

**Clark County  
Department of Family Services:**

**Case Review of 82  
Cases Identified  
by the  
District Attorney's  
Office**

**December 2010**

**Clark County Department of Family Services**  
**82 Case Review Executive Summary**  
**November, 2010**

**Case Review Overview:** The information presented in this document details an extensive review and response to each of the 82 child welfare cases presented by the Clark County District Attorney's (DA's) Office to the Legislative Subcommittee on Child Welfare and Juvenile Justice on June 21, 2010.

The cases identified represent a wide-range of child welfare service provision dates. Many of these cases included child welfare service history that occurred prior to 2004, during a time when child welfare services were bifurcated, with the County providing child protective services (CPS) and the State providing permanency and adoption services. Case history and documentation for the older cases, particularly those that involved services provided by both the County and State, were difficult to locate and interpret. The analysis of child welfare performance was also challenging as the policies and procedures in place at the time services were provided were not consistent with what is known today as child welfare best practice. For many of these older cases, if evaluated by today's standards, the service provision would be considered insufficient; yet, at the time the services were provided, they represented standard practice and existing policy.

For cases that included child welfare service history subsequent to 2008, the analysis of service provision and practice was easier. In 2008, following the completion of external case reviews and child welfare service related assessments, all which cited inadequate direct service/case management policies and procedures, the Department of Family Services (DFS) conducted a comprehensive redesign and rewrite of policies and procedures, including those related to CPS. In April 2010, the State-wide CPS Substantiation Policy was also updated, and included revisions to the investigative criteria/evidence necessary to substantiate a CPS investigation. With both the DFS and State-wide policy updates that occurred between 2008 and 2010, analysis of the more recent cases focused on compliance with existing policy and expectations regarding performance.

**Case Review Methodology:** DFS management conducted a comprehensive review of the case documentation related to each case. In total, management reviewed more than 25,000 pages of case notes alone. In reviewing each case, management evaluated the documentation included in the State-wide child welfare services database (UNITY), including the CPS investigative report details and findings, case notes, child fatality details, child placement locations and directories, court reports, and various risk and safety assessments. In addition, for older cases, management reviewed the documentation contained in archived files and imaged hardcopy case files. Court records and minutes were also reviewed. In two instances, the actual recording of a court hearing was viewed. Additionally, in the absence of documentation, management spoke, when possible, to staff assigned to the cases to gather

additional information. The review was comprehensive and thorough and responded to the major issues identified by the DA's Office on each case.

The DFS responses to the cases are lengthy. DFS management believes the transparency in which the case facts are represented will provide a broader perspective of the services provided by DFS. There are cases where the documentation reviewed and presented does not align with the information presented by the DA's Office. DFS management will offer no supposition as to those discrepancies. The case related information provided by DFS is represented as documented in DFS staff electronic and hard copy case files and court records.

Despite repeated efforts made by DFS management to identify and review each case, some of the information presented by the DA's Office did not provide sufficient detail to identify the specific case referenced. DFS management made requests to the DA's Office seeking assistance in case identification. While helpful in some instances, the DA's Office was unable to identify or provide clarifying/additional information related to other cases referenced. The cases that were not reviewed as a result of this issue are clearly identified in the applicable individual case review section (Appendix C).

The case reviews include facts/information as documented in the case record, as well as, in some cases, brief analysis/commentary on child welfare practice related issues or concerns. Where performance or practice related concerns were noted, concurrent with this review, DFS management followed up with the children and families identified in the reports to ensure child safety. DFS management takes staff performance issues seriously, and in those cases broader reviews of individual case management practices will be conducted and staff performance addressed as necessary.

**Systemic Issues:** Cases, as reviewed individually, may highlight the practice of individual staff; when reviewed in totality, the same cases may also highlight issues that are systemic to child welfare. Some of these issues are subject to DFS management influence or control; other issues require the partnership and problem-solving assistance of others, including the DA's Office. DFS management is committed to initiating reform from within DFS where necessary and to being a collaborative partner in resolving the issues that involve others.

For the cases reviewed, where the situation or circumstance of the case highlighted a systemic issue, that issue is noted; in some cases there were no systemic issues identified. Appendix A summarizes the cases and associated systemic issues.

Overall, the systemic issues identified are as stated below, and DFS has either completed or will complete the action steps required to resolve the issue or initiate collaborative problem solving with other community partners according to the targeted dates identified:

- **Case Record Documentation:** Case record documentation quality varied from staff person to staff person. There were also quality differences noted related to the date (year) of DFS involvement; case documentation in older cases was less thorough than case

documentation in more recent cases. In the more recent cases, however, it was noted there was a lack of documentation related to the court hearings and outcomes; a lack of documentation related to interactions with the DA's Office; and a lack of specificity to the documentation related to collateral contacts, (including relatives, friends, educational/medical/clinical service providers, etc.) specifically their relationship to the family, what services they provided, what their qualifications were, and how the information shared related to the family's circumstances or involvement with DFS. In some cases, while the documentation was robust, this lack of clarity made interpreting the family's status challenging.

- DFS management will review existing policies, and, where necessary, modify the policies and/or have supervisors focus on staff training to improve case documentation. (Anticipated Completion by May 2010)
- DFS management will review existing policies, and where necessary, modify the policies to include required documentation guidelines for supervisors and management staff. (Anticipated Completion by December 2010)
- **Child Safety and Out-of-Home Care:** Based on this case review, DFS management believes that permanency in-home, out-of-home, and licensing staff need additional training specifically related to child safety and risk. DFS management will review the existing CPS safety curriculum and customize training specifically for these staff. While not responsible for conducting CPS investigations, this staff spends considerable time in homes where children reside. As a result, they need a comprehensive understanding of child safety and risk. (Anticipated Completion by March 2011)
- **Children Born To/Associated with Individuals Receiving DFS Services:** While not specifically addressed in existing policy, DFS management will develop policies and procedures that provide clear practice expectations regarding children born into a family already involved with or receiving DFS services; who are the biological children of a non-custodial parent receiving DFS services not associated with them; or who are regularly left in the care of an individual who is receiving DFS services. This case review highlights inconsistencies in staff practice. (Anticipated Completion by December 2010)
  - DFS will also develop training for all direct service/case management staff, so that they better understand the requirements NRS 432B.330 specifically as it relates to children who "are or may be in need of protection."  
(Anticipated Completion by February 2011)
- **Choose Your Partners Carefully Campaign:** Other states have successfully implemented the *Choose Your Partners Carefully* campaign. The campaign focuses on educating the public regarding the dangers partners can present to children. In many of the cases reviewed, a child entered the child welfare system due to abuse/neglect perpetrated not by the biological parent, but by that parent's partner. DFS management proposes the implementation of a public awareness campaign in Nevada like the *Choose Your Partners Carefully* Campaign to help educate the public about this issue as it relates to child abuse/neglect. The DA's Office has agreed to partner with DFS in moving this

recommendation forward and asking for assistance from the Child Death Review Team in implementation.

- **Community Partnerships and Managing Child Maltreatment:** Recognizing child maltreatment is a community-wide effort, and it requires that DFS partner with community service providers, educational systems, medical providers, and law enforcement. This case review indicated that there may be a lack of understanding on the part of some community partners in understanding child welfare practices and/or in reporting child abuse/neglect. DFS will initiate efforts to create greater opportunities for collaboration, and where appropriate, will formalize practice expectations with community partners.
  - DFS created a general child maltreatment presentation that also explains the role and services provided by DFS, and child protective services in particular. DFS staff completed these presentations at law enforcement substations.
  - DFS is working to modify the law enforcement presentation and to film the presentation so that it may be made available on DVD and presented as needed. (Anticipated Completion by March 2011)
  - DFS staff notifies local hospitals of the pending birth of children whose mothers are involved with DFS cases. Hospitals are then supposed to immediately report the birth of those children to the Child Abuse and Neglect Hotline. However, the current practice is not formalized in writing with community partners. In collaboration with community partners, DFS management will review the existing practice and determine if it requires modification. Once the practice is agreed upon, DFS will formalize it through a Memorandum of Understanding with our community partners. In two of the cases reviewed, the hospitals failed to notify the Hotline and the children were released into the care of the mothers subsequent to birth. (Anticipated Completion by March 2011)
  - Probation and parole officers are involved in the lives of many DFS clients. DFS management will outreach to these agencies and offer to provide child maltreatment training and awareness presentations in an effort to improve partnerships and provide information on DFS roles and responsibilities. If possible, we will work with these partners to identify and agree upon policy/practice expectations and to formalize those through Memorandums of Understanding. (Anticipated Completion by March 2011)
- **Court Continuances:** Many cases reviewed involved hearings that were continued; some hearings were continued multiple times. There are legitimate reasons for continuances, but any delays that occur create hardship for families (Case 62 possibly highlights unnecessary continuances). DFS management will discuss this issue with the Courts and the DA's Office to see if improvements can be made to ensure more timely court hearings and issue resolution for families. (Anticipated Completion by December 2010)
- **DA/DFS Case Review:** Reviewing, with others who have different child welfare expertise, the circumstances and information known regarding cases provides a good opportunity to make more informed and well-rounded case management decisions. Reviewing cases and

examining child welfare practices also provides information on agency performance and allows for practice changes/improvement.

- DFS management believes that it would be beneficial for DFS staff and the DA's Office to jointly review any case in which the alleged perpetrator has had more than 5 prior CPS investigations and any cases with a sexual abuse allegation. Such review would provide appropriate checks and balances in the decisions that are made and may better integrate review of the sexual abuse cases for criminal proceedings. The DA's Office and DFS should meet to discuss the appropriate processes for such review. (Anticipated Completion by December 2010)
  - Every month, DFS management will review a random sample of cases in which the alleged perpetrator has had more than 3 prior CPS investigations to ensure compliance with investigative policies and procedures and to validate the assistant manager review and approval that should be happening in accordance with DFS policy.
  - DFS management believes that the active participation of direct service/case management staff in case review processes improves performance. With assistance from Casey Family Programs, an expert in this process from the Juvenile Protection Association in Illinois, visited with DFS staff and conducted the first Grand Round Review in August 2010. Planning for this activity began in May 2010, and Case 78 was selected for the review in late June. The selection of this case was made prior to the DA's release of the 82 Cases. The methodology and process recommended and then demonstrated at the August Grand Round session will serve as the model used for continued implementation and improvement. (Anticipated Completion by December 2010)
- **DFS Attorney Representation/Waiver of Reasonable Efforts:** Federal and State statutes provide much guidance around the waiving of reasonable efforts in child welfare cases in which either the perpetrators of the abuse or the abuse itself meets certain criteria (ASFA, NRS 432B.393). To illustrate, NRS 432B.393 provides that DFS must make reasonable efforts to preserve and unify the family of a child, except in certain circumstances. These circumstances would include situations where the natural parent has committed or participated in a murder, has caused abuse resulting in substantial bodily harm to the child or committed other extreme or repetitious child abuse, or has left a newborn child with an emergency services provider with the intent of abandoning the child. In such situations, DFS is not required to make reasonable efforts to preserve and unify the natural family of the child, and thus the usual statutory obligation to make reasonable efforts is excused, or waived. The waiver is made through a motion brought before the court by the DA's Office. In absence of a court approved waiver of reasonable efforts, DFS staff must continue to make reasonable efforts to reunify a family, and under NRS 432B.109 and NAC 432B.400 must develop a case plan for such family reunification within 45 days of the child's removal from the home.

DFS management disagrees with how the DA's Office currently exercises the right to waive reasonable efforts, and without attorney representation, DFS staff lacks an ability to put

these issues before the Court. In two of the cases reviewed, the DA's Office negotiated away the ability to file the motion early in the case. Such a negotiation makes it challenging for DFS staff to meet the federal requirements related to making reasonable efforts toward family reunification, and it makes it nearly impossible to meet the NRS/NAC requirement related to having a case plan developed within 45 days of the child's removal from the home. DFS management does not believe that a request to waive reasonable efforts should be used to negotiate or plea bargain.

Additionally, the DA's Office will only file a motion to waive reasonable efforts subsequent to case adjudication. Case adjudication can take an extended period of time. It is difficult for DFS staff to work with families (as required by Federal/Nevada law) under the premise of family reunification for extended periods of time knowing that DFS's intention or preference is to waive reasonable efforts and/or terminate parental rights. Other child welfare jurisdictions in the State (Washoe County) do not wait until case adjudication to file these motions.

- DFS management believes that in absence of attorney representation in court, DFS and the DA's Office should jointly develop an agreement or related policy on waiving reasonable efforts, and that such agreement/policy would provide clarity for DFS case management staff as well as improve the achievement of permanency for children. (Anticipated Completion by December 2010)
  - To assist DFS staff in making requests for waivers of reasonable efforts, the criteria requirements are now included on the petition requests. DFS staff has been trained on the requirements and understand that if any of the criteria exist they must request the waiver of reasonable efforts be filed by the DA's Office.
- **Data and Management Reporting:** Since 2006, DFS has expanded internal capacity to create child welfare services reports for management. These reports principally help supervisors manage the day-to-day activities of direct service/case management staff.
    - **Child Protective Services (CPS) and In-Home and Out-of-Home Care Operational Management Reports:** Management reports were developed and released for staff use in October 2008. The reports are available in multiple formats, and the report data can be rolled up to divisional levels or filtered down to individual unit and worker levels. The reports identify key information related to CPS investigations and permanency case management, including timeliness of investigative response, child contacts, parent contacts, completion of safety assessments, and previous investigative history. All supervisors were trained on report utilization in November, 2008. DFS continues to offer training on the reports.
  - **Dispute Resolution Protocol:** The Dispute Resolution Protocol was enacted by DFS and the DA's Office in late 2009. The protocol provides a formal mechanism in which child welfare cases and related decisions can be reviewed with management from both agencies, particularly when there is disagreement or discord between staff.

- While the Dispute Resolution Protocol seems to be helping to resolve some conflicts, there are other occasions where the process may be occurring too late to allow for conflict resolution. When conflict was identified, particularly as it related to case closure, the issues seemed to involve the DA's Office requesting additional assessments or making requirements of the family that had not been clearly articulated in the family case plan initially. A potential resolution may be to include the DA's Office in the development of case plans for families; the DA's Office and DFS would develop an agreement as to how that participation would occur. There may also be a conflict with service providers who are designated/approved by DFS to provide services (e.g. the DA's Office dissatisfaction with the results of psychosexual, domestic violence, or physical abuse assessments and requesting they be completed multiple times). DFS management will further discuss this issue with the Courts and the DA's Office to explore potential resolution. (Anticipated Completion by December 2010)
- **Information Integration/Availability:** The information gathering process used to conduct this case review demonstrates the challenges associated with accessing child welfare related information. The current State-mandated child welfare information system, UNITY, is cumbersome to navigate and accessing information is challenging. Information contained in older reports is often not available and must be searched for in the previous system used to document CPS investigations, FamilyTracs, or is simply non-existent. Permanency case documentation and record keeping in UNITY prior to child welfare integration (2004) is also limited. While all of these issues were clearly challenging for case reviewers, information accessibility must be even more frustrating for the direct service/case management staff who must review the exact same documentation with greater regularity.
  - Court related information is not readily available in UNITY as there is no interface between the court and child welfare systems. Court minutes must be accessed in a separate system and the documentation in UNITY often does not reflect a summary of court hearings. DFS management will develop a work around to address this issue, but clearly system integration is preferable. (Anticipated Completion by December 2010)
  - Most concerning, however, is that as demonstrated in cases where the DA's Office filed petitions independently, there is no mechanism to access or integrate those filings in UNITY, and consequently investigation findings are often inaccurate (e.g. findings are listed as unsubstantiated or substantiated as opposed to Court substantiated). In another case, a similar issue is seen in that a case was closed, and then upon appeal by the DA's Office re-opened. DFS case record documentation indicates the closure, and although the case continues to be managed by DFS staff there is no explanation regarding the appeal and its impact on the documented closure. The cases reviewed which exhibited inaccurate findings in UNITY will be corrected by DFS, and policy revisions made to remedy this system integration issue.



- There is also no existing process or mechanism in place providing DFS notification of motions or appeals filed by the DA's Office. DFS and the DA's Office must find a way to reconcile this issue. (Anticipated Completion by December 2010)
- **Mental Health Services Availability/Provision:** Mental health services, particularly in-patient drug treatment services, are not readily available in the community. In the cases reviewed, there were times when the DA's Office requested assessments be completed multiple times, which may indicate dissatisfaction with the service provider or assessment results. There also continues to be many challenges in providing mental health services to children. The solutions to address these issues are complex, but DFS management has been working collaboratively with the State Department of Health and Human Services' Mental Health and Developmental Services Division and Division of Children and Families (DCFS) to identify the issues and implement appropriate solutions. The discussions and efforts are on-going.
  - DCFS and DFS are currently working to redesign the model of care provided by Specialized Foster Care Agencies (higher level of care providers). With the assistance of Casey Family Programs, an expert in treatment level foster care visited DFS in late October, with the other child welfare agencies State-wide participating in the dialogue and planning. The redesign needs to be presented during the 2011 Legislative Session. (Anticipated Completion by June 2011)
  - SB343, passed in the 2009 Legislative Session, allows priority to be given through State Mental Health services/programs for child welfare involved families. Planning on the processes to implement that requirement is currently underway. (On-going)
- **Parents with Existing Warrants/Case Closure:** While not currently contained in existing policy, DFS management is exploring the development of policy related to parents resolving any existing arrest warrants prior to case closure. (Anticipated Completion by December 2010)
- **Policy and Procedure Implementation:** Over the last few years, the State and DFS have revised many child welfare related policies and procedures. Several of the older cases raised issues which have been addressed by these recently adopted policy changes. The following policy changes were included among the recent revisions and updates:
  - **Child Protective Services:** In November 2008, DFS implemented and trained staff on new policies and procedures for the Child Protective Services (CPS) Division, including the Child Abuse and Neglect Hotline.
    - These policies establish clear criteria for the purpose of screening abuse/neglect allegations in/out for investigation. Allegations are also defined, allowing for improved consistency in making report related assignments. As part of the policy changes, Hotline staff also now renders determinations regarding screening reports in/out, assign investigation priority response timeframes, and assign investigations to

CPS units. Previously, screening and priority assignment decisions were made at the CPS unit level.

- These policies require that all investigative findings, in which an alleged perpetrator has been named in three or more prior CPS investigations during the preceding two years, be approved by Assistant Managers.
  - These policies clearly identify the requirements for DFS staff to see children associated with investigations in accordance with the priority time frames assigned at the Hotline. Child contacts for Priority 1 responses must be made within 3 hours; child contacts for Priority 2 responses must be made within 24 hours; and child contacts for Priority 3 responses must be made within 72 hours. DFS staff must make good faith efforts to see the children within those time frames, and if they are unable to do so, the case must be staffed with a supervisor so that alternate arrangements can be made. Staff is also required to make, regular on-going contact with children for as long as an investigation remains open.
  - These policies require that CPS staff review the family's prior child welfare services history in UNITY as part of the investigative process. Staff must also document that review of the history in a case note to indicate compliance with policy.
  - These policies incorporate expectations around addressing and investigating incidents of domestic violence. In particular, it provides guidance regarding the placement of a child with a parent(s) who has been **convicted** of domestic violence, ensuring staff compliance with NRS 432B.157.
- **In-Home and Out-of-Home Care:** By December 2009, DFS implemented new policies and procedures for the Permanency Division, including in-home and out-of-home care units.
    - The policies establish clear direction and expectations regarding child and family contacts. For children placed in out-of-home care, direct service/case management staff are required to make face-to-face contact with the child a minimum of once every 30 days (some circumstances will warrant increased contact). For children placed in-home, the contact requirements vary, but initially are required weekly for the first four weeks of service provision. Thereafter, the minimum contact required is bi-weekly. (Completed)
  - **State-Wide Substantiation Policy:** On April 23, 2010, the State-wide Substantiation policy was updated. This revised policy provides much needed clarity around the criteria required for substantiating every child abuse/neglect allegation (as opposed to providing only general guidance and direction as contained in the previous policy). The policy defines child abuse/neglect as it relates specifically to NRS 432B. It provides guidance on what constitutes direct, indirect, and circumstantial evidence. It also omits previous language that

allowed for an isolated incident of abuse/neglect to be unsubstantiated.  
(Completed)

- **Proper Notice of Service:** While not a DFS issue, two of the cases reviewed demonstrate proper notice of service issues. In the first case (Case 21), a Termination of Parental Rights was overturned due to a failure to provide the parent with proper notice. In the second case (Case 37), the Nevada Supreme Court overturned a Court-substantiated child welfare finding for failure to provide proper notice. DFS management requests the DA's Office review this issue and find an appropriate resolution.
  
