what appeared to be blood was near the foot of the bed, blood spatter was on both sides of the master bathroom door, and a considerable amount of blood was found in the bathroom. The mother told police she and the children had gone to another state on March 14 and the child began feeling ill toward the end of the trip. She reported the child had a sore throat, a fever, body aches, and said they felt like they had the flu. She said she gave the child children's Motrin when the fever was bothering them. The mother stated the child was hallucinating at one point and kept getting up throughout the night. She described the first three days of the child's illness as very rough. On the trip back to Oregon, the child complained they were not feeling well and upon their arrival home the child began sleeping in the mother's bed. She reported giving the child smoothies, hydration drinks, ice cream and other liquids to give them calories and keep them hydrated. The mother said the child was experiencing diarrhea every 10 minutes, which she felt could be due to all the fluids they were taking. She said while the child was sick, she called a medical practice to make an appointment for herself and while she was on

the phone she asked them about the child's symptoms. She said the medical practice had been the primary care provider for her family since they moved to Oregon but added the children had not really needed to see a doctor in that time. The mother reported the person on the phone at the medical practice informed her there were some tough bugs currently going around and it sounded as if she was doing everything right for the child. She said on the day prior to their death the child complained their ribs hurt as did their hip. The mother reported giving them children's Motrin and Theraflu saying the child kept coughing and coughing. That evening the child wanted Taco Bell, so she had Door Dash deliver a burrito to the home which they ate a portion of.

On the morning of April 9, 2024, the mother told police the child got up and asked her for a hydration drink. She gave the child a drink and asked them to get in the shower as they had not showered in two or three days. She noticed the child was taking longer than usual in the shower, went to check on them, and found the bathroom door blocked. The mother noticed blood on the floor and managed to get the door open, finding blood everywhere and the child unresponsive and not breathing. She reported calling 911 and starting CPR before first responders arrived.

The mother stated she told the child that morning they needed to be seen by a doctor, but they said they were fine repeatedly. She described being harsh with the child and telling them they needed to start getting better. The mother told police she should have taken the child to the doctor and said she did not give her children antibiotics unless they had a real bacterial infection. She said she thought the child had a bad case of COVID and said their condition would improve at times then regress. The mother reported the child had not seen a doctor since they were six or seven years old and was unable to tell police where the child's doctor was located. She said the child was damaged by injections they received from their doctor when they were younger. The mother said if she needed to take the child to be seen medically it would be at an urgent care but could not recall ever taking them to one. She reported her youngest two children were established with a doctor. When she was asked if any of her children had My Chart accounts where police could look at medical records, she said the child had never been sick and she did not take healthy children to doctors. The mother reported parenting her children alone and said the father to her four

youngest children went missing in December 2022 under suspicious circumstances. Police later confirmed with law enforcement in another state the father to the child's younger siblings was missing and there was an open investigation into his disappearance.

On April 11, 2024, the CPS caseworker interviewed an office coordinator for the medical practice the mother said she spoke to about the child's symptoms and was informed the mother had contacted their practice on March 5, 2024, to establish care for herself but did not mention the child or ask about their symptoms.

The mother consented to a police search of her and the child's phones and police found multiple messages the child sent to the mother on March 28 saying they felt like they were going to die. The child had done an internet search on April 1 inquiring whether Ivermectin was safe for 13-year-olds and the mother confirmed to police the child had taken Ivermectin while they were sick in an effort to feel better. There were multiple messages found on the child's phone from their father who was pleading with the child to accept medical care. Police were also able to confirm from the mother's phone she had a 14-minute conversation with the medical practice she said she staffed the child's condition with on April 5.

Police spoke with the child's father by phone on April 15, 2024. The father said the child had a phobia about doctors and would refuse to be seen by them. He recalled the child being sick three or four times in the past but did not remember them ever going to the doctor. The father reported the child was always thin, was a picky eater, and recalled the previous summer they had weighed only 66 pounds. The father said he himself was also very thin as a child.

On April 16, 2024, police received information from a reporter wishing to remain anonymous that the mother had been investigated in another state for killing multiple dogs and burying them on her property. They requested police records from law enforcement in the other state regarding the allegations, but no reports were received regarding the animals. Law enforcement did find information on a website operated by an animal rescue group that stated the mother was responsible for the deaths of 11 dogs found in the desert near her home at a time when she was operating an animal rescue.