- **Staff Education/Training:** DFS staff regularly participate in child welfare related training and education. Training is offered by DCFS, internal DFS training staff, and community partners, including the DA's Office and law enforcement agencies.
  - Since 2008, new DFS staff has attended a comprehensive child welfare core training provided by the University of Nevada, Las Vegas. Additionally, new staff receives "on-the-job" training prior to being assigned cases.
  - DFS investigative staff attended three sequential trainings regarding the Statewide Safety Practice Model. The instruction focuses on the assessment of child safety and risk and the development of safety plans.
  - DFS case management staff is currently participating in a two-day training class on abuse/neglect investigations offered by the DA's Office and law enforcement agencies. (Anticipated Completion by December 2011).
  - In an effort to further enhance staff training around child safety, DCFS has contracted with a national child welfare resource center to develop and deliver a 9 day core curriculum on child safety and investigative techniques. That training is scheduled to be delivered in early 2011; all DFS CPS staff will be required to attend. (Anticipated Completion by April 2011)
  
- **Supervisory Expectations:** DFS management has developed a set of comprehensive supervisory expectations; these expectations were fully implemented in October 2010. These expectations identify the specific requirements of each supervisor and delineate the number of times they must meet one-on-one with staff and the dialogue and documentation that is required to ensure appropriate case management oversight. To support this effort, with the assistance of Casey Family Programs, an expert on child welfare case supervision has been delivering monthly training on supervision to DFS supervisors since December 2009. (Anticipated Completion by December 2010)

**Summary:**

DFS management recognizes the importance of child safety and the importance of family connectedness—for our staff, it is their lives' work. Providing child welfare services is extraordinarily complex, and DFS staff rely on many partnerships in order to provide those services to children and families, the DA's Office and law enforcement agencies to name a few. Without these partnerships, DFS staff could not do the work necessary to keep children safe and families together.

The goal of any child welfare system is to promote the safety, permanency, and well-being of children and families. This is challenging work, in large part, due to the fact that the outcomes and results are based on the accurate prediction of human behavior. As a child welfare agency, we are tasked with not only ensuring the safety and well-being of the children we serve, but under Federal law and guidelines must also ensure that we make every reasonable effort to preserve and reunify families who enter our system when possible. All children who are removed from their families and come into foster care are traumatized. As a child welfare agency we must weigh the potential risk of trauma related to leaving children in their homes against the guaranteed psychological trauma of removing them.

For some child welfare agencies, including DFS, there is a natural tension that results between the agency and criminal justice partners—the purposes and roles of the agencies are different. Child welfare agencies, while involved in ensuring public safety, are not criminal justice agencies, but rather human services agencies. Child welfare cases are heard in family court settings, which focus more on problem-solving family issues as opposed to criminal courts which focus on community protection and sanctioning. Despite this, DFS and other child welfare agencies, rely heavily on criminal justice agencies to partner in addressing child maltreatment.

It's easy to see and understand how many feel that every child who experiences abuse and/or neglect at the hands of their parents or caregivers should simply be removed and never returned. But, while our primary role as a child welfare agency is to ensure child safety and minimize risk, we also must work to help keep families together by working with parents to develop new parenting skills and capacity that will allow them to care appropriately for their children going forward.

These 82 cases identified by the DA's Office involved 190 children who, in many cases, had repeat involvement with child welfare services. Some of the cases identified had recent child welfare history, while others had history that spanned 20 plus years. Thousands of children and families received child welfare services over the last twenty years; from 2007 to 2010, alone, more than 75,000 children received services from DFS (Appendix B). While every child matters, the 190 children associated with these 82 cases represent less than .003% of the children who received DFS services over the last three years. Many children who are removed from their families and enter foster care will leave our system safely to return to the care of their families.

# APPENDIX A

## Summary of 82 Cases / Systemic Issues

CASE #	Case Record Documentation	Child Safety & Out-of-Home Care	Children Born To/ Associated with Individuals Receiving DFS Services	Choose Your Partners Carefully Campaign	Community Partnerships & Managing Child Maltreatment	Court Continuances	DA/DFS Case Review	Data & Management Reporting	DFS Attorney Representation / Waiver of Reasonable Efforts	Dispute Resolution Protocol	Information Integration / Availability	Mental Health Services Availability / Provision	Parents w/ Existing Warrants / Case Closure	Policy & Procedure Implementation	Proper Notice of Service	Staff Education / Training	Supervisory Expectations	Not Applicable
1				X		X								X				
2							X							X				
3							X									X		
4			X				X	X						X				
5							X	X						X				
6			X				X											
7																		X
8									X	X								
9												X						
10																		X
11																		X
12						X												
13																		X
14																		X
15							X	X		X				X				
16						X	X	X						X				
17							X	X						X		X		
18																		X
19			X															
20			X															
21															X			
22																		X
23																		X
24																		X
25			X				X											
26							X							X				
27				X			X							X			X	
28													X					
29							X	X						X		X	X	
30							X							X				
31				X			X							X				
32														X		X		
33					X		X											

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**CASE #**

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34				X			X	X						X				
35							X											
36							X	X						X				
37			X	X				X							X			
38	X			X														
39							X											
40			X		X		X							X				
41							X							X		X		
42				X		X	X											
43						X	X											
44	X					X	X											
45																		X
46										X		X						
47		X																
48							X							X				
49							X	X						X			X	
50	X					X	X				X			X				
51	X						X		X									
52	X			X			X				X			X				
53	X					X												
54	X					X												
55	X											X					X	
56				X			X											
57	X						X	X						X				
58							X	X						X			X	
59	X					X				X								
60			X		X				X									
61							X											
62						X			X	X								
63							X	X						X				
64							X											
65						X	X											
66				X			X											

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67							X											
68														X			X	
69																		X
70							X							X				
71							X											
72																		X
73														X			X	
74														X			X	
75				X										X			X	
76		X	X	X										X		X	X	
77			X	X						X				X		X	X	
78				X			X							X		X	X	
79	X	X	X		X	X	X											
80						X			X		X							
81							X											
82						X	X			X								



clark county department of  
*family services*



## DFS Statistical Overview: 2007 - 2010 (YTD)

All information in this report is from the DFS case management system as of Nov 1, 2010, unless otherwise noted.

### Child Protective Services

	2007 Total	2008 Total	2009 Total	2010 YTD Total	Grand Total
Hotline Calls Answered▶	No Data Available	No Data Available	20,395	16,456	36,851
Child Abuse/Neglect Referrals Received	14,314	11,043	8,367	9,134	42,858
Child Abuse/Neglect Investigations	12,558	9,450	7,244	6,669	35,921
Substantiated Investigations■	1,899	1,850	1,993	1,646	7,388

The data above represents multiple children and families. Also, some children and families have multiple referrals and investigations within the date range.

▶Non-case management system data. Data tracked January 2009 - September 2010.

■CPS found credible evidence that maltreatment occurred.

### Adoptions

	2007 Total	2008 Total	2009 Total	2010 YTD Total	Grand Total
Finalized Adoptions	283	332	429	341	1,385

### Petitions

	2007 Total	2008 Total	2009 Total	2010 YTD Total	Grand Total
Petitions Filed*	1,328	1,340	1,184	621	4,473

\*CPS files a petition when it believes the child's safety or health is in jeopardy, and the child is in need of protection. The court reviews the case and makes a determination regarding the child's welfare.

### Reunifications

	2007 Total	2008 Total	2009 Total	2010 YTD Total	Grand Total
Children Reunified	2,790	2,556	2,320	1,517	9,183

### Services Provided

	2007 Total	2008 Total	2009 Total	2010 YTD Total	Grand Total
Children Provided with Services	24,176	20,593	17,115	16,308	78,192
Cases Provided with Services	9,276	7,773	6,592	6,339	29,980



# APPENDIX C

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
1	<p>❶ This case involved one child whose death was suspicious for abuse and a sibling with brain damage in a wheel chair as a result of abuse. The perpetrator (mother’s boyfriend) returned to the mother’s home upon his release from custody. He was on felony probation for child abuse. The mother was told he could not be around her children and she knew he was convicted for abusing her child. The mother lied to authorities regarding his living in her home. ❷ Law Enforcement contacted the DDA on this case because they were concerned about follow through by DFS. ❸ DFS did not want to file a neglect petition against the mother for failure to protect. We disagreed.</p>

## DFS RESPONSE:

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Court Substantiated
	10-2009 (2)	Unsubstantiated
	09-2007	Unsubstantiated
	11-2006	Court Substantiated
	07-2005	Court Substantiated
	10-2004	Unsubstantiated
	02-2002	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<p><b><u>02-2010 Report Date:</u></b>            Male, 15 YOA            Female, 9 YOA            Male, 7 YOA            Male, 7 YOA            Male, 5 YOA            Female, 3 YOA            Male, 9 months            Male, 4 months (deceased in 2002)</p>	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

## Summary Response:

Note: The information and timelines provided by the DA’s Office on this case do not align to the case record documentation. The information provided below provides a summarized history of the case, and generally responds to the issues presented by the DA’s Office.

- ❶ In 2002, DFS received a report alleging physical abuse threat of harm, physical injury-death, and physical abuse against the natural father. The four-month-old child’s injuries appeared consistent with shaken baby syndrome. DFS initiated an investigation, took Protective Custody of all children, removed them from the home, and placed them in the care of a relative.
- DFS interviewed the mother, and she indicated there had been issues with the natural father bonding with the child. She described a situation in which the father attempted to teach the then 3-month-old child to behave, and when she intervened, he choked her and injured her neck. She indicated that the father admitted to causing the child’s current injury, and she attributed his behavior to drug use.
- The hospital conducted a skeletal exam of the child, and the exam results were negative for evidence of previous injury/trauma. The child passed away from the injuries.

The DA's Office filed a petition on this case, and the allegations against the natural father were Court substantiated. The children were returned to the care of the mother. DFS continued to provide formal supervision until October 2002. At the time of case closure, the autopsy results were not complete and the alleged perpetrator of the abuse could not be located.

In early January 2003, the final autopsy findings were released, and the child's cause of death was determined to be natural. The child suffered from a respiratory illness, which could not be ruled out as a contributing factor in the child's passing. Criminal charges were not filed against the father.

In October 2004, DFS received an abuse/neglect report alleging physical abuse threat of harm and physical abuse against the natural mother and father (same alleged perpetrator as in the 2002 case). A 7-month-old child was taken to the hospital for a large bump on the head. Law enforcement conducted a criminal investigation, and DFS conducted an investigation. The child was seen by both a forensic pediatrician and a regular pediatrician. Neither physician could attribute the injury to child abuse/neglect. The parents were both interviewed as were the other children. The parent's denied knowledge of how the injury occurred, and the children denied being abused/neglected by either parent. Based on a lack of credible evidence, the investigation was unsubstantiated. Criminal charges were not filed against either parent.

In July 2005, DFS received an abuse/neglect report alleging physical abuse threat of harm and physical abuse against the father and lack of supervision against the mother. The child previously injured in the 2004 report was again injured. The child was seen at a hospital and suffered from a deformity to the left leg, bruising to the abdomen and leg, and possible head trauma. Law enforcement conducted a criminal investigation, and charged the father with felony child abuse with substantial bodily harm. He was found guilty and sentenced to four years in prison.

DFS also conducted an investigation and the Court substantiated all allegations against the father; the allegations against the mother were substantiated by DFS. DFS initially removed the children, and placed them with relatives until October 2005, when they were returned to the mother. DFS provided formal supervision of the family until January 2007, when the Court ordered the termination of wardship. At that time, the mother had fully complied with her case plan, participated actively with the medical care/treatment of the injured child, and received a variety of services for both her and the children, including participating in clinical/psychological assessment and therapy and receiving Early Childhood Services.

② Case record documentation does not indicate concerns presented by law enforcement to the DA's Office regarding concerns with DFS lack of follow through.

③ Case record documentation does not indicate DFS staff opposed filing a petition on the natural mother.

Since 2005, DFS has investigated five additional reports of abuse/neglect. The children are currently placed in foster care, with a permanency goal of reunification (with mother) as a waiver of reasonable efforts was not submitted. Case notes document that there may be a pending request for a waiver of reasonable efforts on all biological parents of the children (mother and natural father) and that the permanency plan, if the waivers are granted, would be adoption by relatives. The mother is currently expecting another child.

**Relevant Statute:**

N/A

<b>Personnel Issues/Outcomes:</b>	
N/A	
<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:  <b>2</b>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>① In this case the parents had a prior substantiated history and there was court wardship of the children for physical abuse, drugs, and domestic violence. DFS received a new report. Father admitted sex abuse of 6 and 8 year old daughters. Father moved out of home for a short time then returned home. Father was found to have a sexual preference for young children. He also failed a polygraph regarding the extent of the sexual abuse to his daughters. ② DFS (including supervisors and admin) fail to submit case to DA's office for a petition for almost a year. Case brought to our attention by a concerned DFS worker who was troubled by the department's inaction.</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2005	Court Substantiated
	05-2002	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>01-2005 Report Date:</u></b> Female, 8 YOA Female, 6 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① On January 7, 2005, DFS received a report of abuse/neglect alleging sexual abuse against the natural father. The report was jointly investigated by both DFS and law enforcement. The natural mother was the reporting source; the father admitted to the abuse. As part of the initial investigation, the natural father did fail a polygraph. The family had prior child welfare services history dating back to May 2002, which included one prior Court substantiated investigation.

Early in the case, the father did move out of the home, but later returned. DFS staff was made aware of his return after the fact. Case notes indicate that the father remained in the home due to financial reasons, but that the mother did not work. The mother agreed to follow a safety plan which required that the father not be left alone with the children. She planned to divorce the father as soon as the youngest child went to school full-time.

Several months after the safety plan was in place, the plan was violated (the children were not re-abused) and that, combined with the results of the father's psychosexual assessment, caused DFS staff to seek Court intervention and supervision of the case.

② Case records document a delay in the submission of the petition. A review of the services provided to the family indicates that DFS staff attempted to manage the case informally; however, case records reviewed support Court intervention and supervision much earlier than requested by DFS staff.

Subsequent to Court involvement, the mother attended non offending parenting classes and the father enrolled in a psychosexual assessment and treatment program. The children were enrolled in and regularly attended therapy. The father was criminally charged and convicted of the abuse and sentenced to five years probation. The mother and father divorced. The case was closed in September 2007, and there have been no additional reports received on this family for 5 years, 9 months.

<b>Relevant Statute:</b>	
N/A	
<b>Personnel Issues/Outcomes:</b>	
The primary child protective services investigator assigned to this case is no longer with the agency.	
<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
3	<p>❶ This case involved an infant (male) living with mother and father. Father is a Tier 2 sex offender for sexually abusing boys. There was prior history of substantiated child abuse and neglect with siblings in California. One sibling was diagnosed with Failure to Thrive and parental rights were terminated. There was another infant that the mother physically abused by a blow to the head. The parents gave up their parental rights for that child. There was a third sibling that was removed from their care and parents again relinquished their rights. Parents never successfully worked a case plan. There were a total of four other siblings who were brought to the attention of California DFS and all were adopted. The parents then moved to Las Vegas. ❷ DFS refused to place the new infant in protective custody. The DA's office insisted on filing a petition for wardship. The parents came to court and indicated they were not interested in working a case plan and decided to relinquish their parental rights. ❸ During the course of this investigation a neighbor reported that her toddler son disclosed sex abuse by this Tier 2 offender. ❹ A concerned DFS worker who said they couldn't sleep at night because DFS administration told them to leave this infant in the home with the parents also brought this case to the DDA.</p>

DFS RESPONSE:		
UNITY Case #:		
Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):	11-2005	Substantiated
Age of Child(ren) Involved:	<u>11-2005 Report Date:</u> Male, 2 months	
Case Status as of Review:		Open
	X	Closed

Summary Response:	
❶	<p>On November 29, 2005 DFS received a report that a family with prior child welfare history in California had relocated to Las Vegas. Source believed the family's relocation was due to mother's current pregnancy and a desire to avoid further child welfare services involvement in California. While in California, the mother and father had four other children removed and/or relinquished parental rights for adoption. The reporting source was concerned about the welfare of the newborn child because of the family's prior history and the father being a registered sex offender. DFS confirmed the family's prior child welfare history in California with Sonoma County and the father's status as a registered sex offender. The family's last abuse/neglect report in California was 7 years prior to the contact with DFS.</p>
❷	<p>The case was staffed with DFS management, and it was decided that a worker would conduct a home visit, assess child safety, and meet with the parents to determine willingness to receive services. If, after the home visit, it was determined that the child was not safe, and/or the parents were unwilling to receive services, the child would be placed into Protective Custody.</p> <p>After completing the initial home visit and assessing child safety, it was determined that there were no identified "imminent safety issues" which warranted an immediate removal. During the initial visit (and subsequent visits), the baby appeared clean, as did the residence. The parents had the necessary supplies to care for the baby. The parents had WIC in place for the baby and Medicaid for both mother and baby. The parents assured DFS staff of their intention to cooperate with any proposed services in order to keep their child. They agreed to clinical assessments, home-based services, and public health nurse assistance. For these reasons, DFS management and staff decided to leave the child in the care of the parents, but to place the matter on Court calendar due to the risk factors associated with the parents' history. The DA's</p>

office disagreed with this approach and preferred the child be removed. DFS staff informed the parents of the DA's position and informed them that the Court would make the final decision. The parents opted to request the immediate removal of the child. The child was removed from the parents and taken into Protective Custody on January 5, 2006. Shortly thereafter, the parents relinquished parental rights so that an adoption could be finalized with the same family who had previously adopted the child's siblings.

③ DFS became aware that the father was the subject of a criminal investigation for possibly sexual abusing a 3-year-old neighbor in late January 2006. DFS was not made aware of this investigation until after conducting an initial assessment of the infant and after that child was removed from the home.

④ There is no case record documentation supporting this assertion.

The case remains closed, and there have been no additional reports received on this family for 4 years, 10 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

The primary DFS staff assigned to this case is no longer with the agency.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	

DA Case ID:  <b>4</b>	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
	<p>❶ Newborn baby tested positive for methamphetamine, mom positive for meth, dad positive for meth and parents has a criminal history of manufacturing meth. ❷ Newborn and 6 year left in home with parents by DFS. ❸ DA's office disagreed.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2007      Unsubstantiated
	01-2006      Court Substantiated
	06-2005      Unsubstantiated
	05-2005      Unsubstantiated
	08-2004 (2)      Unsubstantiated
	04-2004      Unsubstantiated
	09-2003      Unsubstantiated
	01-2001      Court Substantiated
<b>Age of Child(ren) Involved:</b>	<p><b>01-2006 Report Date:</b> Male, 7 YOA Female, 2 days</p>
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

❶ In January 2006, DFS received a report alleging physical abuse and parent substance abuse against the natural mother and parent substance abuse against the natural father. The report was received subsequent to the birth of a drug exposed infant. DFS staff immediately placed a hold on the newborn child while she was still hospitalized. This hold allowed DFS to authorize/determine who received the child at the time of release. The parents' criminal histories were confirmed subsequent to the receipt of this abuse/neglect report.

This family had prior child welfare history dating back to January 2001 which included seven previous child protective services investigations, six that were unsubstantiated and one that was Court substantiated.

❷ While the newborn was held in the hospital for six days, the 7-year-old child was left in the care of the father and mother. On January 23, 2006, DFS staff conducted a home visit to ensure the children's safety and that the family was adequately prepared to care for the infant. At the home visit, DFS required both parents immediately submit to drug testing. At the Protective Custody Hearing held January 24, 2006, DFS requested that the newborn child be released to the father. The Court agreed with the recommendation. There is no case record documentation that indicates the DA's Office disagreed with the placement of the children at the time of the Protective Custody Hearing.

On January 26, 2006 the drug test results for both parents came back positive. Natural father insisted he was clean, and another test is ordered. The father failed to comply with the new test request, and on February 1, 2006, the children were removed from the parents per Court order made at the Plea Hearing held on that same date. The Court advised the parents that the children would be returned to them when the drug screens were clean. Case record documentation indicated the DA's Office became concerned about the children's placement immediately prior to the Plea Hearing (January 31, 2006).



⑤ A petition was filed by the DA's office at the request of DFS and heard at the Plea Hearing on February 1, 2006. The children were made wards of the Court and placed in the care of paternal relatives. The family was monitored by DFS up until July 21, 2006, when the maternal grandmother obtained legal guardianship of the children. Wardship was terminated, and the case was closed.

A new report was received in July, 2007; the report was investigated but was deemed unsubstantiated. The children remained in the care of the maternal grandmother. The case is closed, and there have been no additional reports received on this family for 3 years, 2 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
5	<p>❶ In 1999 there was a substantiated case and court wardship for an infant who suffered physical abuse (multiple fractures, burn, seizures) while in the care of his mother and father. The father is violent and never completes a case plan. The court closed the case warning the mother not to allow the father unsupervised contact with the children. ❷ In 2005 there was a new report to DFS that the father was back in the home, physically abusive to the mother and children. The case was not submitted to the DA's office for a petition. ❸ In April 2006 the mother left the new baby alone with the father and the baby died. Child fatality is suspicious for abuse.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2006	Court Substantiated
	10-2005	Substantiated
	10-1999	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2006 Report Date:</b> Male, 6 YOA Male, 4 YOA Female, 6 months (deceased)	
<b>Case Status as of Review:</b>		Open
	X	Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

❶ In 1999, DFS received a report alleging physical abuse of an infant against the natural father. The infant had multiple fractures of the humerus, ribs, and clavicle. During the course of the investigation, the infant, who remained with the natural mother, experienced a burn. DFS staff consulted with a physician, and the medical review determined that the burn was accidental and not related to abuse/neglect. The child was also diagnosed with a muscle disorder that contributed to seizure activity. Neither the muscle disorder nor the seizures were determined by medical review to be caused by abuse/neglect.

While the investigation concluded with a Court substantiated finding against the father and mother, there was never a determination of who, father or mother, committed the abuse. The family was required to participate in on-going case management services. The father, however, was non-compliant with the case plan.

On June 2, 2000, the Court terminated wardship, citing that the mother remained compliant with her case plan, the children were doing well, and the father did not reside with them (and never had), and the case was closed. The Court reminded the mother to protect her and the children from the father and also provided a Court order stipulating only supervised visitation between the children and the father.

❷ In October 2005, DFS received a new abuse/neglect report, alleging emotional abuse and domestic violence against the mother and father, as well as physical abuse and domestic violence against the father. The report was made by law enforcement. DFS staff conducted an investigation and rendered substantiated findings against both parents.

While the investigation was substantiated, case record documents a concerning delay in DFS staff follow-up, monitoring, and service provision. There may or may not have been a need to file a petition and to seek

Court intervention and supervision. The case record documentation lacks detail and the investigation appears to be insufficient.

③ In March 2006, while the previous investigation was being concluded, another abuse/neglect report was received from law enforcement regarding the death of the youngest child. The surviving children were immediately taken into Protective Custody and were placed with the maternal great aunt. They were later placed with the maternal grandmother. The children were returned to the mother in October, 2006.

Neither the father nor the mother were charged or found guilty of the infant's death, and the autopsy findings listed the cause of death as Undetermined. Despite this, the investigation was concluded as Court substantiated against the father for physical abuse and lack of supervision related to the infant death. The father's domestic violence history, various inconsistencies in the information he relayed, and his admission to leaving the infant alone led to the substantiated findings.

The Court, with agreement from the DA's Office, dismissed wardship of the surviving children when the mother obtained full custody on May 24, 2007. The case is closed, and there have been no additional reports received on this family for 4 years, 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>6</b>	<p>❶ In April 2004 case is substantiated for sexual abuse. The victim is 13 years old and has six siblings (boys and girls). The father (perpetrator) went to three counseling sessions. He stopped going as soon as DFS closed their case. ❷ Case was not submitted to DA's office for a petition. ❸ Case came back in the system after it was reported that the perpetrator had returned to the home and the victim left due to feeling uncomfortable.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	08-2007	Court Substantiated
	10-2005	Court Substantiated
	08-2005	Unsubstantiated
	02-2005	Unsubstantiated
	03-2004	Substantiated
	05-2001	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>03-2004 Report Date:</b> Female, 13 YOA Female, 12 YOA Female, 11 YOA Female, 9 YOA Female, 5 YOA Male, 3 YOA Male, 9 months	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ In March 2004, DFS received a report of abuse/neglect alleging sexual abuse against the natural mother's boyfriend. There were six other children in the home (siblings), and the alleged perpetrator was not the alleged child victim's natural father, but was the natural father to her six siblings. This family had prior child welfare history, including one unsubstantiated investigation conducted in 2001.

While the perpetrator participated in minimal services, the mother was deemed protective of the child and initiated a Temporary Restraining Order (TPO) against him. The TPO was approved, and the Court ordered only supervised visitation of the perpetrator's natural children. The perpetrator moved out of the home and initiated counseling services, including participating in a psychosexual education program.

DFS substantiated the investigation, and provided informal case management services, including providing financial assistance, transportation, housing assistance, and counseling/clinical services for 5 months. DFS did not seek Court intervention and supervision primarily due to the mother's protective capacities and willingness to receive services.

❷ NRS 432B. 340 (2) provides child welfare agencies the ability to manage cases informally under circumstances in which the child is not in imminent danger and the parents are willing to participate in and receive services. DFS chose to exercise that right in this case.

The child's mother was protective of the child and took steps, including filing for a Temporary Protection

Order, to demonstrate that capacity. The mother was receptive to DFS involvement and services, and Court intervention and supervision did not seem necessary. Based on the statutory provision and the mother's receptiveness to services at that time, DFS did not request that the DA's Office file a petition.

- ⑤ DFS did receive subsequent reports of abuse. In February 2005, DFS received an abuse/neglect report alleging physical abuse. The child from the previous report ran away, was picked up by law enforcement, who filed the report alleging physical abuse against the mother. The child allegedly was beaten with an extension cord. The child was placed in Protective Custody. Case record documentation indicates she had faded marks indicative of the allegations and that the mother admitted to losing her temper and causing the injury. The child was returned home and DFS initiated family preservation services, but unsubstantiated the investigation (see details regarding the 2005 CPS Substantiation Policy under Systemic Changes section). At the time of the Protective Custody Hearing, case record does not indicate DA concern regarding this case or the child's placement.

In August 2005, DFS received an abuse/neglect report alleging physical abuse of the same child. During the course of the investigation, the mother denied purposefully causing the child harm/injury. She was not interested in pursuing family preservation services, and at the Protective Custody Hearing the Court requested that all other children in the home be placed on the petition. Despite DFS submission of the petition request (in accordance with the Court recommendation), the DA's Office did not file the petition and the Court consequently dismissed the case and the child was returned home. DFS unsubstantiated the investigation.

In October 2005, DFS received an abuse/neglect report alleging sexual abuse against the perpetrator from the 2004 case, and physical abuse against the mother. The child was removed from the home and placed in Protective Custody. The investigation revealed that the perpetrator did not complete counseling and related services subsequent to the previous reports. The investigation also revealed that the child was "uncomfortable" in her home, as the perpetrator had returned. DFS completed the investigation and the allegations were Court substantiated. All children were made wards of the Court, and the case was managed formally with Court oversight and supervision. The children remained in the home with the mother, but the perpetrator was required to move out of the family home. In May 2007, DFS discovered the perpetrator had returned to the home, and the children were removed.

In August 2007, while still participating in formal case management services, DFS received a new abuse/neglect report alleging threat of harm against both mother and father. It was related to the birth of a new child, who needed to be removed from the home and placed in Protective Custody (all other children remained in care at this time).

DFS continued to provide services through January 2009, when the Court terminated wardship as the mother was compliant with her case plan. The father remained out of the home and was only minimally compliant with the case plan. The Court provided the mother temporary full custody of the children and instructed her to petition for full custody in Family Court. The case is closed, and there have been no additional reports received on this family for 3 years, 1 month.

#### **Relevant Statute:**

##### **NRS 432B.340 Determination that child needs protection but is not in imminent danger.**

1. If the agency which provides child welfare services determines that a child needs protection, but is not in imminent danger from abuse or neglect, it may:

(a) Offer to the parents or guardian a plan for services and inform the parents or guardian that the agency has no legal authority to compel the parents or guardian to accept the plan but that it has the authority to petition the court pursuant to [NRS 432B.490](#) or to refer the case to the district attorney or a law enforcement agency; or

(b) File a petition pursuant to [NRS 432B.490](#) and, if a child is adjudicated in need of protection, request that

the child be removed from the custody of the parents or guardian or that the child remain at home with or without the supervision of the court or of any person or agency designated by the court.

2. If the parent or guardian accepts the conditions of the plan offered by the agency pursuant to paragraph (a) of subsection 1, the agency may elect not to file a petition and may arrange for appropriate services, including medical care, care of the child during the day, management of the home or supervision of the child, the parents or guardian.

(Added to NRS by 1985, 1376; A [2001 Special Session, 42](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

<b>A Case ID:</b>		<b>DA Case Description:</b>	
7		Sex abuse case. Her father in Hawaii sexually assaulted victim. Case substantiated there and criminal prosecution initiated but father absconded. Mother left Hawaii with victim and other children and moved to LV where she reunited with the Perpetrator. DFS did not want to file petition against the mother. DA's office filed petition against mother for failure to protect.	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>			
<b>DFS RESPONSE:</b>			
<b>UNITY Case #:</b>			
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>			
<b>Age of Child(ren) Involved:</b>			
<b>Case Status as of Review:</b>		Open	
		Closed	
<b>Summary Response:</b>			
N/A			
<b>Relevant Statute:</b>			
N/A			
<b>Personnel Issues/Outcomes:</b>			
N/A			
<b>Note:</b>			
DFS management made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.			

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>	
8	<p>① Mother had extensive history of neglect and drug use in California. She moved to Nevada and continued her drug use and neglect. She left her children alone in a trailer while she conducted a drug deal in a casino. One child is murdered and the other was paralyzed for life. The surviving child is made a ward of the court. ② DFS wanted the plan for this child to be long-term foster care. The DA's office disagreed and filed for termination of parental rights.</p>	

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	2-2003	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>02-2003 Report Date:</b> Female, 10 YOA Female, 3 YOA (deceased)	
<b>Case Status as of Review:</b>	<input type="checkbox"/>	Open
	<input checked="" type="checkbox"/>	Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	<input checked="" type="checkbox"/>	Yes
	<input type="checkbox"/>	No

**Summary Response:**

① In 2003, DFS received a report alleging lack of supervision, parent substance abuse, and threat of harm. The report referenced the stabbing death of a 3-year-old child and the stabbing injuries of 9-year-old child, who were both left alone by their natural mother. Law enforcement believed the murder was connected to the mother's drug use activities. The report was made to DFS nine days after the incident occurred.

DFS confirmed extensive previous child abuse/neglect history with Riverside County in California. The deceased child had previously been removed from the mother in 2000. The mother later relocated to Las Vegas with her children. There had been no prior reports received by DFS related to this family.

The mother was criminally charged (and later convicted) with felony child abuse and neglect with substantial bodily harm, and the surviving child was made a ward of the Court.

② This case came into the child welfare system prior to State child welfare integration (which was finalized in 2004). Under Federal and State law (Adoption and Safe Families Act (ASFA); NRS 432B.393), DFS is mandated to provide reasonable efforts to reunify children with birth parents unless reasonable efforts are waived at the time of case adjudication. Case record does not document that a waiver of reasonable efforts was made by the Attorney General's Office or DA's Office. It is unknown based on the review of this case why a waiver of reasonable efforts was not filed, as it would have expedited the termination of parental rights and ultimately the processing of the adoption for the surviving child.

In 2004, in order to meet federal timelines for child permanency, the mother was informed that DFS would be filing for a termination of her parental rights. Accordingly, the child's permanency plan became adoption, with a concurrent plan of reunification. During a Child Family Team meeting, there was discussion of potential other planned permanent arrangements for the child as well as consideration of an open adoption agreement; the mother's attorney rejected both options.



In April 2005, the Court denied DFS's first request for the termination of parental rights. Later, the presiding judge met with all parties in his chambers and indicated that he would play an active role in the managing this case. The judge indicated that he was open to considering reunification of the surviving child and the mother, but that the child must feel comfortable returning, and the mother must be able to care for the child's special needs.

DFS, however, opted to appeal the denial of the termination of parental rights to the Nevada Supreme Court, and the child's permanency goal remained adoption, with a concurrent plan of reunification. In addition, a new petition for the termination of parental rights was filed with the current Court.

The January 2006, the case record documents a Court ordered permanency goal of Other Planned Permanent Living Arrangement (OPPLA), with a concurrent goal of adoption. The rationale provided by the judge for changing the child's permanency goal was that the current foster parents were willing to care for the child long term, the natural mother remained incarcerated until the child would be more than 17-years-old, and that the child maintained a relationship with her mother. The judge indicated that adoption was not necessary to achieve permanency for this child, as it had been established in these other ways.

At no point in the case record does it indicate that DFS wanted the permanency goal to be OPPLA, but was required to adopt the goal by the Court's decisions and the absence of a waiver of reasonable efforts. Eventually the mother relinquished her parental rights and the foster parents adopted the child.

The case is closed, and there have been no additional reports received on this family for 7 years, 7 months.

#### **Relevant Statute:**

##### **Adoption and Safe Families Act: PL 105-89 Sec. 101**

(a) In General.--Section 471(a)(15) of the Social Security Act (42 U.S.C. 671(a)(15)) is amended to read as follows:

"(15) provides that--

"(A) in determining reasonable efforts to be made with respect to a child, as described in this paragraph, and in making such reasonable efforts, the child's health and safety shall be the paramount concern; "(B) except as provided in subparagraph (D), reasonable efforts shall be made to preserve and reunify families--

"(i) prior to the placement of a child in foster care, to prevent or eliminate the need for removing the child from the child's home; and "(ii) to make it possible for a child to safely return to the child's home;

"(C) if continuation of reasonable efforts of the type described in subparagraph (B) is determined to be inconsistent with the permanency plan for the child, reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child; "(D) reasonable efforts of the type described in subparagraph (B) shall not be required to be made with respect to a parent of a child if a court of competent jurisdiction has determined that--

"(i) the parent has subjected the child to aggravated circumstances (as defined in State law, which definition may include but need not be limited to abandonment, torture, chronic abuse, and sexual abuse); "(ii) the parent has--

"(I) committed murder (which would have been an offense under section 1111(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of the parent; "(II) committed voluntary manslaughter (which would have been an offense under section 1112(a) of title 18, United States Code, if the offense had occurred in the special maritime or territorial jurisdiction of the United States) of another child of the parent; "(III) aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter; or "(IV) committed a felony assault that results in serious bodily injury to the child or another child of the parent; or "(iii) the parental rights of the parent to a sibling have been terminated involuntarily;

"(E) if reasonable efforts of the type described in subparagraph (B) are not made with respect to a child as a result

of a determination made by a court of competent jurisdiction in accordance with subparagraph (D)--  
"(i) a permanency hearing (as described in section 475(5)(C)) shall be held for the child within 30 days after the determination; and "(ii) reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child; and

"(F) reasonable efforts to place a child for adoption or with a legal guardian may be made concurrently with reasonable efforts of the type described in subparagraph (B);".

(b) Definition of Legal Guardianship.--Section 475 of such Act (42 U.S.C. 675) is amended by adding at the end the following:

"(7) The term 'legal guardianship' means a judicially created relationship between child and caretaker which is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child: protection, education, care and control of the person, custody of the person, and decision-making. The term 'legal guardian' means the caretaker in such a relationship."

(c) Conforming Amendment.--Section 472(a)(1) of such Act (42 U.S.C. 672(a)(1)) is amended by inserting "for a child" before "have been made". (d) Rule of Construction.--Part E of title IV of such Act (42 U.S.C. 670-679) is amended by inserting after section 477 the following:

#### **42 USC 678 : SEC. 478. RULE OF CONSTRUCTION.**

"Nothing in this part shall be construed as precluding State courts from exercising their discretion to protect the health and safety of children in individual cases, including cases other than those described in section 471(a)(15)(D)." The statutes in most States use a broad definition of what constitutes reasonable efforts. Generally, these efforts consist of accessible, available, and culturally appropriate services that are designed to improve the capacity of families to provide safe and stable homes for their children. These services may include family therapy, parenting classes, drug and alcohol abuse treatment, respite care, parent support groups, and home visiting programs. Some commonly used terms associated with reasonable efforts include "family reunification," "family preservation," "family support," and "preventive services." Services to be provided to the child and family should be specified in a case plan.

#### **NRS 432B.393 Preservation and reunification of family of child to prevent or eliminate need for removal from home before placement in foster care and to make safe return to home possible; determining whether reasonable efforts have been made.**

1. Except as otherwise provided in this section, an agency which provides child welfare services shall make reasonable efforts to preserve and reunify the family of a child:

(a) Before the placement of the child in foster care, to prevent or eliminate the need to remove the child from the home; and

(b) To make it possible for the safe return of the child to the home.

2. In determining the reasonable efforts required by subsection 1, the health and safety of the child must be the paramount concern. The agency which provides child welfare services may make reasonable efforts to place the child for adoption or with a legal guardian concurrently with making the reasonable efforts required pursuant to subsection 1. If the court determines that continuation of the reasonable efforts required by subsection 1 is inconsistent with the plan for the permanent placement of the child, the agency which provides child welfare services shall make reasonable efforts to place the child in a timely manner in accordance with that plan and to complete whatever actions are necessary to finalize the permanent placement of the child.

3. An agency which provides child welfare services is not required to make the reasonable efforts required by subsection 1 if the court finds that:

(a) A parent or other primary caretaker of the child has:

(1) Committed, aided or abetted in the commission of, or attempted, conspired or solicited to commit murder or voluntary manslaughter;

(2) Caused the abuse or neglect of the child, or of another child of the parent or primary caretaker, which resulted in substantial bodily harm to the abused or neglected child;

(3) Caused the abuse or neglect of the child, a sibling of the child or another child in the household, and the abuse or neglect was so extreme or repetitious as to indicate that any plan to return the child to the home

would result in an unacceptable risk to the health or welfare of the child; or

(4) Abandoned the child for 60 or more days, and the identity of the parent of the child is unknown and cannot be ascertained through reasonable efforts;

(b) A parent of the child has, for the previous 6 months, had the ability to contact or communicate with the child and made no more than token efforts to do so;

(c) The parental rights of a parent to a sibling of the child have been terminated by a court order upon any basis other than the execution of a voluntary relinquishment of those rights by a natural parent, and the court order is not currently being appealed;

(d) The child or a sibling of the child was previously removed from the home, adjudicated to have been abused or neglected, returned to the home and subsequently removed from the home as a result of additional abuse or neglect; or

(e) The child is less than 1 year of age, the father of the child is not married to the mother of the child and the father of the child:

(1) Has failed within 60 days after learning of the birth of the child, to visit the child, to commence proceedings to establish his paternity of the child or to provide financial support for the child; or

(2) Is entitled to seek custody of the child but fails to do so within 60 days after learning that the child was placed in foster care.

(f) The child was delivered to a provider of emergency services pursuant to [NRS 432B.630](#).

(Added to NRS by [1999, 2031](#); A [2001, 1258, 1843](#); [2001 Special Session, 45](#); [2003, 236](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	✓
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
9	<p>❶ The DA's office disagreed with DFS when we determined we would <b>not</b> file a motion to stay a court's order to DFS to remove a foster child from a locked mental health facility that was inappropriate and not the least restrictive under the law. ❷ Note: DFS had promised to find the child a family foster home at a previous court hearing and failed to do so. There was no legal basis to request a stay of the court's order.</p>

**DFS RESPONSE:**

UNITY Case #:		
Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):	N/A	
Age of Child(ren) Involved:	<u>At the Time of Documented Incident Described by the DA:</u> Male, 14 YOA	
Case Status as of Review:	X	Open
		Closed

**Summary Response:**

❶ At the time of the documented incident, this child had been in care for six years. Between 2001 and 2007 he was placed in 38 locations, 31 of which were higher level of care or residential treatment facilities.

On April 17, 2007 the Court ordered the child out of Desert Willow Treatment Center (DWTC) by 5:00 PM, April 19, 2007 and placed in Child Haven. DFS staff immediately reviewed this Court order at a Child Family Team meeting, which included staff from the State's Children's Mental Health Division (who had been assisting in managing the child's mental health needs). The team recommended that the child not be moved from his current placement and indicated that such a move was not in his best interest. Despite this, DFS attempted to comply with the Court order and to secure a placement through contacting multiple foster homes. Based on the child's history and needs, no treatment agencies or foster homes were willing to accept placement. The State's unlocked residential facility for children even refused placement citing they could not meet his needs. The child had previously been placed in there, and had become violent.

While DFS could not find a home for the child in the community, staff also agreed that Child Haven was not clinically appropriate for this child, as it presented too much stimulation and lacked any sort of therapeutic environment or support services. Furthermore, the child, when previously placed at Child Haven, had acted out behaviorally and sexually. The manager of Child Haven was concerned about his ability to protect other children placed at Child Haven during the stay/placement of the child in question.

❷ With no other foster home resources willing to take placement (including State mental health facilities) and not wanting to jeopardize the safety of other children placed at Child Haven, DFS approached the DA in order to get their assistance with the case. The DA's Office denied DFS's request for assistance, and DFS complied with the order to have child placed in Child Haven.

DFS continued to actively search for a foster family placement and was able to secure a placement one day after his arrival at Child Haven with a treatment level foster home. Within five days of this new placement, the child stabbed a teacher with pencil, requiring law enforcement intervention, and the new placement requested the child's removal. He was immediately placed back in a locked facility.

The case remains open. Since this incident in 2007, and despite multiple efforts to diagnosis and treat the child's mental health and neurological ailments, including clinical review and treatment at UCLA Medical Center, this child has continued to be challenging to both initially place and maintain in placement.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	✓
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

<b>DA Case ID:</b>		<b>DA Case Description:</b>	
<b>10</b>		The DA's office refused to file a Guardianship requested by DFS. The proposed guardians were the same parents whose rights had been terminated, there was no evidence they had addressed their abuse/neglect issues and the father was a convicted sex offender. As such, father was ineligible to be a guardian under our law. The parents resided out of state and the process proposed by DFS violated the ICPC (Interstate Compact on the Placement of Children).	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>			
<b>DFS RESPONSE:</b>			
<b>UNITY Case #:</b>			
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>			
<b>Age of Child(ren) Involved:</b>			
<b>Case Status as of Review:</b>		Open	
		Closed	
<b>Summary Response:</b>			
N/A			
<b>Relevant Statute:</b>			
N/A			
<b>Personnel Issues/Outcomes:</b>			
N/A			
<b>Note:</b>			
DFS made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.			