During the assessment, the local ODHS office requested medical records regarding the child and their siblings from numerous medical practices and one dental office. No medical records were located for the child prior to their death other than dental records. ODHS was unable to verify the mother's statement the child was vaccine injured.

During two staffings of the case, medical professionals stated the child would have been experiencing pain, have labored breathing, and would likely have appeared cyanotic if not gray or ashen in the days leading up to their death. The medical professionals felt the mother should have taken the child to the doctor or have called 911 due to the symptoms they were experiencing. During the assessment, ODHS staffed the case with a third medical professional. They believed the child's death was the result of not receiving medical care in a timely manner and believed they were the victim of medical neglect.

The allegation of neglect to the child by their mother was determined to be founded as three medical professionals consulted stated the child's death was preventable, and based on the symptoms they were experiencing in the weeks prior to their death the mother should have pursued lifesaving medical care for the child in a timely manner. The allegations of neglect to the child's siblings by the mother were determined to be unfounded as the conditions of the family's home were not considered a hazard to the children's safety and her failure to obtain medical care for the child did not impact their safety. An allegation of neglect to the child by the father was added during the assessment and was determined to be unfounded as text messages confirmed he had encouraged the child to be seen medically multiple times and the father was unable to leave his home in another state to personally take the child to be seen by medical professionals.

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

Date of report: January 22, 2018 **Assignment decision:** Within 24 hours	**Allegation(s):** Neglect by the mother	**Disposition(s):** Unfounded

On January 22, 2018, ODHS received a report the mother was traveling back and forth between Oregon and another state dealing marijuana dabs while parenting the child (7), and the child's twin siblings (2). The mother was said to pick up the marijuana dabs in the other state and package the product in the children's presence. During a recent trip to the other state, the mother and the children were staying at the home of the twins' father when she put drops of liquid from a bottle in the children's mouths to help them sleep. The next morning, she showed the twins' father the bottle that was labeled as CBD oil. The reporter further stated the mother smoked cigarettes while traveling in the car with the children and had once left a bucket of wine on the floor of their home within reach of the children. The mother was reported to use opiates and would lose her temper when she did not have access to them. The child, who had a different father, was said to not be allowed contact with the twins' father as the child would tell him what was occurring in the mother's home. Allegations of neglect to the children by the mother were assigned for CPS assessment with a 24-hour response time.

On January 23, 2018, the CPS caseworker attempted contact with the family at home. A friend of the mother's answered the door and explained the mother took the twins to another state to pick up the child who was visiting their father. The friend stated the mother was a good parent who had recently left the father of the twins and was evicting him from the home she owned in another state. The friend speculated the father of the twins was behind the report made to ODHS.

On January 25, 2018, the CPS caseworker visited the mother and the children at home. The mother reported she and her children moved to Oregon in 2016. She said the father of the twins was living in a home she owned in the state she and the children moved from and she was in the process of evicting him, resulting in him making false allegations against her. The mother said the twins' father was only permitted to have supervised visitation with them due to concerns regarding his criminal record and alcohol use. She denied selling marijuana dabs and stated the twins' father grew and sold marijuana and marijuana dabs as well as owned a dispensary in the other state. The mother denied giving her children CBD oil and said she gave them over-the-counter natural medications to treat illnesses and help them sleep. She stated she was

taking prescribed Percocet for back pain and denied any alcohol use. The mother acknowledged being a smoker but said she did not smoke in the car with the children and would smoke at rest stops when travelling. When interviewed by the CPS caseworker, the child did not make any concerning disclosures.

On January 31, 2018, the CPS caseworker interviewed the twins' father by phone. He stated the mother had brought the children to visit him three times since they moved to Oregon and would stay in a hotel with them during the visits. He reported the mother had severe mood swings and would become upset with the children over small things. The twins' father reported he had witnessed the mother giving drops from a bottle to the twins at night to help them sleep and said she had shown him the bottle that was labeled as CBD oil. He further reported the mother had sex in the child's presence.