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>	
11	<p>① Report of physical abuse to child. Mother whipped child leaving bruising about the body and strangled child to the point foam appeared around the child's mouth. There was an adult eyewitness to the abuse. The abuse was done because the child cried due to fear of a bug in her room. ② DFS left child with the mother and took the matter off the court calendar. There is a corresponding criminal prosecution. ③ DFS Worker and Supervisor objected to the DA filing a petition and ask that it be dismissed.</p>	

**DFS RESPONSE:**

UNITY Case #:		
Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):	09-2007	Substantiated
Age of Child(ren) Involved:	<b>09-2007 Report Date:</b> Female, 6 YOA	
Case Status as of Review:		Open
	X	Closed

**Summary Response:**

① On September 10, 2007, DFS received an abuse/neglect report alleging physical abuse against the natural mother. Law enforcement filed the report after responding to a complaint of child abuse. The mother admitted to hitting the child, the child had visible marks, and disclosed that her mother hit her with a belt. Law enforcement arrested the natural mother at the scene, and the child was placed in Protective Custody. The natural mother was released on September 11, 2007.

There was an eyewitness to the abuse, the natural mother's partner; this individual was also the reporting party of the abuse. As part of the investigation, DFS interviewed this individual who denied the child was foaming from the mouth, but acknowledged the child was screaming and crying as a result of the incident.

② DFS did not leave the child with the mother, as the mother was incarcerated. DFS immediately took the child into Protective Custody. The child was, however, returned to the care of the natural mother a day later after multiple investigatory interviews had been conducted and it was determined there were no concerns of impending danger.

As part of the investigation, DFS staff interviewed the child who indicated this was the first time her mother has ever hit her and that usually she was grounded and privileges taken away when punished. Staff also consulted with the child's school teacher who provided no concerns about the mother's care of the child, and had always found the mother to be responsive. The child's natural father, who while no longer in a relationship with the child's mother, also did not express any concerns about the mother's care of their child.

The mother was cooperative and agreed to enter into parenting classes. The mother's partner also remained in the home, and was deemed to have sufficient caregiver protective capacities to ensure that an incident like this did not occur again.

⑨ NRS 432B. 340 (2) provides child welfare agencies the ability to manage cases informally under circumstances in which the child is not in imminent danger and the parents are willing to participate in and receive services. DFS chose to exercise that right in this case.

This matter was taken off calendar. A request for petition was, however, submitted on September 28, 2007. The petition was heard before the Court on October 17, 2007. DFS advised the Court that the natural mother had been compliant with services and had completed parenting classes. DFS recommended the petition be dismissed and the Court agreed.

The DA's Office filed a motion objecting to the Court's ruling; however, the Court upheld its initial ruling to dismiss the case. The investigation was agency substantiated.

The case is closed, and there have been no additional reports received on this family for 3 years.

**Relevant Statute:**

**NRS 432B.340 Determination that child needs protection but is not in imminent danger.**

1. If the agency which provides child welfare services determines that a child needs protection, but is not in imminent danger from abuse or neglect, it may:

(a) Offer to the parents or guardian a plan for services and inform the parents or guardian that the agency has no legal authority to compel the parents or guardian to accept the plan but that it has the authority to petition the court pursuant to [NRS 432B.490](#) or to refer the case to the district attorney or a law enforcement agency; or

(b) File a petition pursuant to [NRS 432B.490](#) and, if a child is adjudicated in need of protection, request that the child be removed from the custody of the parents or guardian or that the child remain at home with or without the supervision of the court or of any person or agency designated by the court.

2. If the parent or guardian accepts the conditions of the plan offered by the agency pursuant to paragraph (a) of subsection 1, the agency may elect not to file a petition and may arrange for appropriate services, including medical care, care of the child during the day, management of the home or supervision of the child, the parents or guardian.

(Added to NRS by 1985, 1376; A [2001 Special Session, 42](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

N/A



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>	
12	<p>❶ Same worker and supervisor as in Ex 11. Young child found with mother in filthy home with marijuana growing operation. ❷ Both parents have drug use issues. Father has history of drug abuse. ❸ Worker wants to handle case informally. DA's office objects. ❹ Case transferred to Washoe County and petition is filed to seek wardship.</p>	

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	8-2007	Substantiated
<b>Age of Child(ren) Involved:</b>	<b>08-2007 Report Date:</b> Female, 2 YOA	
<b>Case Status as of Review:</b>	<input type="checkbox"/>	Open
	<input checked="" type="checkbox"/>	Closed

**Summary Response:**

- ❶ This case was managed by the same worker and supervisor as in Case 11.
- ❷ On August 7, 2007, CPS received an abuse/neglect report alleging parent substance abuse, filthy home, and lack of necessity, and plausible risk of physical injury against the natural mother and filthy home and parent substance abuse against the natural father.  
  
DFS assistance was requested by law enforcement, which arrived at the parent's house, responding to a call that the natural mother was under the influence and driving with the child unrestrained in the vehicle. According to law enforcement the parent's house was found to be filthy. There was no food in the home, drug paraphernalia lying around and there were concerns that the home was used as a marijuana grow house. While DFS staff immediately responded to the scene, they were not allowed into the upstairs sections of the house. DFS staff was provided pictures of the home that supported law enforcement findings.  
  
The natural parents were arrested, and the child was placed into Protective Custody. The paternal grandparents were identified as high profile community residents. The matter was set for a Plea Hearing on August 22, 2007, after the initial hearing scheduled for August 15, 2007, was continued.
- ❸ Case record does not document DFS staff's intent to move the case forward formally or informally. Rather, case record documentation indicates that the investigation was on-going, and that a decision could not be made by August 15, 2007 (the original Plea Hearing date). At the August 15, 2007 Review Hearing, the Plea Hearing was rescheduled for August 22, 2007.
- ❹ During the course of DFS involvement allegations were made that the assigned investigator was a friend of the paternal grandmother; therefore, the case was transferred to a new investigator. The natural mother also alleged that the DA's Office was stating lies about her and her family.  
  
To avoid perceptions of favoritism and impropriety given the community standing of the paternal grandparents, County and DFS management requested assistance from Washoe County. Washoe County

agreed to assist, and sent a child protective services investigator to complete the investigation; the case was transferred to that investigator on August 16, 2007.

At the August 22, 2007 Plea Hearing, the parents entered a denial to the petition. Subsequently, an Evidentiary Hearing was set for October 11, 2007; this hearing would later be continued to February 28, 2008. At the February 28, 2008 hearing, the petition was dismissed as to the father and amended as to the mother. The mother pled no contest to driving with the minor without the child being in a car seat. The Court ordered both parents to submit to drug testing, and if the results were negative then the case would be closed. Tests were negative, and the case closed on March 13, 2008.

The case is closed, and there have been no additional reports received on this family for 3 years, 1 month.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

<b>DA Case ID:</b>	<b>DA Case Description:</b>	
<b>13</b>	Case involves an older teen that sexually assaulted his younger sister for years to the point she must be surgically repaired. The mother sees the victim's injury and fails to seek medical treatment. Despite our request DFS refused to place children in protective custody.	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>		
<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>		
<b>Age of Child(ren) Involved:</b>		
<b>Case Status as of Review:</b>		Open
		Closed
<b>Summary Response:</b>		
N/A		
<b>Relevant Statute:</b>		
N/A		
<b>Personnel Issues/Outcomes:</b>		
N/A		
<b>Note:</b>		
DFS made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.		

<b>DA Case ID:</b>	<b>DA Case Description:</b>	
<b>14</b>	School nurse, counselor and doctor all suspect victim is being sexually abused. Supervisor of sex abuse unit refused to accept case for investigation. Victim ends up in Monte Vista hospital and Metro responds and investigated the case.	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>		
<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>		
<b>Age of Child(ren) Involved:</b>		
<b>Case Status as of Review:</b>		Open
		Closed
<b>Summary Response:</b>		
N/A		
<b>Relevant Statute:</b>		
N/A		
<b>Personnel Issues/Outcomes:</b>		
N/A		
<b>Note:</b>		
DFS made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.		

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>15</b>	<p>❶ Children physically and sexually abused by father. Father charged criminally. He is out of custody and pending jury trial. ❷ Children left with mother who reunites with father. There was little to no contact by DFS for months. ❸ There is no treatment for family. ❹ Children are found filthy and traumatized, as mother had reunited with the father.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Unsubstantiated
	10-2005	Court Substantiated
	10-2004	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>10-2004 Report Date:</u></b> Male, 8 YOA Female, 6 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

- ❶ DFS initially became involved with this family in October 2004, due to allegations of sexual abuse by the natural father. The allegations were investigated and Court substantiated. The natural father was pending criminal prosecution, but case record documents that those charges may never have been filed (they were denied by the DA's Office on the first submission and then later reviewed for a second time with no subsequent reference to the filing).
- The children were removed from the natural mother's care early in the investigation process, but were returned to the mother in late October 2004. The natural father moved out of the home and per Court order was not allowed to have contact with the children.
- ❷ DFS staff makes monthly contact with the family from October 2004 to June 2005. At the end of June, the family relocates to Moapa. The worker attempts to make home visits on June 25, 2005, August 6, 2005, and September 7, 2005--no one is home.
- ❸ Services were provided/coordinated for the family. The sexually abused child victim was enrolled in therapy through multiple service providers starting in January 2005. The mother participated in the non offending parenting classes and family preservation services were put in place toward the end of DFS's case management responsibilities. The father initiated participation in the psychosexual offender treatment.
- ❹ On October 5, 2005, DFS received another report of abuse/neglect on the family; the children's school contacted the department with concerns of the children being dirty. DFS staff responded and confirmed the children were dirty. Case record documentation indicates that during individual interviews the children were traumatized and there were concerns of continued abuse/neglect. The children disclosed that the property on which they lived had two trailers. One trailer belonged to the mother, and the other to the father. The children indicated that they were often left alone in the father's trailer while the mother was in another building. They also indicated that they slept on the couch in the father's trailer and that their mother and father slept together on the bed.

DFS managed the case for almost four years, and the children were eventually returned to the mother on June 11, 2008. The Court terminated wardship on November 26, 2008, despite DFS staff recommendation to keep the case open until the father completed his sexual offender treatment. The case record does not document that the DA's Office opposed the termination of wardship.

DFS received a subsequent report of abuse/neglect in February, 2010. The report was not related to previous abuse/neglect allegations, and the investigation was unsubstantiated. The case remains closed, and there have been no additional reports received on this family for 7 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:  <b>16</b>	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
	<ul style="list-style-type: none"> <li>❶ Child sexually abused by father. Report made in Nov. of 2005. Worker interviewed victim in Jan 2006. Victim left in home with mother and no petition sought.</li> <li>❷ Case submitted to DA five months later when it appears the mother was no longer cooperative.</li> </ul>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	11-2005	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b><u>11-2005 Report Date:</u></b> Female, 17 YOA Female, 15 YOA Female, 13 YOA Male, 12 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ On November, 3, 2005 DFS received a report alleging sexual abuse against the natural mother's boyfriend. The assigned worker made four contact attempts, but was not successful until January 2006. The investigator interviewed the child and the child disclosed that her mother's boyfriend had sexually abused her. Arrangements were made for the child to reside with her aunt during the investigation process.

❷ This case was referred for a petition in May 10, 2006, primarily because of the mother's inability to protect the child and on-going lack of cooperation during the investigative process. A review of case management services provided indicates that DFS staff attempted to manage the case informally; case records reviewed support Court intervention and supervision much earlier than requested by DFS staff.

The Court dismissed the petition against the mother in October 2006, subsequent to several court hearing continuances. The mother completed all non offending parenting classes. The Court dismissed the petition against the mother's boyfriend in November, 2006 as he had completed psychosexual offender treatment.

The investigation was unsubstantiated by the department. Case record documented that the child's testimony changed at least 3 times, affecting her overall credibility. In the investigation closing summary, notes indicate that even the DA did not find the child a credible witness.

The case is closed, and there have been no additional reports received on this family for 4 years, 10 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:  <b>17</b>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>① DA received a substantiated physical abuse case for petition. The case history indicates the following: there was a previous referral for physical abuse that was unsubstantiated by DFS. The DFS investigator who investigated the first case wrote that the safety plan consisted of telling the child to listen to his parents and do his homework. The worker stated “[The child] was able to understand that by completing his work it [physical abuse] was less likely to occur again in the future.”</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2010      Substantiated
	05-2007      Court Substantiated
	04-2007      Unsubstantiated
	10-2006      Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<p><b>04-2007 Report Date:</b> Male, 9 YOA</p>
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

① In May 2007, DFS submitted a petition request to the DA’s Office regarding a report of abuse/neglect received alleging plausible risk of physical injury and physical abuse against the natural mother and father. This family had prior child welfare history, including one unsubstantiated investigation conducted in 2006.

Case record documents support the assertions made by the DA’s Office. A case note specifically makes the statement as indicated.

Case records document a concerning delay in DFS Staff follow-up, monitoring, and service provision. The case record documentation lacks detail and the investigation appeared to be insufficient.

This case closed in June 2010, with the child being permanently placed with his natural father (per NRS 432B.550, 1B). There remained a no contact order between the child and the natural mother. No further reports have been received on this family for 3 months.

**Relevant Statute:**

**NRS 432B.550 Determination of custody of child by court; determination of whether agency which provides child welfare services has made reasonable efforts required.**

1. If the court finds that a child is in need of protection, it may, by its order, after receipt and review of the report from the agency which provides child welfare services:

(a) Permit the child to remain in the temporary or permanent custody of the parents of the child or a guardian with or without supervision by the court or a person or agency designated by the court, and with or without retaining jurisdiction of the case, upon such conditions as the court may prescribe;

(b) Place the child in the temporary or permanent custody of a relative or other person the court finds suitable to receive and care for the child with or without supervision, and with or without retaining jurisdiction of the case, upon such conditions as the court may prescribe; or

(c) Place the child in the temporary custody of a public agency or institution authorized to care for children,

the local juvenile probation department, the local department of juvenile services or a private agency or institution licensed by the Department of Health and Human Services or a county whose population is 100,000 or more to care for such a child.

(Added to NRS by 1985, 1383; A 1987, 1195; 1991, 1183, 1359, 1936; 1993, 468; [1999, 2040](#); [2001, 1261, 1847](#); [2001 Special Session, 51](#); [2003, 236](#); [2005, 2096](#); [2005, 22nd Special Session, 47](#); [2009, 216](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	

DA Case ID:  <b>18</b>	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
	Protective Custody Hearing involving newborn baby boy. Mother tested positive for amphetamine (consistent with methamphetamine use). Mother denied drug use during pregnancy but admitted 6-year habit to include cocaine, heroin, amphetamines and alcohol. Mother had one clean drug test. DFS, over DA objection, moved to take the case off calendar and not proceed with a petition against the mother.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2007	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>09-2007 Report Date:</b> Male, 1 day	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

- 1** This family came to the attention of DFS on September 9, 2007, due to allegations of parent substance abuse and drug exposed infant against the natural mother. The report was made by a local hospital subsequent to the birth of a child. The child tested negative at the time of the birth for all illegal substances, but the mother tested positive for amphetamine use. The mother had received prenatal care.

The newborn child was not immediately released to the mother's care. DFS conducted an investigation, interviewing the mother, maternal grandmother, and uncle. The mother admitted to a prior history of drug use, including amphetamine, cocaine, heroin, and alcohol. She denied using drugs, other than those prescribed by her physician, while pregnant. The mother estimated the last time she used illegal substances was in December, 2006. DFS staff required the mother submit to a drug test (hair and urine). The drug test results were negative for illegal substance use.

DFS staff visited the mother's home and it was found to be appropriate. The mother had the necessary supplies to care for the infant. The maternal grandmother was also interviewed; she indicated she was aware of the mother's drug use history. She also indicated she would be a support system for her daughter and grandchild, and would stay in the home to assist as necessary. She indicated she did not believe her daughter had recently been under the influence of drugs. The maternal uncle was also contacted, and he indicated the mother had appropriate family support to provide care for the infant.

The child was subsequently released from the hospital to the care of the natural mother on September 12, 2007.
- 2** At the Protective Custody Hearing held on September 18, 2007, DFS staff requested the matter be taken off Court calendar. Staff advised the Court that the mother had tested negative for illegal substances and had the appropriate family supports in place to assist with the care of the newborn child. The Court agreed and took the matter off calendar.

DFS staff made another unannounced home visit on September 19, 2007. The home was appropriate and the child appeared to be doing well. The maternal grandmother and was present and indicated that while

she was not living there, she was staying to assist with the child. DFS staff made referrals for the family to Nevada Early Intervention Services and a public health nurse. Staff also provided information regarding substance abuse assessment/treatment.

The case remains closed, and there have been no additional reports received on this family for 3 years.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

**Note:**

DA Case ID:  <b>19</b>	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i> <b>1</b> Mother is transported from CCDC to hospital and gives birth to new baby. Mother admitted to methamphetamine use. Mother currently has another child in the custody of DFS and in foster care. <b>2</b> DFS requested that the case be taken off calendar over objection of the DA.
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DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	08-2007	Court Substantiated
	09-2005	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>08-2007 Report Date:</b> Female, 1 YOA Male, 1 day	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

**1** DFS initially became involved with this family in September 2005 due to allegations against the 17-year-old natural mother of parent substance abuse. The allegations were investigated and Court substantiated. The child was placed in DFS custody and the mother relinquished parental rights in April 2007, after which the child was placed for adoption.

In August 2007, DFS received a second abuse/neglect report alleging legal protection needed, parent in jail, and parent substance abuse. The natural mother had given birth to another child while incarcerated. The new baby did not test positive for drugs/illegal substances.

DFS staff initiated a new abuse/neglect investigation, and contacted the mother's Probation Officer. The natural mother was pending referral to an in-patient drug treatment as part of her probation. The mother expressed a willingness to enter a long-term residential treatment program that would allow mothers/children to stay together.

**2** DFS staff felt the mother's participation in an in-patient program would ensure the mother's cooperation with DFS without an additional petition being filed. At the Protective Custody Hearing, both the Court and DA recommended, however, that DFS file a petition on this case. DFS complied with the request.

The mother did follow through with entrance to a residential drug treatment program and successfully graduated; she maintained a drug free lifestyle for 18 months. She also obtained her GED. The Court terminated wardship of this child on January 8, 2009 and the DFS case was closed.

This case remains closed and no further reports have been received on this family for 3 years, 1 month.

<b>Relevant Statute:</b>	
N/A	
<b>Personnel Issues/Outcomes:</b>	
N/A	
<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
20	<p>❶ Parents only in Las Vegas short period of time and mother gives birth to new baby. Parents have mental health and drug issues. There are five other children not in the mother's care and CPS history in two other states. ❷ DA objects when DFS moves to take matter off calendar and not file for wardship.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2007	Court Substantiated
	08-12-2001	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<u>09-2007 Report Date:</u> Female, 1 day Female, 6 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ This family first came to the attention of DFS on August 12, 2001. An abuse/neglect report was filed against the natural mother alleging parent mental incapacity. DFS conducted an investigation, and while there was not credible evidence to support the allegation, the mother chose to relinquish her parental rights, and the child was adopted through a private adoption agency.

On September 7, 2007, DFS received a report on the natural mother alleging parent mental incapacity, parent substance abuse, and plausible risk of physical injury. This report was made by a hospital due to the recent birth of a drug exposed infant.

CPS initiated an investigation, and the natural mother admitted to using marijuana throughout the duration of her pregnancy.

The natural mother did have prior child welfare services history in Texas and Florida. DFS confirmed that history with those states.

❷ Case record documentation indicates that DFS staff immediately placed a hold on the child while hospitalized. This hold allowed DFS to authorize/determine who would take physical custody of the child at the time of release.

The assigned child protective services investigator who attended the Protective Custody Hearing requested a one-week continuance to gather additional information. The hearing was set for a week later. Subsequent to the Protective Custody Hearing review, the DFS staff requested that the child be placed in foster care (upon release from the hospital) and submitted a petition request. The child was never in the care of the natural mother or putative father (both named on the petition).

There is no indication in the case record or Court minutes that DFS staff recommended to take the matter off Court calendar or to dismiss the petition.

The natural mother's parental rights were terminated, and the child was subsequently adopted. The case was closed in March 2010 and no further reports have been received on this family for 3 years.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



<b>DA Case ID:</b>  <b>21</b>	<b>DA Case Description:</b> <ul style="list-style-type: none"> <li>❶ Adoption case where paternal grandfather was willing to adopt five siblings from four to fourteen years of age.</li> <li>❷ The DA gave legal advice on how to accomplish the adoption under the law.</li> <li>❸ DFS decided that because the grandfather would not divorce or reunite with the grandmother who he was separated from (congenial relationship for 10 years after separation) that they could not complete the adoption.</li> </ul>
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<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	N/A	
<b>Age of Child(ren) Involved:</b>	<b><u>At the Time of Documented Incident Described by the DA:</u></b> Female, 14 YOA Male, 13 YOA Female, 9 YOA Male, 7 YOA Female, 5 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

<b>Summary Response:</b>	
❶	<p>This case involves the placement of five children with a paternal grandfather. The children were initially placed with the grandfather in 2003. In March 2005, the grandfather expressed an interest in adopting the children. The natural mother and fathers' parental rights were terminated that same month. The grandfather was married, but he was not living with his wife. However, he maintained regular contact with her.</p>
❷	<p>In February 2006, the DA's Office was consulted by the permanency case manager on how the adoption could be accomplished with the grandfather unwilling to divorce.</p> <p>There was considerable e-mail dialogue between DFS staff and the DA's Office about how to accomplish the adoption, as the Court was displeased that the termination of parental rights had been approved knowing that the grandfather was not a suitable adoptive resource given his marital status. It appears that the final recommendation on how to proceed was included in an email dated February 15, 2006 from the DA assigned to the case, who indicated: "... (one of the DAs) told me that the adoptive parent does not have to be divorced. That we only need a letter of understanding between the two of them."</p> <p>This advice contradicts Nevada Administrative Code requirements (NAC 127.420, 2D).</p>
❸	<p>Despite the fact that DFS adoption staff could not proceed due to code requirements (NAC 127.420, 2D), there continued to be a presumption that the issue was simply an inability/unwillingness for DFS to adjust its policy requirements.</p> <p>Meetings were subsequently held with the grandfather, the DA's Office, and the DFS case manager. They jointly agreed that the best solution would be long term relative foster care placement, given the inability to proceed to adoption.</p> <p>The natural mother also retained an attorney to contest her termination of parental rights on the grounds</p>

that she was not properly served. The termination of parental rights was eventually overturned—which effectively prevented the children from being adopted and led to a change in the permanency plan for the youngest children from adoption to reunification, and for the older children from adoption to long term foster care.

DFS provided on-going case management of this family. In 2009, the youngest children were reunified with the mother, and in January 2010, the Court ordered the termination of wardship for those children. The two oldest children continue to be placed with their grandfather under DFS supervision.

DFS has provided oversight of this case for more than 7 years, and there have been no further reports of abuse and neglect in this case since the original substantiated report of abuse/neglect was received on June 2, 2003.

#### **Relevant Statute:**

#### **NAC 127.420 Approval of prospective adoptive parents; denial of application to adopt; applicants convicted of crime. (NRS 127.230, 127.2817)**

1. To be approved as a prospective adoptive parent, the applicant must demonstrate his capacity to be a parent and to meet the needs of an adopted child, including his ability to:

(a) Provide the child with conditions and opportunities to promote the healthy personality growth and development of the potential of the child;

(b) Assume responsibility for the safety, care, support, education and character development of the child; and

(c) Offer a reasonably happy and secure family life with love, understanding, guidance and companionship.

2. An application to adopt must be denied if:

(a) The applicant has submitted false information or has withheld information relevant to the study of his home.

(b) The applicant refuses or fails to provide information requested by the agency which provides child welfare services within the period established by the agency.

(c) Two persons are jointly applying to adopt a child and the persons are not legally married to each other.

(d) The marriage of two persons legally married to each other who are jointly applying to adopt a child is determined by the agency which provides child welfare services to be unstable.

(e) The applicant is married and his spouse has not joined in the application.

(f) The size of the housing of the applicant is inadequate to accommodate an additional child.

(g) The living conditions of the home of the applicant are inadequate and could be hazardous to the health of the child.

(h) The applicant has not demonstrated financial responsibility and sound management of his finances.

(i) The applicant has not adequately prepared to provide ongoing physical and emotional care to the child.

(j) The agency which provides child welfare services has, based on its evaluation of the applicant, concerns relating to the applicant's moral character, mental stability or motivation for adopting a child.

(k) Except as otherwise provided in subsection 3, the agency which provides child welfare services determines that, based upon a substantiated investigation, the applicant or a member of the applicant's household who is 18 years of age or older:

(1) Has been convicted of a crime involving harm to a child;

(2) Has charges pending against him for a crime involving harm to a child; or

(3) Has been arrested and is awaiting final disposition of the charges pending against him for a crime involving harm to a child.

(l) The applicant or a member of the applicant's household who is 18 years of age or older has charges pending against him for a felony conviction involving, or has been arrested and is awaiting final disposition of possible or pending charges against him involving:

(1) Child abuse or neglect;

(2) Spousal abuse;

(3) Any crime against children, including child pornography;

(4) Any crime involving violence, including rape, sexual assault or homicide, but not including any other physical assault or battery; or

(5) Physical assault, battery or a drug-related offense, if the assault, battery or drug-related offense was committed within the last 5 years.

(m) The agency which provides child welfare services has concerns and reasonable doubts, based on any other relevant information, about the safety or well-being of the child, if the child is placed with the applicant.

3. An agency which provides child welfare services shall not, without the approval of the Administrator of the Division or the designee of the Administrator, assist in the adoption of a child by a person who the agency determines has been convicted of one or more felonies, gross misdemeanors or misdemeanors. The Administrator of the Division or the designee of the Administrator shall not approve such an adoption if the applicant has been convicted of a felony described in paragraph (l) of subsection 2. If an agency which provides child welfare services recommends such an adoption, the agency shall submit to the Administrator of the Division or the designee of the Administrator a complete record and explanation of the situation. An agency which provides child welfare services may, without submitting the matter to the Administrator of the Division or his designee, deny an application by such a person to adopt a child.

4. The agency which provides child welfare services shall notify the applicant in writing when the application has been approved or denied. If the application is denied, the notice must include the reason for the denial.

(Added to NAC by Div. of Child & Fam. Services by R056-02, eff. 7-30-2002)

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	✓
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
22	<p>① On June 15, 2007 a one-year-old child was found dead while in the care of his parents. There was no history of accident or illness. The death was unexplained and under investigation. ② The father has a 2004 felony conviction for Child Cruelty and Inflicting Injury on a Child. ③ Both parents admitted to and tested positive for marijuana use. ④ The surviving 7-year-old sibling was left in the home by DFS. ⑤ On July 4<sup>th</sup> that child was brought to Child Haven after her father hit her leaving bruises on her arms, legs and buttocks as well as causing an injury to her mouth after he pushed her into the stairway while the mother watched and failed to protect.</p>

DFS RESPONSE:		
UNITY Case #:		
Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):	07-2007	Court Substantiated
	06-2007	Unsubstantiated
Age of Child(ren) Involved:	<u>06-2007 Report Date:</u> Female, 7 YOA Male, 11 months (deceased)	
Case Status as of Review:		Open
	X	Closed
Child Fatality, Child Abuse/Neglect Related:		Yes
	X	No

Summary Response:	
①	<p>This family first came to the attention of DFS on June 15, 2007. An abuse/neglect report was filed against the natural mother and father alleging physical injury-death and physical abuse. This investigation was conducted jointly with law enforcement. The parents provided no explanation for the injury or death of their 11-month-old child. DFS had no prior history with this family.</p> <p>Neither the father nor the mother were charged or found guilty of the infant's death. The autopsy findings released on August 7, 2007 listed the cause of death as Undetermined. The investigation was unsubstantiated.</p>
②	<p>The father was convicted in California in 2004 for two counts of child cruelty and one count of inflicting injury on a child. The convictions were for abusing his step-child, who did not live with him in Nevada and who was not associated with the DFS case.</p>
③	<p>Both parents did admit to using and tested positive for marijuana subsequent to the child's death.</p>
④	<p>The surviving sibling was placed with fictive kin until which time the cause of death could be determined. The autopsy on the deceased child was held on June, 16, 2007, and the preliminary results showed no known cause of death. Since the preliminary autopsy results did not indicate a relationship between the child's death and child abuse/neglect, the surviving sibling was returned to the parent's home.</p>
⑤	<p>On July 19, 2007, DFS received a second abuse/neglect report on this family. It alleged parent substance abuse, lack of supervision, and physical abuse against both natural mother and father. The report alleged the surviving sibling had bruises to her body because the natural father hit her with a belt while mother watched.</p> <p>The investigation was Court substantiated and the child was placed back in the care of fictive kin. A petition</p>

was filed, and the child was made a ward of the Court. The child remained in care with fictive kin until December 2007, when the Court returned the child to the parents as they had shown improvements in their behavior and were complying with case plan requirements. The case would later close on June 9, 2008, with no objection from the DA's office being noted.

This case remains closed and no further reports have been received on this family for 3 years, 2 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

N/A

<b>DA Case ID:</b>	<b>DA Case Description:</b>	
<b>23</b>	While living in Las Vegas a toddler presented to a local hospital with a leg fracture and bruises. There was a history of a fracture to the opposite leg while the family was in another state. DFS's plan was to leave the child with the mother and her boyfriend (the potential perpetrators) and make a referral to the other state's DFS and close the case. The DA's office disagreed and filed a Petition.	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>		
<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>		
<b>Age of Child(ren) Involved:</b>		
<b>Case Status as of Review:</b>		Open
		Closed
<b>Summary Response:</b>		
N/A		
<b>Relevant Statute:</b>		
N/A		
<b>Personnel Issues/Outcomes:</b>		
N/A		
<b>Note:</b>		
DFS made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.		

DA Case ID: <b>24</b>	<b>DA Case Description:</b>	
<b>UNABLE TO IDENTIFY CASE BASED ON INFORMATION PROVIDED</b>	A preschool age child was beaten by her mother's boyfriend with a belt resulting in bruises all over her body. During the investigation the mother lied to the police and told them the injuries were from a car accident. The mother was a domestic violence victim of the abuser and continued to maintain her relationship with him. DFS did not remove the children, thought the mother was appropriate and did not want to file a petition. The DA's office disagreed.	
<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>		
<b>Age of Child(ren) Involved:</b>		
<b>Case Status as of Review:</b>	Open	
	Closed	
<b>Summary Response:</b>		
N/A		
<b>Relevant Statute:</b>		
N/A		
<b>Personnel Issues/Outcomes:</b>		
N/A		
<b>Note:</b>		
DFS made requests of the DA's Office to receive case identifying information for all 82 cases referenced. The DA's Office was unable to provide such information for this case. Based on the information provided, DFS was unable to complete a review.		

A Case ID:

25

**DA Case Description:** Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.

❶ This cases involved babies ages 9 months and 1 year old. The parents have mental health and drug abuse issues. This was our 3<sup>rd</sup> petition on these parents. In the first petition the baby was sent to live with relatives. In the second petition the family was given services and case was closed in October 2006. The next referral came just three months later in January 2007. Same issues. ❷ The department kept the children with the parents over DA objection. DFS moved to terminate wardship over DA objection at the first review in July 2007. The court ruled with the DA's office. ❸ After court the parents absconded with the children to Texas.

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2007 Court Substantiated
	09-2006 Unsubstantiated
	10-2005 Court Substantiated
	08-2004 (2) Substantiated
<b>Age of Child(ren) Involved:</b>	<b>01-2007 Report Date:</b> Male, 1 YOA Male, 4 months
<b>Case Status as of Review:</b>	Open
	X Closed

**Summary Response:**

❶ This family first came to the attention of DFS in 2004 due to allegations of parent mental incapacity and parent substance abuse against the natural mother. The mother allowed the child's grandmother to assume guardianship of the child and the case was closed.

A second abuse/neglect report was filed October 8, 2005, against the natural mother and father for parent mental incapacity and parent substance abuse. The report was filed by a hospital subsequent to the birth of another child. The child did not test positive for drugs/illegal substances at the time of birth, but hospital staff were concerned about the parent's inability to care for the child. DFS conducted an investigation, which was later Court substantiated. The baby was initially placed in out-of-home care, but returned to the parents in April 2006, as the parents were compliant with the case plan and the mother's mental health issues were stabilized.

A third abuse/neglect report was filed September 13, 2006, against the natural mother for parent mental incapacity and parent substance abuse. The report was filed by a hospital subsequent to the birth of another child. DFS had an existing open case on the family, but conducted another investigation. DFS authorized the release of the newborn child from the hospital to the natural parents. At the Plea Hearing, the petition was held pending a recommendation on the continuation of wardship for the other children by DFS permanency staff. The investigation was later unsubstantiated, and on October 25, 2006, wardship was terminated. Case record does not document DA objection to the termination of wardship.



② A fourth abuse/neglect report was filed on January 3, 2007 against the natural mother for parent mental incapacity and plausible risk of physical injury. The report was filed by the Health District and indicated concerns that the mother was again suffering from mental health issues. DFS staff conducted an investigation, and initially removed the children from the home. The investigation was Court substantiated. At the Dispositional Hearing held in March, the Court ordered the children returned to the parents over DA and DFS objection. The Court indicated to the family that if they participated in services, the case would be closed at the next six-month Review Hearing. The DA responded that they would review the case for a possible waiver of reasonable efforts and that they would be filing a stay of the order to be reviewed by the judge. The Court order was reviewed and upheld. The children were subsequently returned to the parents in compliance with the Court order.

As also ordered by the Court, the parents participated in mental health services and re-engaged in services with the Public Health Nurse and Early Childhood Services (ECS). ECS terminated services after 3 months because the family was doing so well. The Public Health Nurse also terminated services because the children were healthy and on target.

③ At the Review Hearing on July 13, 2007, DFS recommended the termination of wardship. However, an alternate Hearing Master was presiding that day and agreed to set it for a status check in 60 days. DFS justified its recommendation to close the case as the parents were again doing well, had participated in and completed services.

Unbeknownst to DFS, the family put a deposit down for an apartment in Texas. The family expected the case to be closed (per the Court's comments at the Dispositional Hearing in March), and with their rent in Las Vegas increasing, they wished to be closer to family support in Texas. After the Review Hearing, and despite the fact the case was not closed, the family chose to move. The mother maintained almost daily contact with the DFS worker and provided information as to the family's location and on the status of the children.

DFS placed the matter back on Court calendar and requested a welfare check by Texas child welfare services. Texas child welfare staff went out to the parents' new home and confirmed that the home was appropriate. Additionally, they confirmed that the mother had a 3-month supply of her medication and already had an appointment set up with a mental health provider. Based on the information provided by all parties and Texas, the Court terminated wardship on August 1, 2007.

This case remains closed and no further reports have been received on this family for 3 years, 9 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

<b>DA Case ID:</b>  <div style="font-size: 2em; font-weight: bold; text-align: center;">26</div>	<b>DA Case Description:</b>
	<p>❶ The parents in this case had their parental rights terminated on two other children at the time DFS received this referral in June 2007. The mother was found passed out with a syringe in her bed, drug residue in baggies, and tourniquet on the floor. The four year old was found outside on the 2<sup>nd</sup> floor playing unsupervised and the two year old was found outside with a syringe/needle in his mouth. Police aroused mother after considerable effort. She denied drug use. ❷ DFS handled the case informally. They placed the children with the father who says he quit using drugs a year ago. (No drug test given to confirm.) One month later, in July, the police find the children in deplorable unsafe conditions, i.e., drugs, syringes, paraphernalia all over. The father told police he previously lost his children due to methamphetamine use. ❸ When the assigned DA asked the worker why she did not request a petition in June the worker never responded.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2007      Court Substantiated
	06-2007      Court Substantiated
	12-2005      Unable to Locate
	07-2002      Substantiated
	12-2001      Court Substantiated
<b>Age of Child(ren) Involved:</b>	<p><b><u>07-2007 Report Date:</u></b>  Male, 3 YOA  Male, 1 YOA</p>
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

❶	<p>This family first came to the attention of DFS in December 2001 due to allegations of parent substance abuse. There was a subsequent report received in July 2002 due to allegations of parental substance abuse and lack of necessity. The 2001 investigation was Court substantiated and the 2002 investigation was substantiated.</p> <p>Subsequent to the 2002 investigation, the case was transferred to the State Division of Children and Family Services, and there is no case record documentation available. The permanency case eventually led to a termination of parental rights on both parents in October 2003.</p> <p>In June 2007, DFS received a report of abuse and neglect due to allegations of plausible risk of physical injury, lack of supervision, parent substance abuse, and parent in jail, against the natural mother. Law enforcement filed the report with DFS, subsequent to receiving a report of a child playing unattended on a balcony with a syringe in his mouth. When responding to the report, law enforcement found the mother passed out on the bed and unresponsive. Drug paraphernalia was also in close proximity to the mother, although she denied the drug use.</p>
❷	<p>DFS staff removed the children and placed them in Protective Custody. At the Protective Custody Hearing, the Court ordered the release of the children to the natural father, after a home check was conducted. Case record documentation indicates that DFS was aware of father's prior child welfare history and the previous termination of parental rights prior to the Protective Custody Hearing. There is no case record documentation indicating whether DFS recommended or refuted the father as the placement choice for the children.</p>

At the Protective Custody Hearing, DFS informed the Court that the children were released to the father and the Court requested the father file for full custody of the children. The father did indicate he no longer used drugs, but there was no follow-up or required testing made by DFS staff.

There was no further Court involvement until DFS received a new report in July 2008. DFS received a report alleging filthy home, parent substance abuse, parent in jail, and plausible risk of physical injury against the father. Law enforcement responded to a complaint of an individual residing illegally in a home. DFS Staff responded to the home, and the house was in disarray, and there was drug paraphernalia strewn about the home.

③ There is no case record documentation regarding the DA's inquiry or caseworker response regarding the petition request.

Subsequent to the July 2008 report, the children were removed from the home, made wards of the Court, and the investigation was Court substantiated. A termination of parental rights was granted in March 2009, and the children were later adopted that same year. No further reports have been received on this family for 3 years, 2 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:          <b>27</b>	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>  <b>①</b> This case involves a four-year-old child with significant health issues who is also legally blind. The first referral to DFS came in 2005 and the child was made a ward of the court due to drug abuse of parent. There were also signs of physical abuse. Wardship was terminated 11/2/06. <b>②</b> Five days later – a new report was received for medical neglect. Medical personnel thought mother’s neglect was life threatening. Services were provided by DFS. <b>③</b> Another report was received 6/5/07 when the child was admitted to the hospital for abdominal trauma. The mother and her boyfriend delayed seeking medical treatment. The four year old and his new baby sister were made wards of the court again. <b>④</b> In March 2008, while under the supervision of DFS there was another substantiated physical abuse case on the four year old. He had marks on his face consistent with a slap. He was living with the mother’s boyfriend at the time. DFS reunified the children with the mother. Due to a scheduled court hearing the assigned DDA reviewed the case and noted the extensive history and that the mother and boyfriend had never addressed physical abuse in a case plan. The DDA objected to placement with the mother and objected to any expedited case closure. <b>⑤</b> A meeting was scheduled with DFS management, the assigned workers, and the DDA . After a two hour meeting reviewing the safety and risk factors DFS made a home visit that day, found the children at risk and removed the children from the mother.
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**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2009	Court Substantiated
	03-2008	Substantiated
	01-2008	Unsubstantiated
	12-2007	Unsubstantiated
	07-2007	Court Substantiated
	06-2007	Court Substantiated
	11-2006	Substantiated
	11-2005	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>03-2008 Report Date:</b> Male, 4 YOA Female, 8 months (deceased)	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

- ①** This family first came to the attention of DFS in 2005 due to allegations of parent in jail and parent substance abuse against the natural father and parent substance abuse against the natural mother. DFS conducted an investigation, which would later be Court substantiated. The petition as filed does not include information related to, or allegations of, physical abuse against the children. The children were made wards of the Court, services were provided to the parents, and the Court terminated wardship on November 2, 2006.
- ②** A second abuse/neglect report was filed on November 9, 2006 due to allegations of medical neglect. The report was filed by a physician’s office, and indicated that one of the children suffered from an eye condition that required follow-up. The physician’s office was concerned about the lack of follow through by the parents. DFS staff made contact with the mother, and she indicated she was out-of-town, her insurance had been terminated and recently reinstated, and that she intended to follow-up with the

physician. She was referred to services provided through the department and the Assistance League (at that time a contracted partner with DFS to provide voluntary case management services). Case record documents that this case was staffed with the DA's Office and that they agreed it could be handled informally. The investigation was Court substantiated, however.

- ③ A third report of abuse and neglect was filed June 5, 2007 alleging lack of supervision and physical abuse against the natural mother and her boyfriend (he was the natural father of a then newborn child). The injured child was found to have a mid-intestinal rupture, which was believed to be a result of physical abuse. The natural mother and the boyfriend did admit to noticing the child was not well, and throwing up for two days; they delayed seeking medical attention. When finally seeking assistance, the child required surgery.

DFS requested the DA's Office file a petition on this child as well as the newborn child. The children were both placed with relatives with supervision provided by DFS. The care of the children was shared jointly with the maternal and paternal grandmothers. The mother was allowed unsupervised contact/visitation with the children; however, the boyfriend (alleged perpetrator of the physical abuse) was allowed only supervised contact. In the end, the allegation of physical abuse was stricken from the petition, and the lack of supervision allegations were Court substantiated.