On February 20, 2018, the CPS caseworker interviewed a paternal relative by phone. They said they visited the mother and children monthly. The relative said the mother was a good parent and reported they had never seen anything concerning during their visits to the home. The relative said they had never observed the mother giving the children CBD oil and doubted she would do so as the mother had concerns about even giving the children over-the-counter medications. The paternal relative stated they had a strained relationship with the twins' father, who they said was bi-polar. They said any allegations the twins' father may have made to ODHS regarding the mother's care of the children were not true.

On February 20, 2018, the CPS caseworker interviewed the child's father by phone. He said the child spent one week per month with him and had never reported anything concerning regarding the mother or what was occurring in her home.

On February 20, 2018, the CPS caseworker spoke with staff at a medical practice where the mother reported the children were patients. They stated they had no records the children had ever been seen there but added the mother had contacted them by phone in the past to discuss medical concerns regarding the children.

The allegations of neglect to the child and their twin siblings by the mother were determined to be unfounded as there was no evidence she was giving her children CBD oil or otherwise neglecting their needs.

Date of report: July 8, 2019 **Assignment decision:** Within 72 hours	**Allegation(s):** Neglect by the mother	**Disposition(s):** Unfounded

On July 8, 2019, ODHS received a report the mother was prescribed Percocet at pain management clinics in both Oregon and another state. The reporter stated the mother would experience mood swings from the medication that would result in her becoming physically and verbally abusive to the children, though the reporter could not describe what that looked like. It was further reported the mother was seven months pregnant but was refusing prenatal care as she did not want to be cut off from her pain medication. When the mother was living with the father of her twins (3), she was said to slap and hit him in front of the children. The mother reportedly stole the twins' father's dog when she moved to Oregon. The reporter also stated the mother had failed to keep the child (8) in school and as a result they were behind academically and socially. Allegations of neglect by the mother to the children were assigned for CPS assessment with a 72-hour response time.

On July 9, 2019, the CPS caseworker attempted contact with the family at home but there was no answer at the door and a card was left for the mother requesting a call back. On July 11, 2019, the CPS caseworker interviewed a neighbor of the family who reported the mother would leave her twins in the backyard for hours while the children would bang on the door and cry to be let back in. The neighbor stated they had knocked on the door as well and the mother would not answer. The neighbor also said the twins' father was recently arrested at the home after a fight where he was yelling, hitting, and throwing items. He had not been seen by the neighbor since the incident. The neighbor said they did not believe the children were attending school, thought the mother was using the child as a babysitter for the twins, believed the mother owned marijuana farms in

another state, and speculated the mother had drinking or mental health problems.

On July 15, 2019, the CPS caseworker had unscheduled contact with the mother and twins at home. The mother stated the child was visiting their father. The mother reported she was leaving the home to go file for a restraining order against the twins' father and did not have much time to talk. She said she also had an appointment later in the afternoon with her midwife and would be switching her prenatal care over to a pediatrician later in the month as due to her age and prescription medication her pregnancy was considered high risk. The mother said she had been taking either Percocet or Vicodin for over 20 years due to an accident and had successfully tapered down her use during each of her prior pregnancies. She said her due date was October 8 and reported the twins' father was also the father of her unborn child, saying that after three years of being separated she had a lapse in judgment and had allowed him back into her life. The mother said when the twins' father would visit her home, some of her medication would go missing. She reported being prescribed Percocet at a pain management clinic in Oregon.

On July 16, 2019, the CPS caseworker spoke with the twins' father by phone. He accused the mother of being verbally abusive to him and bipolar. The twins' father stated the mother would hit the children in the head with her hand and other objects when they would not turn off their video games. He said the mother took her pain medication eight times per day and would lash out at the children when coming down from it. The twins' father said the mother received pain medication from a clinic in another state. Later that day, the CPS caseworker and a co-worker visited the mother and the twins at home. She denied any marijuana use and admitted occasionally using alcohol in social situations. She reported the child was fully vaccinated and the twins were selectively vaccinated, saying none of the children had any health concerns. She said the children had been previously seen at a local medical practice. The twins were interviewed and made no concerning disclosures though they were difficult to interview due to their ages.

Also on July 16, 2019, the CPS caseworker spoke with child welfare in the state where the mother and children previously resided. Child welfare in the

other state reported they had an open assessment on the family regarding identical concerns since July 8 they would be closing as the children were residing in Oregon. They said they had completed multiple previous assessments regarding allegations of neglect of the children dating back to 2013. The CPS caseworker requested copies of the other state's records regarding the family.

Later that day, the CPS caseworker spoke with the midwife working with the mother who reported she was no longer able to see her anymore due to her Percocet use and stated the mother had followed up on referrals to pediatricians including a program for newborns who were substance exposed. The midwife said on the two occasions she had visited the home the twins' father was texting the mother and the texts were upsetting her. The midwife did not believe the mother was abusing her medications. The CPS caseworker then spoke to a paternal relative by phone who reported mental health concerns for the twins' father and stated he was bipolar. The relative reported no concerns for the children in the mother's care.

On July 30, 2019, the CPS caseworker visited the mother and children at home and interviewed the child, who had returned from visiting their father. The child made no concerning disclosures and denied caring for their younger siblings other than when the mother was in the shower. The child said the mother helped them with their online school program.

On February 18, 2020, the CPS caseworker left a voicemail message for the child's father informing him of the allegations.

On February 21, 2020, the CPS caseworker spoke with the mother by phone who asked why the fathers of her children had recently received calls from ODHS. The CPS caseworker explained their responsibility to include the children's fathers in the assessment. The mother reported the child was currently visiting their father and he had informed her he did not want to speak with ODHS. She said due to the child's frequent visits with their father she had to switch the school they were enrolled in to one that could accommodate the schedule.

On March 5, 2020, the CPS caseworker spoke with the mother by phone. She denied ever locking the children out of the home and said no one had ever knocked on her door to report the children were left outside. The mother said the door handle was hard for the children to turn and they

would knock if they couldn't turn it. She said the children were free to go in and out of the home and she would often leave the door open for them. The mother said she refused to enroll the child in public school as she disagreed with the Common Core curriculum and was looking into home school or private school programs. The mother later provided letters from two neighbors stating she was a safe and appropriate caregiver to her children.

The child welfare records received from the other state reflected past concerns for neglect regarding the child's father's mental health, the conditions of the family's home (which was reportedly being used as a dog rescue and marijuana grow site at times), domestic violence, concerns the mother did not believe in schooling or vaccinations, and the mother's opiate use. One investigation was substantiated against the child's father for threatening to kill his parents and the mother while in the child's presence. One investigation was coded as inconclusive, and all others were unsubstantiated.

During the assessment, ODHS received a police report regarding several incidents that occurred on December 30, 2018, resulting in the twins' father being arrested for improper use of 911. He first called 911 at 1:23 a.m. to report a domestic assault. Police responded and found the twins' father to be heavily intoxicated. He reported he was threatened by the mother and offered as evidence several muffled recordings he made with his phone, which was in his pants pocket at the time of the incident. He asked police to force the mother to pay him $10,000 she allegedly owed him. The twins' father also reported the mother had helped a wanted fugitive escape to another state several weeks earlier and demanded police look into it. Police informed the twins' father they were not able to arrest anyone in another state and said the money the mother allegedly owed him was a civil issue they were also unable to help with. He was advised he could move out of the home and take a cab to a hotel. Police spoke with the mother who confirmed their argument was not criminal in nature and the couple agreed to sleep in separate rooms for the night before police left. At 1:50 a.m., the twins' father called 911 again to complain about how police handled the earlier incident. The 911 operator and police warned him about improper use of 911. At 2:03 a.m., the twins' father called 911 for a third time and reported the mother had threatened him with a firearm. The mother also

called 911 saying the twins' father was threatening to kick her door in. The twins' father could be heard in the background of his 911 call trying to kick the door in. Officers responded and arrested him in the driveway. The mother told police she was in the bedroom with her three children when the twins' father was yelling and trying to kick the door in. She stated the three children were scared to tears during the incident, and police noted the children were crying while they interviewed the mother. The mother denied owning a gun and denied seeing a gun during the incident. During the interview, the mother, the children, and police went into another room in the home and one of the children picked up an unloaded pistol from the floor. The mother denied knowing where the gun came from and said it belonged to the twins' father.

The allegations of neglect to the children by the mother were determined to be unfounded as there was no evidence she was misusing her medications, and the children did not disclose any abuse.