- ④ On March 25, 2008, DFS received another report of abuse/neglect. The children were still placed with relatives at this time. The report alleged physical abuse against the natural mother and boyfriend. The same child from the previous report was found to have bruising on his cheek that was consistent with a handprint. The child was removed and placed only in the care of the maternal grandmother (previously both paternal and maternal grandmothers provided care). DFS requested the DA's Office file a new petition on this case. The DFS investigation was substantiated, but not Court substantiated.

On June 26, 2008 a Review Hearing was held and the children were placed back in the care of the natural mother; the DA's Office objected to this placement, but the Court approved the reunification. The DA's account of this case indicated that the mother and boyfriend had never addressed the physical abuse issues in any case plan; however, case record documents that the allegations of physical abuse had been stricken from the prior petition (June 5, 2007). The case plan at that time accurately reflected the allegations of abuse/neglect as described on the final petition. The case record does not document that DFS recommended an expedited case closure.

- ⑤ Subsequent to the June 26, 2008 hearing, the DA's office requested a meeting with DFS management and staff to further discuss the family reunification. The meeting occurred on July 1, 2008. The DA expressed concerns regarding the children's placement and the mother's protective capacities. Based on those concerns, DFS agreed to request a clinical assessment of the natural mother; drug testing of the natural mother (and related assessment if testing positive); anger management assessment for the boyfriend/father and the completion of all related recommendations; continued in-home services by DFS to include weekly visits; and the maintenance of services for the children including occupational and speech therapy.

On September 2, 2008, DFS staff completed an unannounced home visit and found the children in the care of an individual who claimed to be the mother's new boyfriend. As the individual in question was not known to DFS, the children were removed from the home and placed again with the maternal grandmother.

On September 12, 2008, the Court approved guardianships for the children and DFS subsequently closed the case on this family. Because of the child welfare history of the natural mother and her inability to care for the children, DFS approved co-guardianship of the youngest child with the maternal grandmother and paternal

grandparents; and sole guardianship of the oldest child with the maternal grandmother. At the time, this seemed the most appropriate way to achieve permanency for both children. There is no noted objection by the DA's Office to this plan at the Court hearing.

On June 30, 2009 a new abuse/neglect report was received by DFS in reference to the now 2-year-old child. The child had drowned in the maternal grandmother's swimming pool while left in the care of the natural mother (grandmother still retained guardianship of the child). The surviving sibling was taken into Protective Custody and remains in DFS care. Both DFS and the DA's office agreed to have the maternal grandmother's guardianship terminated and that a long-term placement option would be sought for the sibling. The mother has been charged criminally in reference to the child drowning and is awaiting trial.

The case remains open for the surviving sibling.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	





<p>② At the April 15, 2008, Review Hearing, DFS staff recommended case closure. The mother had maintained compliance with her case plan and was soon to be graduating from Drug Court. The Court agreed with the department’s recommendation, and wardship was terminated.</p> <p>Neither the case record nor DFS finance records indicate DFS continued to provide financial assistance of any sort to the family immediately prior to case closure. In fact, the records indicate that the only time the mother was provided rent assistance was in August, 2007 (\$650).</p>
<p>③ There is no case record documentation that the mother tested positive for cocaine use on April 3 or April 14. There is only a case note recording a failed drug test that occurred in Drug Court in February 2008. The case record does denote that on April 2, 2008 the mother was in perfect compliance and in phase III of Drug Court.</p> <p>The petition request for the subsequent case (see below) alleged the natural mother’s positive drug testing on April 3/14, but there is nothing in the DFS electronic or hard-copy case file to support this—in fact, the case note on April 2 seems to contradict it.</p>
<p>④ DFS received another report of abuse/neglect on April 27, 2008. The report was made by law enforcement who arrested the natural mother for outstanding warrants for non-sufficient funds. At the time of her arrest, the mother had left the children in the care of their father, who in turn, had left them with a neighbor for several days. DFS requested the DA’s Office file a petition, again took wardship of the children, and placed the children in out-of-home care.</p> <p>In July 2008, the mother gave birth to another child and entered Healthy Families Inpatient Drug Treatment. The only child to remain in the care of the mother at this time was the newborn.</p> <p>DFS continued to provide case management services, and the children were reunified with the natural mother in December 2008. The reunification occurred due to the mother’s on-going participation in and compliance with the Healthy Families program.</p> <p>The children returned to care in August 2009, when law enforcement found the children in the care of the natural father (who was not supposed to have unsupervised contact with the children).</p>
<p>The children remain in the care of DFS. DFS has completed a termination of parental rights on the natural father for the two older children, and the mother relinquished her rights to those children. Termination of parental rights is pending on the remaining children. The children currently reside with a foster family, but the permanency plan for the children is adoption by a relative.</p>
<p><b>Relevant Statute:</b></p>
<p>N/A</p>
<p><b>Personnel Issues/Outcomes:</b></p>
<p>N/A</p>

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	✓
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
29	<p>❶ This case involves the death of a physically and mentally handicapped four year old. The child was left in a car in sweltering heat for approximately 17 hours. ❷ There were in excess of 20 prior referrals to DFS from 1988-2007. Most recently in 2005, 2006, 2007. Despite the extensive history, lack of cooperation by the parents and evidence of neglect it does not appear these investigations were ever staffed with the DA's office for the filing of a petition. ❸ The details in this case are extensive and should be the subject of an independent review. ❹ Further, in referencing this case in a television interview DFS suggested that the existing law hindered their ability to substantiate abuse/neglect. This argument should be considered in light of DFS' proposing legislation in 2007 that would raise the level of proof needed to investigate reports of abuse/neglect. The DA's office and the Family Court Judge testified against this legislation.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2008	Court Substantiated
	02-2007 (2)	Unsubstantiated
	09-2005	Unsubstantiated
	05-2005	Unsubstantiated
	01-2005	Unsubstantiated
	12-2004	Unsubstantiated
	03-2004	Unsubstantiated
	06-2000	Unsubstantiated
	02-1999	Unsubstantiated
	05-1998	Unsubstantiated
	05-1993	Unsubstantiated
	04-1991	Substantiated
	04-1990	Unsubstantiated
	01-1989	Unsubstantiated
01-1988	Substantiated	
<b>Age of Child(ren) Involved:</b>	<p><b><u>06-2008 Report Date:</u></b>  Male, 15 YOA  Male, 14 YOA  Male, 12 YOA  Male, 9 YOA  Male, 4 YOA (deceased)</p>	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

① On June 9, 2008, DFS received a report of abuse/neglect due to the death of a physically and mentally handicapped child who had been left in a car for up to 17 hours.

② This family had child welfare history dating back to 1988. There were approximately 21 prior reports received on this family between 1988 and 2008. There is no case record documentation indicating the previous reports were staffed with the DA's Office.

③ The DA's request for an independent review of this case was accommodated in August 2008, when at the request of Director Morton, the chair of the Clark County Child Death Review Team was asked to convene a group of members to review the child welfare agency's involvement with this particular family. The creation, governance, and rules related to Child Death Review Teams are outlined in NRS 432B.403-432B.4095

Core team members and at-large members of the Clark County Child Death Review Team were invited to participate. The members included: DFS senior management, the DA's Office (both juvenile and criminal attorneys), LVMPD, Coroner's Office Medical Examiners, and an Associate Dean from Touro University. The group met over a two-month period, holding four (4) separate sessions. The members were each provided with detailed case history/related DFS documentation and every prior child protective services report was discussed and evaluated. At the conclusion of the review, a seven-page confidential report was compiled and prepared by the Nevada Institute for Children's Research and Policy.

In addition to the special review, DFS conducted an internal review. The recommendations from that review were provided to the Legislative Counsel Bureau. The Legislative Counsel Bureau accepted the recommendations.

While both reports are confidential, DFS implemented many of the recommendations, most of which involved changes to policy and were implemented in November 2008.

④ Thomas Morton, the DFS Director, interviewed with local media in response to inquiries on this specific case. His comments were focused on the challenges faced by the department given the current State CPS Substantiation Policy, specifically around the allegation of Medical Neglect, and how it was both defined in the existing policy and related to the standards that were set for substantiation. Since this time, the policy referred to by Mr. Morton has been rewritten.

Neither DFS nor Thomas Morton proposed any legislation in 2007. Mr. Morton did, however, testify in support of Senator Horsford's proposed legislation to change the standard for child removal to match the standards for danger of serious harm as defined in case law by Federal Courts.

This case remains open and the children are placed in out-of-home care, the older children with a permanency goal of long term foster care and the younger children with a permanency goal of adoption by a relative.

**Relevant Statute:**

**NRS 432B.403 Purpose of organizing child death review teams.** The purpose of organizing multidisciplinary teams to review the deaths of children pursuant to [NRS 432B.403](#) to [432B.4095](#), inclusive, is to:

1. Review the records of selected cases of deaths of children under 18 years of age in this State;
2. Review the records of selected cases of deaths of children under 18 years of age who are residents of

Nevada and who die in another state;

3. Assess and analyze such cases;
4. Make recommendations for improvements to laws, policies and practice;
5. Support the safety of children; and
6. Prevent future deaths of children.

(Added to NRS by [2003, 863](#); A [2007, 1508](#))

**NRS 432B.405 Organization of child death review teams.**

1. The director or other authorized representative of an agency which provides child welfare services:

(a) May provisionally appoint and organize one or more multidisciplinary teams to review the death of a child;

(b) Shall submit names to the Executive Committee to Review the Death of Children established pursuant to [NRS 432B.409](#) for review and approval of persons whom the director or other authorized representative recommends for appointment to a multidisciplinary team to review the death of a child; and

(c) Shall organize one or more multidisciplinary teams to review the death of a child under any of the following circumstances:

(1) Upon receiving a written request from an adult related to the child within the third degree of consanguinity, if the request is received by the agency within 1 year after the date of death of the child;

(2) If the child dies while in the custody of or involved with an agency which provides child welfare services, or if the child's family previously received services from such an agency;

(3) If the death is alleged to be from abuse or neglect of the child;

(4) If a sibling, household member or day care provider has been the subject of a child abuse and neglect investigation within the previous 12 months, including, without limitation, cases in which the report was unsubstantiated or the investigation is currently pending;

(5) If the child was adopted through an agency which provides child welfare services; or

(6) If the child died of Sudden Infant Death Syndrome.

2. A review conducted pursuant to subparagraph (2) of paragraph (c) of subsection 1 must occur within 3 months after the issuance of a certificate of death.

**NRS 432B.407 Information available to child death review teams; sharing of certain information; subpoena to obtain information; confidentiality of information.**

1. A multidisciplinary team to review the death of a child is entitled to access to:

(a) All investigative information of law enforcement agencies regarding the death;

(b) Any autopsy and coroner's investigative records relating to the death;

(c) Any medical or mental health records of the child; and

(d) Any records of social and rehabilitative services or of any other social service agency which has provided services to the child or the child's family.

2. Each organization represented on a multidisciplinary team to review the death of a child shall share with other members of the team information in its possession concerning the child who is the subject of the review, any siblings of the child, any person who was responsible for the welfare of the child and any other information deemed by the organization to be pertinent to the review.

3. A multidisciplinary team to review the death of a child may petition the district court for the issuance of, and the district court may issue, a subpoena to compel the production of any books, records or papers relevant to the cause of any death being investigated by the team. Except as otherwise provided in [NRS 239.0115](#), any books, records or papers received by the team pursuant to the subpoena shall be deemed confidential and privileged and not subject to disclosure.

4. Information acquired by, and the records of, a multidisciplinary team to review the death of a child are confidential, must not be disclosed, and are not subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding.

(Added to NRS by [2003, 863](#); A [2007, 2106](#))

**NRS 432B.4095 Civil penalty for disclosure of confidential information; authority to bring action; deposit of money.**

1. Each member of a multidisciplinary team organized pursuant to [NRS 432B.405](#), a multidisciplinary team organized pursuant to [NRS 432B.4075](#), an administrative team organized pursuant to [NRS 432B.408](#) or the Executive Committee to Review the Death of Children established pursuant to [NRS 432B.409](#) who discloses any confidential information concerning the death of a child is personally liable for a civil penalty of not more than \$500.

2. The Administrator of the Division of Child and Family Services:

(a) May bring an action to recover a civil penalty imposed pursuant to subsection 1 against a member of a multidisciplinary team organized pursuant to [NRS 432B.4075](#), an administrative team or the Executive Committee; and

(b) Shall deposit any money received from the civil penalty with the State Treasurer for credit to the State General Fund.

3. Each director or other authorized representative of an agency which provides child welfare services that organized a multidisciplinary team pursuant to [NRS 432B.405](#):

(a) May bring an action to recover a civil penalty pursuant to subsection 1 against a member of the multidisciplinary team; and

(b) Shall deposit any money received from the civil penalty in the appropriate county treasury.

(Added to NRS by [2007, 1500](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	✓

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
30	<p>❶ This case involves the physical abuse of a five-year-old child. The physical abuse to wit: the hitting of the child in the face resulting in a bloody nose while screaming profanities at the child. This occurred in public and was witnessed by citizens. Police responded and arrested the mother for child abuse. DFS received the case. They returned child to the mother and labeled it unsubstantiated. The DFS investigation documented that the mother admitted hitting the child; the child said the mother hit him and law enforcement contact confirmed an independent witness reported that the mother hit the child at least five times in the face resulting in a nosebleed. ❷ It does not appear that the eyewitness was interviewed by DFS. The case was reported January 10<sup>th</sup> 2008. ❸ Nine days later the closing summary states “CPS investigation did not yield substantive evidence in support of allegations of Physical Abuse”. Case closed unsubstantiated. It was not staffed with the DA’s office. ❹ At the time of the criminal Preliminary Hearing on May 5<sup>th</sup> 2008 the defense attorney for the mother called the DFS worker as a witness to testify that this was not abuse. The Judge expressed his grave concern about this worker’s testimony and held the mother to answer for child abuse.</p>

DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2008	Unsubstantiated
	10-2008	Unsubstantiated
	01-2008	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>01-2008 Report Date:</b> Male, 5 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ This family came to the attention of DFS on January 10, 2008 due to allegations of physical abuse and parent in jail against the natural mother. The report was made by law enforcement who responded to a local store after receiving a complaint from an eye witness that a mother was observed slapping a child in the face at least 5 times, causing the child’s nose to bleed. The natural mother’s friend (who was witness to the incident) reported to law enforcement that the child was slapped twice. The mother was arrested for felony child abuse.

DFS staff responded immediately to the scene and was able to interview the mother prior to her being transported to jail. She admitted to slapping the child when he became upset that he couldn’t stay outside by himself and said the F-word. The mother reported that the child attended Kindergarten, but that she had recently been required to attend a parent conference due to the child kicking another student and cursing. The child’s emotional, developmental, and cognitive functioning did not appear to be age appropriate according to statements made by the mother.

The child was interviewed independently. The investigator asked him specifically if he had any injuries. He stated no. He was also asked if his mother hit him. He confirmed his mother slapped him. He was also asked if he was afraid of his mother, and he stated no. Photos taken of the child immediately after he was taken into custody were reviewed and those photos show no evidence of marks or bruises. The case record provides no documentation regarding the child suffering from a bloody nose or other injury as a result of the incident.

DFS staff also interviewed the maternal grandmother. According to the grandmother, the mother had no

	CPS, drug or alcohol abuse issues. The child was released to the maternal grandmother and returned to the care of the mother subsequent to her release from jail.
2	Case record does not document that DFS staff interviewed the mother's friend, who was also at the scene, or any other witnesses who may have been present.
3	While the investigation was closed as unsubstantiated due to a lack of substantive evidence, the mother was referred to parenting classes by DFS staff.
4	The mother's criminal conviction was reduced to a misdemeanor, and she was ordered to attend domestic violence classes as well as parenting classes. The mother completed both of these requirements as provided by documentation from the North Las Vegas Justice Court.

There were two subsequent reports of abuse/neglect in 2008 investigated by DFS. Both were unsubstantiated. Information contained in the additional reports indicates the child had been diagnosed as schizophrenic and autistic and was in the process of receiving services. This case remains closed and no further reports have been received on this family for 1 year, 9 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>31</b>	<p>① This case came to the attention of DFS in April 2007 due to bruising on an almost 2-year-old child. The case was being investigated and during the investigation the child suffered further bruising to his back. The DA's office filed a petition in May 2007. This child along with his four siblings ages eight and younger were made wards of the court. ② The children were returned by DFS to the mother and her boyfriend in November 2007. ③ Upon return home the 2- year old boy continued to sustain unexplained injuries and bruises. In January 2008 he was found to have a healing broken finger for which he had not been treated. ④ DFS documented that the "child bruises easily and has a high pain threshold" These new injuries were not staffed with the DA's office. ⑤ At a court hearing on March 27, 2008 DFS argued that the case should be closed.</p> <p>The assigned DDA having reviewed all of the case notes and prior history objected and requested the injured child undergo a complete medical assessment by a child abuse specialist. The children remained in the home. ⑥ The next day the two year old was found with new injuries to wit: linear marks to his upper back and neck. The children were removed from the parents. ⑦ The DFS worker blamed the DDA for the new abuse stating that the DDA upset the mother's boyfriend by arguing against case closure. ⑧ The medical evaluation requested by the DDA concluded the following: "...is a battered child with a history of safety issues and concerns. I cannot emphasize enough that this child is at very high risk for continued child physical abuse and at risk for child death by child abuse if left in an unprotected environment as he has been in the past....he has normal perception of pain and experiences pain". ⑨ The DDA filed a second petition alleging all of the unexplained bruises and injuries to include the broken finger.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	03-2008      Court Substantiated
	01-2008      Unsubstantiated
	07-2007      Court Substantiated
	04-2007      Court Substantiated
	03-2007      Court Substantiated
<b>Age of Child(ren) Involved:</b>	<p><b><u>03-2008 Report Date:</u></b>          Female, 8 YOA          Female, 4 YOA          Female, 3 YOA          Male, 2 YOA</p>
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

① This family came to the attention of DFS in April 7, 2007 due to allegations of plausible risk of physical injury and physical abuse against the natural mother and her boyfriend. The report was filed by a physician. The child was found to have Mongolian spots on the lower back and right ankle, bruising on the right and left thighs, and a mark on the left cheek consistent with a handprint. All children were removed from the home and brought into Protective Custody.

The child was seen by a forensic pediatrician four days after the report was received. The pediatrician confirmed the spots on the child's back were Mongolian spots, but all other bruising had faded. The CAT scan and skeletal exams, which were also administered, were negative for evidence of injury/trauma.

On April 12, 2007, at the Protective Custody Hearing, the Court was informed of the medical findings and the matter taken off calendar; DFS was ordered by the Court to continue monitoring the case. The children were subsequently returned home.

On April 18, 2007 during a routine home visit, the child was again found to have marks on his back. The children were placed in Protective Custody, and removed from the home. DFS requested the DA's Office file a petition on the case. This investigation was Court substantiated.

② In June 2007, the mother gave birth to a new child; that child was also removed from the care of the mother and father. All children were reunified with the parents in November 2007 as the natural mother was compliant with her case plan, and services were provided. The case was held open for on-going DFS monitoring, however.

③ In January, 2008 DFS received a new report of abuse/neglect alleging lack of supervision and physical abuse against both the mother and her boyfriend. The report was made by a hospital. DFS staff was previously contacted by the mother who indicated that the child had bruising on his chest. DFS staff requested she take the child to a hospital. The child was seen at a hospital and was found to have a healed broken finger (approximately 3-5 weeks old). The findings of this visit generated the new report received.

④ DFS investigated these latest allegations of abuse/neglect. The physician did not indicate concern about the mother's care of the children and also could not confirm that the injuries were abuse/neglect related.

At the time of this investigation, the family was also receiving services from Early Childhood Services (ECS). The ECS clinician assigned to the child visited the child at daycare, and noted that "child bruises easily and has a high pain threshold." The case record reflects that statement as provided to DFS by the ECS clinician.

DFS staff also interviewed the mother, the alleged child victim, the siblings, and daycare provider during the course of the investigation. There was no information obtained from any of these sources that could confirm the injury was abuse/neglect related.

DFS unsubstantiated the investigation. The case was not staffed with the DA's Office.

⑤ At the March 27, 2008 Review Hearing, all parties except the DA's office were in agreement with case closure. The DA expressed concerns over the recent child injuries and requested that the child be evaluated at Sunrise Hospital the following day. The Court ordered the examination and that the children should remain in the home.

⑥ A new report was received on March 28, 2008 indicating the child had bruises to his back. Based on the new information, wardship remained intact, and the children were again removed from the home.

⑦ The case record does not contain evidence of DFS staff blame of the DA for the most recent abuse.

⑧ While DFS investigated the latest allegations of abuse, the medical evaluation of the child as previously ordered by the Court was completed. The evaluation concluded: the child "...is a battered child with a history of safety issues and concerns. I cannot emphasize enough that this child is at very high risk for continued child physical abuse and at risk for child death by child abuse if left in an unprotected environment as he has been in the past....he has normal perception of pain and experiences pain."

It should be noted that the same forensic pediatrician who saw the child in April 2007 conducted this evaluation; this pediatrician previously could not conclude the child was being abused/neglected.

⑨ DFS requested the DA's Office file a petition on this case, and the investigation was Court substantiated. Wardship continued, and the children remained in out-of-home care until the family was reunified in August 2008.