Date of report: April 6, 2022 **Assignment decision:** Within 24 hours	**Allegation(s):** Neglect by the mother Threat of Harm by the father of the child's siblings	**Disposition(s):** Unfounded Unfounded

On April 6, 2022, ODHS received a report there was trash piled up inside and outside the family's home. The home was said to smell so strongly of marijuana it could be noticed down the street. The mother and the father of the child's younger siblings were reportedly planning to grow marijuana in the garage. The child's twin siblings (6) were often seen outside unsupervised and sometimes not wearing clothing appropriate for the weather or not wearing helmets when riding their bikes. The twins had recently been observed hanging out the windows of their father's truck without seat belts or car seats while he was driving. The child (11) and their youngest sibling (2) were said to be rarely seen outside the home. The mother reportedly had a restraining order against the father of the child's siblings but was allowing him to reside in the home with the children. The family was said to spend several months per year at a ranch the mother

owned in another state. The reporter stated the mother was not allowed to own animals in the other state due to the deaths of several dogs in her care. The family had left animals at their home in Oregon in the past when they went to the other state and Animal Control had to be contacted because they were starving. The children were said to not be attending school. The father of the child's siblings was reported to be volatile and aggressive, and the couple would engage in loud arguments resulting in the neighbors calling police. Allegations of neglect to the children by the mother and threat of harm to the children by the father of the child's siblings were assigned for CPS assessment with a 24-hour response time.

On April 7, 2022, the CPS caseworker and a coworker visited the family's home and spoke with the father of the child's siblings outside. He denied the allegations and stated the family was leaving for a kayaking trip. He said the mother was not at home and allowed the CPS caseworker to interview the children outside. The CPS caseworker interviewed the child and their twin siblings, who made no disclosures of abuse. The CPS caseworker also observed the child's youngest sibling as they were too young to interview. The CPS caseworker contacted their supervisor while at the home, who confirmed there was a no-contact order between the mother and the father of the child's siblings and advised the CPS caseworker to contact law enforcement. While the CPS caseworker was interviewing the children, the mother emerged from the home saying she had just woken from a nap. She was advised of the allegations and reported she was in the third trimester of her pregnancy. Police arrived at the home, but the father of the child's siblings had already left the scene. Police confirmed the no-contact order between the couple but said it had been recently modified to allow the father of the child's siblings to pick up and drop off the children at the home for visitation. The CPS caseworker and police were permitted by the mother to complete a walk-through of the home and no safety concerns were observed.

The CPS caseworker interviewed the mother and asked her about what led to her filing for a restraining order. She said in February 2022 police arrived at the home after the father of the child's siblings had contacted them because he was upset the mother was trying to get him to leave her home. The police convinced him to leave the property. At the time, the father of the child's siblings had a pending court case for improper use of 911 and

the mother stated he would use the authorities, including ODHS, as a weapon against her. She reported he was controlling especially with the children. After the father of the child's siblings left the home in February, the mother said he moved to a farm in another state but came back a few days later. She stated he had taken her car to the other state, and he said he had come back to return it. The mother said he lost his temper at her home, and she asked him to leave. He then took her car again and the mother reported it as stolen. A few days later, the mother's friend was watching the children when he came to the home again. He argued with the friend who called the police. When police arrived, he told them he believed the mother's friend had stolen his belongings as she had some bags behind her. The police checked the bags, which contained dirty laundry. At that time, the police advised the mother to file for a restraining order against the father of the child's siblings. The mother stated she recently had the order modified to allow him to pick up and drop off the children for visitation saying she had no concerns for the children in his care.

On April 8, 2022, the CPS caseworker spoke with the mother by phone who reported the father of the child's siblings had returned to the home to retrieve his truck the day prior and had picked up the three oldest children to take them golfing. She stated she did not feel unsafe with the father of the child's siblings but did not want him to live in her home as they would argue. When she was asked again about what led to her filing for a restraining order against him, the mother said he was experiencing a mental health episode and the child stepped in to protect her. In the mother's petition for a restraining order, she stated the father of the child's siblings was yelling at her about money when the child came out of their room to try to protect her, and the father of the child's siblings grabbed the child by the wrist and flung them into a wall. The CPS caseworker referred the mother to domestic violence services and connected her with a domestic violence advocate.