In December 2008, DFS and the DA's Office staffed the case to discuss closure at an upcoming Review Hearing. In March 2009, the DA's Office agreed with the DFS recommendation to close the case, and wardship was terminated.

This case remains closed and no further reports have been received on this family for 2 years, 6 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
32	<p>① This is an excerpt of an email exchange between a DDA and DFS about their refusal to bring a child into protective custody. The DDA wrote on February 12, 2008 "I am very disappointed by that decision. I personally cannot understand how DFS can recommend that a child remain in the care of a parent who is actively using drugs and engaging in criminal behaviors. To say that there is no safety concerns when the known drug-abusing parent refuses to submit to drug testing flies in the face of everything we are supposed to do for children. I understand she is a teenager but to say that there are no safety concerns or risks is ludicrous. I don't really care if she is happy in her placement with her mother – that is a non-issue – this comes down to a case where DFS is apparently willing to permit a teenager to call the shots rather than doing what is right. Don't forget this case is about sex abuse, domestic violence, drug abuse and parental manipulation of a young child. I will be asking the court to move the hearing to a day I can be present as I no longer feel confident in the ability of DFS to represent the factual information of this case to the court without minimizing the danger posed to this child by her continued placement in her mother's care."</p> <p>② DFS management response was "It is the department position that children only be removed when it is supported by our safety assessment."</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2006	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<u>At the Time of Documented Incident Described by the DA:</u> Female, 14 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① This family came to the attention of DFS on September 28, 2006 due to allegations of emotional abuse, domestic violence, legal protection needed, and sexual abuse against the father. The case was investigated by DFS and Court substantiated as to the emotional abuse/neglect and sexual abuse. The child was not removed from the care of the mother until December 2006, because the two were residing in a shelter, and not with the alleged perpetrator. In December 2006, the child was removed from the mother as she had allowed the child to have contact with her father. The child was placed with a relative.

At the Review Hearing in December 2007, there was a joint recommendation made to the Court by DFS and the DA's Office that the child be placed into foster care due to the mother just beginning to complete her case plan, testing positive for cocaine, and the relative placement indicating they could no longer keep the child. The Court denied this joint recommendation and ordered a safety plan be developed with the mother and that family preservation services be put in place within one week.

On February 14 2008, the DA's Office requested a staffing with DFS to review the placement of the child with the mother. The DA expressed concerns about not removing the child from the mother's care, as the mother had not participated actively in services, particularly in family preservation efforts.

DFS staff articulated that, despite the mother's slow case plan compliance, they believed the child had continued to do well since being returned to the mother. The child maintained all A's and B's in school,

had missed only four days of school, had been accepted into multiple magnet school programs, had auditioned and been accepted into a dance group, was a student aide at school, and volunteered at the Whitney Senior Center. DFS staff acknowledged there was risk, but that there were no safety threats that would warrant removal.

At the Review Hearing on February 26, 2008, subsequent to the case staffing with the DA's Office, DFS staff presented the same information discussed with the DA's Office to the Court. The Court agreed with DFS, and ordered the mother's participation in Drug Court, weekly DFS unannounced/announced home visits, that natural mother and child enter into treatment, and that the minor abide by the no contact order with her father.

- ② Case record documents that DFS staff acknowledged the risk associated with this child's placement with the natural mother both to the DA and the Court. However, the risk factors alone did not constitute immediate or imminent danger of serious harm.

Guardianship was granted to a paternal aunt in April 2009. This case remains closed and no further reports have been received on this family for 4 years.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>33</b>	<p>❶ The DA's office filed a petition in this case involving three children ages one, two and nine. ❷ The father was convicted of child endangerment in 2006. His probation was revoked and he was incarcerated for 12 months in CCDC. The father also had drug use issues and domestic violence convictions against the mother. ❸ The mother neglected the children by leaving them alone in Motel 6. There are several prior referrals to include a firearm being shot in the home, linear marks on one child after mother hit with belt, and domestic violence. DFS returned the children to the home. ❹ At the plea hearing a DFS Supervisor appeared and asked to dismiss the petition. The DA objected. The DA prevailed and the children were subsequently made wards of the court.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2008      Court Substantiated
	05-2007      Unsubstantiated
	03-2006      Unsubstantiated
	01-2006      Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<p><b>Most Recent Incident:</b>  Female, 9 YOA  Male, 2 YOA  Female, 1 YOA</p>
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

❶ This family came to the attention of DFS in January 2006, due to allegations of physical abuse against the natural mother. The report indicated the natural mother spanked one of the children with a belt, leaving a linear mark/bruising on the thigh. DFS staff responded to the complaint on the same day it was received. Both the natural mother and child described the same sequence of events when interviewed separately. The mother and child admitted that the mother had spanked the child with a belt, and that at one point the child turned and the belt struck the child's inner thigh leaving a mark. When conducting a body check of the child, however, the mark on the child's thigh was not consistent with a belt mark, and the coloring of the mark was indicative of a bruise sustained prior to the day's events. The other child in the home was also checked for marks/bruises, and there were no visible signs of either. The investigator educated the mother on appropriate discipline. The investigation was unsubstantiated due to lack of credible evidence.

In March 2006, DFS received a second abuse/neglect report alleging plausible risk of physical injury against the natural mother and the father. DFS investigated and found that the father was unloading a weapon, and it went off accidentally. The father admitted to accidentally firing the weapon where it was stored (the children were not present), and the weapon was confiscated by law enforcement. The family declined services and the case was unsubstantiated.

In May 2007, DFS received a third abuse/neglect report alleging emotional abuse and domestic violence against the mother and the father, as well as physical abuse against the mother. The report alleged the mother grabbed the child by the hair and dragged her around the house causing neck and head pain. According to the reporting source, there were no visible marks or bruises on the child. DFS conducted an investigation and interviewed the child. The child confirmed the event, but did not have any marks or bruises. The child indicated she was not fearful of her mother. The mother was interviewed, and she denied the incident. The mother also denied any allegation of domestic violence in her household. In absence of credible evidence, the investigation was unsubstantiated.

② The case record does not document information regarding the father's child endangerment conviction. DFS staff reviewed his criminal background as part of this case review and found that he was convicted of child endangerment in July 2006. Based on the dates of DFS service provision and the dates of the conviction, it appears as if the charge/conviction occurred in between events reported to and services provided by DFS.

It also appears as though, based on the circumstances surrounding the charge/conviction, that law enforcement should have reported the incident formally to DFS for follow-up/investigation. DFS never received a related report.

③ In January 2008 another abuse/neglect report was received that alleged lack of supervision against the mother. Law enforcement made the report after receiving a call that three small children were unsupervised in a motel. Law enforcement removed the children, and they were placed into Protective Custody. DFS conducted an investigation. During an interview with the mother, she admitted to leaving the children alone and acknowledged that leaving her 9-year-old child in charge was a mistake. At the Protective Custody Hearing, the Court approved the release of the children to the mother pending DFS verification of the mother's housing arrangements and completing interviews with the children. The children were later released to the mother.

DFS requested the DA's Office file a petition, and the petition is filed on both the mother and the father. The children were made wards of the Court, and the allegations were later Court substantiated.

④ There is no information in the case record or Court minutes that indicates a DFS supervisor asked for the petition to be dismissed at the Plea Hearing.

Case documentation indicates that the petition was amended against the mother to reflect that she lacked the resources to care for the children, following a negotiation between the parents' attorneys and the DA's Office.

DFS formally managed the case until July 2008. The family maintained full compliance with the case plan and participated in services. At the July 2008 Review Hearing the Court terminated wardship, and the DFS case was closed.

This case remains closed and no further reports have been received on this family for 2 years, 8 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	✓
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>34</b>	<p>❶ In this case the first report regarding neglect/drug use by the mother came in 2002. The case was unsubstantiated. ❷ The next report came in March 2007. At this time the mother had three children ages five, two, six months and she was pregnant. Allegations were again drug use and were unsubstantiated. ❸ Next reports(s) (there are actually multiple referrals that come in over a period of days in June 2008) are for drug use, neglect and an eye condition suffered by the seven month old that requires hospitalization. The eye condition has doctors baffled and medical personnel indicate that some of the mother’s stories don’t add up. One doctor suggests medical neglect. The mother tests positive in hair and urine for marijuana and cocaine. On June 26, 2008 the case is closed as unsubstantiated. ❹ DFS policy directs that positive drugs tests alone do not result in substantiation. ❺ On July 1<sup>st</sup> there is a new report alleging drugs, domestic violence and neglect. These cases were not staffed with the DA’s office. This case was still being investigated when on July 6<sup>th</sup> the seven month old was admitted to the hospital with skull fractures, brain bleeds and old rib fractures.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2008 (2)	Court Substantiated Unsubstantiated
	06-2008 (2)	Unsubstantiated
	03-2007	Unsubstantiated
	09-2002	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>07-2008 Report Date:</b> Female, 6 YOA Female, 1 YOA Male, 8 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

<b>Summary Response:</b>	
❶	This family came to the attention of DFS in 2002, due to allegations of lack of necessity against the natural mother. The report alleged the mother did not have the necessary supplies to care for an infant. DFS staff conducted an investigation, but there was a lack of credible evidence to support the allegations, and the investigation was unsubstantiated.
❷	In March 2007, another abuse/neglect report was received alleging parent substance abuse. The report indicated the mother used drugs in the presence of her children. DFS conducted an investigation. The natural mother tested negative for any illegal substance, and the children were found to be properly supervised. Due to lack of credible evidence, the investigation was unsubstantiated.
❸	<p>In June 2008, DFS received two new reports of abuse and neglect. The first report alleged filthy home and parent substance abuse. The reporting source indicated that the mother was no longer caring for most of her children, and was maintaining care of the youngest child only. The reporting source also indicated concern for the child that remained in the mother’s care, as the child was not able to open either eye. The reporting source also indicated the house was filthy.</p> <p>The reporting source, in addition to calling the Child Abuse and Neglect Hotline, also called the paramedics regarding the child’s eye issues. The paramedics responded to the home and indicated that the child had pink eye, and requested follow-up with a physician.</p>

When interviewed as part of the DFS investigation, the mother indicated she had taken the child to see a physician on June 12, 2008, and was provided the appropriate medications for the child. However, DFS received another report of abuse and neglect on June 18, 2008, when the child was admitted to a local hospital. The child was diagnosed with peiorbital cellulitis, an inflammation/infection in both eyes.

The physician initially stated when making the report, that abuse/neglect could not be ruled out. However, during the course of the investigation, case record documentation indicates that: "...[the physician] cannot pin point what the problem is. [The physician] stated that some of mom's story matches up and some of it doesn't. [The physician] stated that the injury to [child's] eye doesn't seem to be intentional or abuse of any sort."

Another physician indicated that there didn't appear to be abuse, but perhaps neglect, as the mother didn't understand what she needed to do to treat the child's condition. On July 1, the child was again seen by a physician, and the eye infection had greatly improved.

During the course of both investigations, the mother did test positive for cocaine and marijuana.

Both investigations were unsubstantiated, but the mother agreed to allow her children to reside with a relative while she stabilized the home environment. She was also referred to a substance abuse assessment.

④ The policy referenced is not a DFS policy, but a state-wide policy promulgated by the Division of Children and Family Services. The State-wide Substantiation Policy, Policy 200, in effect at the time, stated the following:

"D. Caretaker's drug or alcohol abuse impairs his/her ability to supervise, protect or care for the child. Impairment suggests that a caretaker's use of substances prohibits him/her from being able to adequately perform his/her parental duties and responsibilities. Drug use includes prescription drugs, over the counter drugs, as well as traditional street drugs. (This also includes an infant who is born affected by prenatal illegal substance abuse or who has withdrawal symptoms). A positive toxicology test alone is not sufficient to substantiate abuse, but one or more additional factors must be present and documented.

*Examples:*

- Substance abuse issues prevent caretaker from protecting or providing for the child.
- Other safety factors present are directly related to the use of drugs or alcohol.
- The caretaker has periods of incapacitation due to substance abuse.
- The caretaker uses drugs in front of a child or leaves drug paraphernalia in areas accessible to children.
- The caretaker drives with the child in the vehicle when legally intoxicated or incapacitated by substance abuse.
- The caretaker leaves the household frequently to purchase or use drugs without regard to child supervision.
- The caretaker allows numerous visitors into and out of the home at all hours of the day and night without regard to their potential harm to the child(ren).

*The parent's willingness to rectifying the problem does not alter the substantiation of the neglect allegation."*

The case record does not document sufficient inquiry by DFS staff into the natural mother's frequency of drug use, and the impact that may or may not have had on her ability to parent.

⑤ In July 2008, DFS received two additional reports of abuse and neglect. The first report received on July 1, 2008 alleged plausible risk of physical injury, parent substance abuse, emotional abuse, and domestic

violence against the mother and her new boyfriend. DFS investigated the allegations, responding within 24 hours of the report. DFS staff interviewed both the mother and her boyfriend separately, and they both denied the allegations. The boyfriend indicated he was out-of-town until the day prior to the DFS staff visit. The mother also did not appear to have sustained the physical injuries as described in the report (busted lip and broken blood vessel in her eye). The children were all seen, and they appeared to be doing well. Due to a lack of credible evidence, the investigation was unsubstantiated.

Prior to the closure of that investigation, a new report was received on July 6, 2008. The report indicated that the youngest child was transported to a local hospital after, according to the mother, he was dropped on his head. The injuries were not consistent with the mother's explanation, as the child suffered from severe head trauma and was also found to have multiple rib fractures in various stages of healing.

The children were all removed from the home, and placed in Protective Custody.

All children remain in care, with the exception of one who was placed with the biological father. The termination of the mother's parental rights is currently pending. The permanency plan for the remaining children is adoption by a relative.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
35	<p>❶ In this case the first report came in 2006 for physical abuse, emotional abuse and domestic violence. It was unsubstantiated. ❷ In October 2007 a citizen eyewitness saw the father hit the six year old in the face 5-7 times. Law enforcement described the father as transient, the home as a mess and arrested him for child abuse. The six year old described being hit every day as well as being forced to do military type punishment like pushups. The boy asked police to “teach me to be a better kid so my dad won’t hit me”. ❸ The assigned DDA insisted that a petition be filed and that the case be handled with formal wardship and custody. The DA objected when DFS and the Court returned the child to the father and the DDA objected again when the Court terminated Wardship March 31, 2008, as the father had not completed his case plan. ❹ Two months later there was a new report when the father hit the boy and fractured the child’s hand. The child is now a ward of the court again.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	05-2008	Court Substantiated
	10-2007	Court Substantiated
	11-2005	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>05-2008 Report Date:</b> Male, 8 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

❶ This family came to the attention of DFS in November 2005, due to allegations of physical abuse, emotional abuse, and domestic violence against the natural mother. DFS conducted an investigation of the allegations, and due to a lack of credible evidence the investigation was unsubstantiated.

❷ On October 2, 2007, DFS received a subsequent report alleging physical abuse and parent in jail. There was an eye witness to the abuse (a repairman working in an adjacent home) who reported seeing the father strike the child and made a report to law enforcement. Law enforcement made contact with the father who denied the incident, but the child disclosed that he was hit and that he was subject to military type punishment. The father was arrested for the abuse, and the child was removed from the home. The matter was set for a Protective Custody Hearing October 4, 2007.

❸ At the October 4, 2007 Protective Custody Hearing the child remained in custody and the matter was scheduled for Court review on October 11, 2007. At the Review Hearing, the matter was referred for plea which was scheduled for October 22, 2007. DFS immediately submitted a petition request to the DA’s Office. The DA’s Office did not file the petition as requested by DFS. DFS later conferred with the DA’s Office and was required to resubmit the petition request; the Review Hearing was rescheduled.

On October 29, 2007, the DA indicated a preference for the case to be Court involved due primarily to the eye witness and the physical bruising on the child. The case record documentation does not indicate that DFS staff preferred, at any point, to handle this case informally. The Plea Hearing was held on November 5, 2007. The father denied the allegation and the matter was set for an Evidentiary Hearing in December. At the Evidentiary Hearing, the petition was sustained, and the child was made a formal ward of the Court. The child remained in out-of-home care, placed with a relative.

On January 7, 2008, at the Dispositional Hearing, the DA argued against the DFS recommendation that the child be returned to the father for the purposes of a Trial Home Visit. DFS based the recommendation on the father's compliance with his case plan, attendance at parenting classes, and his anger management assessment/treatment. The Court agreed with DFS. The DA requested a stay of the order, which was denied. The DA also indicated an appeal would be forthcoming. There is no indication that the appeal was filed. The child was returned to the care of the father that same day.

On March 31, 2008, at the Review Hearing, the Court indicated that the father had worked diligently at completing his case plan and objectives, and terminated Court wardship of the child. DFS informed the Court that the father had not completed the anger management assessment/treatment. There is no case record documentation to indicate that DFS recommended case closure at that time.

④ In May 2008, DFS received a subsequent report of abuse/neglect alleging physical abuse against the father. The child had sustained a fractured hand. DFS conducted an investigation, which was Court substantiated.

The child remains in DFS care with a permanency plan of reunification with the natural mother who resides in California.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
36	<p>❶ The first report in this case came to DFS in June 2006. Allegations were domestic violence and filthy home. Case unsubstantiated. ❷ Next report came in Feb 2007 with allegations of physical abuse and neglect. Investigation started in Feb and there are no notes until a new investigator is assigned 8 months later in October 2007. Case is closed unsubstantiated in November. ❸ New report on March 5, 2008 allegations are domestic violence. Children are infant and 2 year old toddler. Case closed March 11th as unsubstantiated. Case not staffed with the DA's office. ❹ Within one month the infant is found dead in a cluttered crib. Petition now filed for neglect, filthy home and domestic violence.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2008	Court Substantiated
	03-2008	Unsubstantiated
	02-2007	Unsubstantiated
	06-2006	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2008 Report Date:</b> Female, 2 YOA Female, 5 months (deceased)	
<b>Case Status as of Review:</b>	X	Open (permanency review 10-21-10)
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

- ❶ This family came to the attention of DFS in June 2006, due to allegations of emotional abuse, domestic violence, filthy home, and lack of necessity against the natural mother and father. The report was filed by a military base Family Advocacy Center. DFS conducted an investigation, but could not confirm that domestic violence was a factor in the home. The parents participated in marriage counseling and were willing to attend parenting classes. Lacking credible evidence, the case was closed as unsubstantiated.
- ❷ In February 2007, DFS received a subsequent report of abuse/neglect alleging physical abuse and lack of necessity against the mother and father. The report was again filed by the Family Advocacy Center. The reporter indicated that the child had physical injuries and was filthy. DFS initiated the investigation; however, there is a lack of case record documentation between case notes entered after the initiation in February and October 2007. Based on the absence of documentation, the case reviewers assume there was an absence in DFS service provision as well.
- In October 2007, the case was reassigned to a new investigator and the case record documentation improved. At the time of DFS follow-up, the mother had given birth to a second child. When the DFS Staff contacted the family, the older child had recently been seen at a local hospital, and the physician indicated the child had a diaper rash, but that the parents were providing appropriate care. Body checks were conducted on both children and there were no visible marks or bruises. Upon inspection, the family home was considered appropriate. Due to a lack of credible evidence, the investigation was unsubstantiated.
- ❸ In March 2008, DFS received a subsequent report of abuse/neglect alleging domestic violence against the mother and the father. The reporting source indicated there was altercation between the parents, and that the father had been detained by military police as a result. The source also indicated there was a prior

incident of domestic violence in September 2007.

DFS initiated an investigation. A body check was conducted on the children, and there were no visible marks or bruise. The parents continued to work with the military Family Advocacy Center to resolve their interpersonal issues. The investigation was unsubstantiated; the case was not staffed with the DA's Office.

- ④ In March 2008, DFS received a report alleging death of child, emotional abuse, and filthy home against the mother and father. Military police referred the case to DFS after a child was found not breathing in a crib filled with stuffed animals. DFS conducted an investigation in cooperation with the military police. The crib was found to be cluttered, filled with dirty diapers and stuffed animals. The surviving sibling was taken into Protective Custody and placed with a relative. The investigation was Court substantiated.