On April 11, 2022, the CPS caseworker interviewed a friend of the mother who said the mother and the father of the child's siblings had a pattern of breaking up and reuniting and described the mother as the stable person in the relationship. They reported the mother and the father of the child's siblings would argue about legal matters and said he would threaten to get custody of the twins from her. The friend said the father of the child's

siblings was good with the children and kept them engaged in activities such as fishing or going to the park. The father of the child's siblings was described as bipolar and experienced frequent mood swings though the friend denied he ever physically harmed the mother or the children. The friend was hopeful the couple could make their relationship work in the long run. They said they had no concerns for substance use by either parent.

On April 15, 2022, the CPS caseworker spoke with the mother by phone. She reported things were going well and said the father of the child's siblings would come by daily to pick up the children for a visit. The mother stated the children were enrolled in a home school program and said she would send the CPS caseworker the children's most recent test results to prove they were enrolled and learning. Later in the day, the father of the child's siblings asked to speak to the CPS caseworker and a supervisor at the ODHS office. He denied the allegations and denied the incident in the restraining order occurred.

On June 7, 2022, the CPS caseworker called the father of the child to notify him of the assessment. He stated he was unable to speak to the caseworker and yelling and cursing could be heard in the background. He said he was not interested in hearing what the reported concerns were and hung up the phone after the CPS caseworker informed him he could call them back at a better time.

The allegations of neglect to the children by the mother were determined to be unfounded as no concerns for the condition of the home were observed and the father of the child's siblings was no longer residing in her home. The allegations of threat of harm to the children by the father of the child's siblings were also determined to be unfounded as the children did not disclose any safety concerns regarding him and at the conclusion of the assessment he was abiding by the terms of the restraining order with the mother.

Date of report: July 12, 2022 **Assignment decision:** Closed at Screening	**Allegation(s):** Neglect by the mother	**Disposition(s):** Not Applicable

On July 12, 2022, ODHS received a report the child (11) and their twin siblings (6) were behind in their education due to being homeschooled. The child reportedly did not know how to do long division or how to use a tape measure. The reporter stated the mother's method of education was to take the children to museums and on road trips. She was described as manipulative and doing just enough to look good. It was reported there was a history of domestic violence between the mother and the father of the child's siblings with each of them being the aggressor at times.

The report was closed at screening as it was not a report of abuse and a recently closed CPS assessment had addressed these concerns.

Date of report: December 5, 2022 **Assignment decision:** Within 72 hours	**Allegation(s):** Threat of Harm by the mother	**Disposition(s):** Unfounded

On December 5, 2022, ODHS received a report the mother had assaulted the father of the child's siblings while the family was visiting Disneyland. The couple was said to be arguing at the resort when the mother elbowed the father of the child's siblings in the face and punched him resulting in police responding. Five days prior to that incident, the mother was reported to have been waving a gun around and making threats while the father of the child's siblings was trying to sleep on the couch with their 3-year-old child in a cabin the family was renting. The reporter stated a restraining order the mother had obtained against the father of the child's siblings had been dismissed. Allegations of threat of harm to the child (12), their twin siblings (6), and the child's younger two siblings (3 & 7 months) by the mother were assigned for CPS assessment with a 72-hour response time. The allegations in this report were assessed along with allegations made in a report from December 9, 2022, and the results were documented in a single report.

On December 13, 2022, the mother contacted the CPS caseworker asking to reschedule an appointment with the family that had previously been

made as she was going to the courthouse to file a restraining order against the father of the child's siblings.

On December 15, 2022, the CPS caseworker contacted the mother and the children at home. The mother denied the allegations in the report. She said that while at Disneyland the father of the child's siblings made reservations for the older children to go on the roller coaster. She went on the ride with the child and the child's twin siblings while the father of the child's siblings held her purse and cared for the two youngest children. When the ride was over she took the three older children to the bathroom and had found the father of the child's siblings had taken off with the two youngest children. She said they spent approximately 30 minutes looking for them while the father of the child's siblings was contacting her by phone saying he was going to throw her purse in the garbage and abandon the two youngest children. When she found the father of the child's siblings and the younger children she grabbed the stroller with her purse, and the father of the child's siblings used his body to shove her away. The mother said the child grabbed the other stroller and they went into a nearby store to ask for help. She said the father of the child's siblings had taken off and found security to blame her for the whole incident. The mother said Disneyland security asked the father of the child's siblings to leave the park and he did. She reported the father of the child's siblings had LSD in his truck at Disneyland, had offered her some, and she declined. The following day she returned to Oregon with the children. When asked about the time the family spent at the cabin prior to going to Disneyland, she said the father had taken her gun and hidden it from her. She reported that she owned the gun due to feeling threatened by him in the past and said she would lock the gun in a closet when at home. The mother stated the father of the child's siblings owned hundreds of guns despite not being allowed to due to his criminal history.

The CPS caseworker then interviewed the three oldest children. The child told the CPS caseworker they went on a roller coaster ride at Disneyland with their mother and twin siblings when the mother texted the father of the child's siblings to say they needed to use the restroom afterwards. The father of the child's siblings responded to the mother that she had left him, and he was going to throw her purse in the garbage and take the other children to the lost and found. Later when the mother saw the younger

children's strollers, she ran up to them and the father of the child's siblings shoved her and hit her ankle. The child recalled going into a store with their mother and siblings and the father of the child's siblings followed them in, so they continued to run away from him. The child told the CPS caseworker their mother and the father of the child's siblings would frequently yell at each other, but their arguments did not become physical. When asked about the incident in the rental cabin prior to the trip to Disneyland, the child said they were spending time with friends at a nearby lodge and didn't recall it. One of the child's twin siblings told the CPS caseworker their father went crazy and tried to steal their younger siblings at Disneyland, saying their father said he was taking their younger siblings with him. When asked about the time the family spent in the cabin prior to going to Disneyland, the twin did not report any incident occurring with a gun. They recalled their father yelling at their mother when the family arrived at their hotel at Disneyland. The twin said their father was mean to their mother, said their parents yelled at each other, but denied any physical violence between the two. The child's other twin sibling told the CPS caseworker after going on the rollercoaster at Disneyland they went to the bathroom with their mother, the child, and their twin sibling then their mother called their father. The twin said their father would not tell their mother where he and their younger siblings were. The twin reported their mother hurt her heel there but did not witness what happened. They said their father was upset they spent too much time at the bathrooms. The twin stated their parents argued at the cabin prior to going to Disneyland but did not disclose any physical violence or their mother threatening anyone with a gun. The twin said they left the cabin to go play basketball with friends to get away from the yelling.

On February 10 and March 10, 2023, the CPS caseworker staffed the case with their supervisor and was advised to make additional collateral contacts.

On March 14, 2023, the CPS caseworker sent a letter to the father of the child's siblings at his last known address notifying him of the assessment and asking him to contact them. Assessment documentation shows the CPS caseworker made multiple efforts to contact the father of the child's siblings including sending him two letters.

On March 27, 2023, the CPS caseworker attempted to contact the family's housekeeper by phone and left them a voicemail message requesting a call back. Later that day, the CPS caseworker attempted to contact the child's father by phone and left a voicemail requesting a call back. The CPS caseworker documented making multiple phone calls to the child's father in an effort to contact him.

The allegations of threat of harm to the children by the mother were determined to be unfounded as she and her three oldest children all reported the father of the child's siblings was the aggressor during the incident at Disneyland and the children did not disclose their mother threatening anyone with a gun during their time at the cabin.

Date of report: December 9, 2022 **Assignment decision:** Within 24 hours	**Allegation(s):** Threat of Harm by the mother	**Disposition(s):** Unfounded

On December 9, 2022, ODHS received a report the mother was buying pills such as Percocet and Vicodin off the black market. The reporter stated the mother would pass out after taking the pills resulting in the children being left unsupervised. It was not known how frequently this was occurring. The reporter also stated police responded to the family's home on December 9 due to the mother refusing to allow the father of the child's siblings to see his children or gather his belongings from the home. The mother was said to have 30 pounds of marijuana in her driveway that was previously in a closet the children had access to. The father of the child's siblings had reportedly been in another state for the past two months and upon returning home found the mother would not let him in. Allegations of threat of harm to the child (12) and their younger siblings by the mother were assigned for CPS assessment with a 72-hour response time. The allegations in this report were assessed along with allegations made in a previous report from December 5, 2022, and the results were documented in a single report.

On December 13, 2022, the mother contacted the CPS caseworker asking to reschedule an appointment with the family that had previously been made as she was going to the courthouse to file a restraining order against the father of the child's siblings.

On December 15, 2022, the CPS caseworker contacted the mother and the children at home. The mother said the father of the child's siblings had told her he had called in a report to ODHS about her. When asked about her substance use, the mother reported her doctor had weaned her off her pain medication three years earlier and alcohol was not allowed in her home, though the father of the child's siblings would try to sneak it in. She stated there was no substance use occurring in her home. When asked about the large amount of marijuana that was reported to be kept in a closet in her home and was later reported to be in the driveway, the mother said the father of the child's siblings was keeping some black trash bags by the hall closet. One day when the father of the child's siblings came to the home to retrieve some of his belongings, he accused her of mixing marijuana with his possessions. She said she later took the bags outside and put them next to the garbage cans on the side of the home saying she was unsure whether the bags contained marijuana. She showed a video to the CPS caseworker of a friend of the father of the child's siblings coming to the home and retrieving the bags. She denied keeping any marijuana in her home and said her neighbors look out for her and her family.

The CPS caseworker then interviewed the child and their twin siblings. None of the children disclosed any substance use by their mother and the child said there were no drugs in the home.

On February 10 and March 10, 2023, the CPS caseworker staffed the case with their supervisor and was advised to make additional collateral contacts.

On March 14, 2023, the CPS caseworker sent a letter to the father of the child's siblings at his last known address notifying him of the assessment and asking him to contact them. Assessment documentation shows the CPS caseworker made multiple efforts to contact the father of the child's siblings including sending him two letters.

On March 27, 2023, the CPS caseworker attempted to contact the family's housekeeper by phone and left them a voicemail message requesting a call

back. Later that day, the CPS caseworker attempted to contact the child's father by phone and left a voicemail requesting a call back. The CPS caseworker documented making multiple phone calls to the child's father in an effort to contact him.

The allegations of threat of harm to the children by the mother were determined to be unfounded as she reported not using pain medications for three years and the children did not disclose any concerns for substance use or related behaviors by their mother.

Description of relevant prior Department reports under the case of the mother to the child's friend who was residing in the home at the time of the critical incident:

Date of report: April 9, 2024 **Assignment decision:** Within 24 hours	**Allegation(s):** Threat of Harm by the mother	**Disposition(s):** Unfounded

On April 9, 2024, ODHS received a report the child's friend (17) had been residing in the home of the child's mother when the child (13) passed away unexpectedly. The reporter said there was concern the child's death may be the result of abuse as they were reported to be emaciated and the condition of the home was said to be concerning. The reporter did not know if the parents of the child's friend were aware they were living in the home. An allegation of threat of harm to the child's friend by the mother were assigned for CPS assessment with a 24-hour response time.

On the day the report was made, the CPS caseworker spoke with a law enforcement officer who confirmed the child's friend had been living in the mother's home for approximately three months. On the following day the CPS caseworker met with the child's friend who reported moving into their friend's home in December 2023 after being asked to leave their home due to refusing to follow house rules. They stated they had frequent contact with their grandparent, who would take them to appointments. The CPS caseworker spoke to the child's mother who confirmed the friend had been living in her home for a few months. The mother reported the child's friend

had become part of the family, went on family vacations, and celebrated holidays with them. She said the child's friend and the child had been friends for quite some time before the child's friend moved into her home. The CPS caseworker then spoke with the mother of the child's friend. She stated her child left home after she insisted they attend school and stop smoking marijuana. She said her child had left her home approximately a year prior but would stop by occasionally. The friend's mother reported their child had been living in the friend's home since December 2023.

The allegations of threat of harm to the child's friend by the child's mother were determined to be unfounded due to the child having regular contact with their relatives and access to medical professionals as needed through the Oregon Health Plan (OHP).

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 did not identify concerns regarding actions taken or not taken by the department or law enforcement agencies in response to the critical incident or the events that led to the critical incident. ODHS' last contact with the child's family was almost one year prior to the child's death and ODHS was unaware of the child's illness.

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 did not make any recommendations for improvement in the administration and oversight of the child welfare system specific to the critical incident and the historical information reviewed by the team.