The surviving sibling remains in DFS care and is placed with relative. A termination of parental rights is pending, and the permanency plan for the child is adoption.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

The investigator assigned to the case in February 2007, is no longer with the agency.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
37	<p>❶ In 2006, one of the most brutal cases of child abuse observed in the last five years was brought to the attention of DFS. The case involved a three-year old little girl who had traveled to the United States from Europe with her mother to stay with an individual in Las Vegas. During the approximate three months that she was here before actually being placed into protective custody, the little girl sustained a broken arm, had her finger nails pulled off, was punched in the face while being forced to stick her tongue out, had multiple contusions to her body and had a life threatening injury that required emergency evacuation of fluids on her brain. The primary perpetrator of the injuries was identified as the mother’s boyfriend. An abuse/neglect petition was sustained against him in juvenile court when he failed to participate in those proceedings. Criminal charges were filed against both individuals and the mother was ultimately deported before a criminal case could be resolved against her. The criminal charges against the boyfriend were ultimately dismissed based on evidentiary issues. ❷ In 2008, the boyfriend became a father to a biological daughter and a local district court judge awarded him physical custody of the child. That information was ultimately reported to DFS in March 2009. DFS performed an investigation and Safety Assessment, which did not support the removal of the new baby despite the court’s substantiation of the physical abuse to the other child. DFS did not submit a petition request for the case. ❸ The assigned DDA filed a petition without the request of DFS to seek protective custody of the baby. The assigned DDA also filed a motion to have the baby placed into protective custody pending the resolution of the petition. ❹ The Hearing Master denied the motion for placement into protective custody based on the position taken by DFS in leaving the child in the care of the father. DFS did perform a Risk Assessment and indicated that the risk to the baby was very high as a result of the historical information concerning the father, yet they refused to take any action to remove the child.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	03-2009	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<u>03-2009 Report:</u> Female, 1 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

<b>Summary Response:</b>	
❶	This case came to the attention of DFS in 2006, due to allegations of physical abuse against the natural mother and her boyfriend. The child involved in the case suffered multiple physical injuries, indicative of abuse. Criminal charges for the abuse were filed on both the mother and the boyfriend. The child, once recovered, was placed in the care of the natural father who resided in Germany. The mother was deported prior to any resolution of the criminal case and the charges against the boyfriend were dismissed due to evidentiary issues. DFS conducted an investigation, which was Court substantiated. The boyfriend did not participate in/attend any hearings related to the child welfare case.



② In 2008, DFS received a new report of abuse/neglect on the boyfriend (detailed above) as a District Court Judge awarded him physical custody of his biological child. DFS initiated an investigation and assessed the safety and risk of the child. The child was not found to be in immediate or imminent danger of serious harm. Due to the father's prior child welfare history, however, the risk assessment was found to be high to very high for future risk of maltreatment. Services were provided to the father through Early Childhood Services (ECS). ECS reported that the father was appropriate with his child, but that he could use assistance in setting boundaries as the child often controlled the household. In addition, DFS staff conducted multiple unannounced home visits and the child was never found to have any marks or bruises and was never observed to be fearful of the father.

③ The DA's Office filed a petition independently from DFS. The petition alleged that the biological child was in need of protection due to the previously substantiated physical abuse and/or improper supervision. The DA's Office argued for the removal of the biological child, which the Court did not grant due to a failure to find conditions of immediate danger based on the father's current actions or inactions.

④ Though the child was not removed, as requested by the DA, DFS continued to monitor the case thru October 2009. The father voluntarily participated in services.

During this same time period, the father's attorney challenged the 2006 substantiated petition indicating the DA did not provide proper notice of service. The 2006 substantiated petition served as the basis for the 2008 petition filing. This case was heard by the Nevada Supreme Court, which ruled that the father did not receive proper notice of service, and, thus, the ruling (petition) in 2006 was overturned.

As a result of the overturned 2006 petition, there was consequently no basis for the 2008 petition as its argument rested solely on the 2006 case. The DA's Office verbally advised DFS that their office would re-file on the 2006 case. To date, that filing has not occurred.

This case is currently closed, and there have been no additional reports received on this family for 1 year, 6 months.

#### **Relevant Statute:**

#### **NRS 432B.520 Issuance of summons; authorizing the assumption of custody by court and removal of child from certain conditions; authorizing the attachment of child and placement of child in protective custody.**

1. After a petition has been filed, the court shall direct the clerk to issue a summons requiring the person who has custody or control of the child to appear personally and bring the child before the court at a time and place stated in the summons. If the person so summoned is other than a parent or guardian of the child, then the parent or guardian, or both, must also be notified by a similar summons of the pendency of the hearing and of the time and place appointed.

2. Summons may be issued requiring the appearance of any other person whose presence, in the opinion of the court, is necessary.

3. Each summons must include notice of the right of parties to counsel at the adjudicatory hearing. A copy of the petition must be attached to each summons.

4. If the:

(a) Person summoned resides in this state, the summons must be served personally;

(b) Person summoned cannot be found within this state or does not reside in this state, the summons must be mailed by registered or certified mail to the last known address of the person; or

(c) Child was delivered to a provider of emergency services pursuant to [NRS 432B.630](#) and the location of the parent is unknown, the summons must be served on the parent by publication at least once a week for 3 consecutive weeks in a newspaper published in the county and if no such newspaper is published, then a

newspaper published in this state that has a general circulation in the county. The failure of the parent to appear in the action after the service of summons on the parent pursuant to this paragraph shall be deemed to constitute a waiver by the parent of any further notice of the proceedings that would otherwise be required pursuant to this chapter.

5. If it appears that the child is in such condition or surroundings that the welfare of the child requires that custody be immediately assumed by the court, the court may order, by endorsement upon the summons, that the person serving it shall at once deliver the child to an agency which provides child welfare services in whose custody the child must remain until the further order of the court.

6. If the summons cannot be served or the person who has custody or control of the child fails to obey it, or:

(a) In the judge’s opinion, the service will be ineffectual or the welfare of the child requires that the child be brought forthwith into the custody of the court; or

(b) A person responsible for the child’s welfare has absconded with the child or concealed the child from a representative of an agency which provides child welfare services,

the court may issue a writ for the attachment of the child’s person, commanding a law enforcement officer or a representative of an agency which provides child welfare services to place the child in protective custody.

(Added to NRS by 1985, 1381; A 1991, 922; [2001, 1259](#); [2001 Special Session, 49](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	✓
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>38</b>	<p>① This case involves a four-year old child with facial bruising. The mother failed to provide an explanation for the injuries, which were credible and the court sustained the petition at trial. ② Approximately 30 days before the trial, the mother gave birth to a second child. DFS knew that the mother was pregnant and failed to take any action to prevent the baby from being released from the hospital despite the older child being in protective custody and the mother being the primary suspect in the physical abuse of the older child. DFS then provided a minimal investigation and learned that the mother had moved in a boyfriend with Domestic Violence convictions from 2007 (Arizona) and 2008 (Florida) and he had not undergone any counseling to address the situation. The investigator and supervisor assessed the matter based on the DFS Safety and Risk Assessment tools and left the baby in the care of the mother. ③ The trial was ultimately conducted on March 23, 2009 and the mother was found to be responsible for the injuries to the older child. At the conclusion of the trial, the DDA asked for the baby to be removed from the mother based on her physical abuse of the older sibling. DFS was not supportive of the removal and the Hearing Master left the child with the mother pending further investigation. Assigned DDA made an abuse/neglect report when DFS refused to pick up the baby. DDA then discussed matter with investigator, supervisor and assistant manager regarding Safety and Risk Assessments. DFS refused to submit a petition request and DDA filed without DFS support. Baby remained with physically abusive mother and domestic violence perpetrating boyfriend and there was no safety plan implemented by DFS. ④ A trial was held on the second petition and the Hearing Master dismissed the petition based largely on the fact that DFS did not find any immediate or impending safety threats to the child on 2 home visits. The older child remains with family members while the baby is home with the physically abusive mother and no monitoring of the situation. DFS plans to reunite the older child despite the mother's refusal to provide an explanation for the head injuries to the older child.</p> <ul style="list-style-type: none"> <li>▪ The mother has abuse/neglect proceedings in Germany and Louisiana but DFS failed to obtain those records during either of their investigations.</li> </ul>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2009	Unsubstantiated
	10-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2009 Report Date:</b> Male, 4 YOA Female, 1 month	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① This family came to the attention of DFS in October 2008, due to allegations of physical abuse against the natural mother. Upon investigation, the child was found to have bruising to the face, consistent with hand prints. The child indicated that the mother had caused the injury, although the mother denied causing the bruising. The child was placed in Protective Custody, and DFS requested the DA's Office file a petition. The allegations were Court substantiated and the child was placed with the maternal grandparents.

② The mother gave birth to a new child in February 2009. The case record does not document DFS took any action to prevent the release of the newborn from the hospital to the natural mother. DFS staff did complete, however, a risk and safety assessment on this child; the child was deemed safe and not in immediate or imminent danger of serious harm.

DFS staff was aware the father of the newborn child was convicted of domestic violence crimes in Arizona and Florida.

In March 2009, the DA's Office filed a new report of abuse/neglect with the hotline on the natural mother alleging physical risk of harm for the newborn. DFS conducted an investigation into these allegations. The DA's Office independently filed a petition on this investigation. This petition would not be heard by the Court until June, 2009.

③ The Evidentiary Hearing for the first petition was held on March 23, 2009. The petition was upheld and the mother deemed responsible for the injuries to the child. Court minutes reflect that the DA's Office requested the other child be placed in Protective Custody, but that the Court denied the request. These minutes do not detail the position of DFS staff on the placement or custody status of the child.

④ The petition filed independently by the DA's Office in March 2009 regarding the birth of the new child was dismissed by the Court on June 8, 2009. Between the dates the petition was filed independently by the DA and the June 8 hearing where the petition was dismissed (approximately 3 months), DFS staff conducted 8 home visits.

The mother in this case does have child welfare history in Germany and Louisiana. DFS staff requested the child welfare history from Louisiana on April 8, 2009. There is no case record documentation regarding such request to Germany.

On August 26, 2009, the child placed in out-of-home care was reunified with the mother as she had completed her case plan.

DFS continued to monitor this case, conducting more than 19 home visits between the time the child was reunified and April 8, 2010 when the Court terminated wardship. The mother had demonstrated appropriate parenting skills and engaged in outside services. At this hearing, the case record documented that the DA requested that the natural mother admit to causing the injuries to the child. The Court replied that the mother had complied with the Court's requests and that her focus should be on the welfare of her children.

This case is currently closed, and there have been no additional reports received on this family for 1 year, 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
39	<p>① DFS had an original report in 2007 regarding mental health issues for the mother. There was no court involvement on that case. ② In 2009 DFS received another report regarding mental health issues for the mother, alcohol problems and domestic violence between mother and father of newborn child. DFS investigation revealed that mother had her rights terminated to the oldest child (child in 2007 report) in Utah as a result of her alcohol problems and failure to work a case plan. ③ DFS left the child in the home with the new father and enacted a safety plan, which permitted the mother to also remain in the home with additional supervisors (family members and neighbors). At the protective custody hearing, the court approved the safety plan. ④ The assigned DDA filed a petition at the request of DFS. At the plea hearing on 6/9/09, DFS informed the assigned DDA and the court that the biological father was a tier 2-sex offender. DFS did not recommend the removal of the child from the sex offender's care, deferring that decision to the court. The DDA asked for the court to modify the placement and place the child with the maternal grandmother. Fortunately, the court modified the placement of the child pending further investigation by DFS. ⑤ Unfortunately, the sex offender father and the mentally unstable, alcohol using mother were permitted to continue to reside in the home with the maternal grandmother and child.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	05-2010	Court Substantiated
	04-2010	Unsubstantiated
	05-2009	Court Substantiated
	07-2007	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>05-2009 Report Date:</b> Male, 1 YOA (adopted) Male, 1 month	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

① This family came to the attention of DFS in July 2007 due to allegations of parent mental incapacity, parent substance abuse, and physical abuse-threat of harm against the natural mother. The report was made subsequent to the birth of a child. The reporting source was the newborn child's natural father.

DFS initiated an investigation and requested law enforcement and medical response to the home at the time of the initial visit. The report indicated that the mother was a potential harm to herself or the child, and DFS staff anticipated that additional assistance may be necessary. Upon arrival, the mother appeared to be fine and was at home with her sister who had come from California to assist with the newborn. Interviews with the mother indicated that the mother and the child's natural father had recently separated, and that he had promised to retaliate. The mother indicated she would be relocating to California, and DFS staff followed-up once she moved by making a report to California child welfare services. The report was screened out by California, as it did not rise to the level of abuse/neglect, but it was referred to a community agency. DFS unsubstantiated the investigation.

② In May 2009, DFS received a report of abuse/neglect alleging physical risk of harm against the natural mother and father. The report indicated that the mother and father had an argument and she threatened to harm herself, him, and the newborn child. The father left and when he returned, found the mother covered in blood. The mother was transported to a local mental health hospital.

During the investigation, DFS staff confirmed that the child who was the subject of the 2007 report was adopted by a family in Utah due to the mother's mental health issues and inability to work a case plan.

③ The newborn child was unharmed by the incident with the mother, but remained in the care of the father. The mother was allowed to remain in the home, but was only allowed to have supervised contact with the infant. The maternal grandmother relocated from California, and moved in with the family to offer assistance with the newborn and with supervision of the mother.

The safety plan as described above was approved by the Court at the Protective Custody Hearing held on June 3, 2009.

④ The DA's Office filed a petition at the request of DFS. At the Plea Hearing, DFS advised the Court that the biological father of the newborn child was a Tier II sex offender (2002-2003 conviction in Oregon). However, the father completed all terms of his probation. The child was then placed by the Court into the care of the maternal grandmother. DFS referred the father for a psychosexual assessment. He completed the assessment and engaged in treatment.

The case record documentation does not indicate that the child's placement decision was deferred to the Court by DFS staff.

⑤ Case record documentation indicated that while the child was placed in the care of the grandmother, that the grandmother and child still resided in the family home (essentially providing the same placement arrangement agreed to in the safety plan).

Information regarding the maternal grandmother's residence and her relocation from California is provided throughout case record documentation. It does not reflect whether or not the Court or DA's Office was also aware of this, but given the maternal grandmother's involvement in the case it may be reasonable to assume when the Court ordered the child into the care of the grandmother that all parties were aware she resided in the home with both the natural mother and father.

DFS continued to provide case management services to this family, and received two subsequent abuse/neglect reports. In April 2010, a new report was received related to the mother giving birth to a new child and the lack of compliance in completing her current plan. The report was investigated and unsubstantiated.

The following month another report was received. The grandmother intervened when the mother physically attacked a child. The grandmother did not immediately call the police, and was no longer deemed protective of the children. The children were removed from the home and are currently placed in out-of-home care, although ICPC has recently been approved for placement of the children with a paternal great aunt and uncle in Idaho.

**Relevant Statute:**

N/A

<b>Personnel Issues/Outcomes:</b>	
N/A	
<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
40	<p>① DFS originally became involved in May 2007 regarding the mother leaving her physically disabled children home alone for a minimum period of thirty minutes. DFS conducted minimal investigation and ultimately closed the case unsubstantiated when the mother fled with the children and DFS could not subsequently locate them. ② A second referral came to DFS on June 6, 2008, which alleged Neglect/Parents Substance Abuse, Educational Neglect, Medical Neglect Neglect/Lack of Supervision, Emotional Abuse and Neglect. DFS actually recommended a petition on this referral and the court sustained the allegations after the mother admitted the issues existed. ③ On February 9, 2009, a new report was called in for an abuse/neglect regarding a new baby. The report indicated that the older children had not been returned to the mother based on her failure to complete her case plan and that the mother did not have adequate resources for the new baby. During the course of that investigation, the mother tested positive for ecstasy and was observed breast-feeding the baby. Despite the positive drug test results and the continued problems, DFS found the baby safe, left the baby with the drug-using mother and unsubstantiated the case. A petition was never submitted to the district attorney's office for court involvement. ④ On April 21, 2009, DFS received a fourth referral regarding the mother and this one involved the medical neglect of the new baby. During the course of the investigation DFS left the child in the care of the mother and finally placed the matter on for a protective custody hearing on June 3, 2009. During the investigation, the mother tested positive on March 26, 2009, for cocaine in her hair, on May 7, 2009, positive for alcohol in her hair and on May 12, 2009, positive for cocaine in her urine. Despite the mother's continued drug use, DFS left the child in the home claiming that there were no safety issues supporting the removal of the child. DFS did request a petition to be filed by the DA's office.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2010	Unsubstantiated
	07-2009	Court Substantiated
	04-2009	Substantiated
	02-2009	Unsubstantiated
	06-2008	Court Substantiated
	05-2007	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2009 Report Date:</b> Female, 8 YOA Male, 7 YOA Male, 3 YOA Male, 3 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

① This family came to the attention of DFS on May 19, 2007 due to an allegation of lack of supervision against the natural mother. The report was made by law enforcement who responded to the mother's residence to a complaint that children were left home alone. Upon their arrival, they found 3 children home alone, and 30 minutes later the mother arrived, indicating she had left them to pay her cell phone bill. The home was sufficient and there was food and supplies necessary to care for the children. One of the children suffered from muscular dystrophy.

DFS initiated an investigation and made contact with the family on May 21, 2007. At the initial visit the mother was caring for the medically fragile child, but the other children were with the paternal grandmother. The mother denied the allegations indicating she left the children for only for 15 minutes

and had asked a neighbor to assist with watching the children. She acknowledged the neighbor never came to the residence. DFS interviewed the paternal grandmother confirming the location of the remaining children.

DFS staff received a follow-up call from the paternal grandmother on May 24, 2007 indicating she was concerned as the mother had left for California. DFS staff completed a comprehensive electronic search for the mother's whereabouts, but was unable to locate her new address. The case was closed July 21, 2007 as unsubstantiated, as DFS staff was not able to locate the family to complete the investigation.

② On June 6, 2008, DFS received a second report of abuse/neglect alleging emotional abuse, domestic violence, education neglect, lack of necessity, lack of supervision, and parent substance abuse. DFS initiated an investigation and requested the DA's Office file a petition. The children were made wards of the Court, and placed with relatives. The investigation was Court substantiated.

③ On February 9, 2009, DFS received a report of abuse/neglect in reference to the mother's newborn child alleging plausible risk of physical injury. DFS permanency staff filed the report with the hotline. The report does not indicate the mother was non-compliant with her case plan. The report was filed as the child had been released from the hospital with the natural mother, despite DFS staff having called local Hospitals to report the pending birth and request a CPS report be filed with the Hotline at the time of the actual birth.

An investigation was initiated, and the mother and newborn child were referred to Nevada Early Intervention Services and a referral was made for a public health nurse (who was later assigned).

During the course of the investigation the mother tested positive in her hair for low levels of illegal substance, but tested negative for illegal substance in her urine. The mother was breastfeeding the child during this time. Concerned about the mother's drug use while breastfeeding, DFS staff followed-up with a scientist at the lab who indicated that because the mother tested negative in the urine, she was not passing substances to the child through breast milk. Further, if any substances were passing to the child through breast milk then the child would have a positive urine test. The child's urine tested negative for illegal substances in February and May, 2009.

The child remained in the home with the mother and the investigation was closed as unsubstantiated. Case record documentation does not indicate the investigation was staffed with the DA's Office.

④ On April 2009, DFS received a subsequent report of abuse/neglect alleging medical neglect and plausible risk of physical injury against the mother regarding her care of the newborn child. The report is filed by a Wraparound In Nevada case manager. The reporting source indicated the mother failed to provide medical care for the child. The reporting source also indicated concern regarding the mother's drug use and breastfeeding.

An investigation was initiated, and DFS staff interviewed the child's pediatrician who indicated the child has been seen with frequency, including on February 17 and 26, March 31, and April 14. The pediatrician did not indicate concern for the child's wellbeing. Further, DFS staff confirmed the mother had also followed up with the neurologist regarding testing the baby for a hereditary condition.

Due to continued concerns regarding the mother's drug testing and breastfeeding, DFS staff again contacted the lab to discuss mother's drug results on May 18, 2009. The scientist reviewed the mother's drug tests from March 26, May 7, and May 12, 2009. The scientist concluded that the drug tests suggested re-use, however, did not believe that the mother's levels were high enough that they would pass to the child through breast milk. As mentioned previously, the child's urine was tested for illegal substance during this time and tested negative.

DFS staff substantiated the investigation for plausible risk of physical injury and took Protective Custody of the child. DFS staff requested the DA's Office file a petition; the father was added to the petition as an alleged perpetrator of abuse/neglect. The child was not, however, immediately removed from the home. The Protective Custody Hearing was held on June 3, 2009, and the Court agreed the child could remain in the home with the mother, with the stipulation that the father visits regularly. The mother and father denied the allegations at the Plea Hearing and an Evidentiary Hearing was scheduled.

Prior to the Evidentiary Hearing, however, DFS received a new report of abuse/neglect on July 16, 2009 regarding a domestic violence incident that occurred between the mother and father. When the Evidentiary Hearing was held on September 18, 2009 both parents entered a no contest plea to the petition. At the Dispositional Hearing, the case plans were reviewed and accepted by the Court, and the child was made a formal ward. At that time, the child was no longer in the care of either parent, having been removed subsequent to the July 16 report.

DFS continues to provide on-going case management services. The two older children were reunified with the mother in December, 2009. The infant was reunified in January 2010.

To date, the mother has completed her case plan. The father, however, has not completed his domestic violence counseling. The mother relinquished her parental rights to the medically fragile child in February 2010. Adoption is pending for that child.

At the Review Hearing held in June 2010, DFS recommended case closure, but the Court opted to keep the case open for another 90 days, setting a status check in September 2010.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	✓
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:  <div style="text-align: center; font-size: 2em; font-weight: bold;">41</div>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>① On May 18, 2009, DFS received a report (5<sup>th</sup> referral) regarding a domestic violence situation involving a child. When DFS responded, they learned that the mother of the child had originally come to the attention of DFS in 1999 and had an agency substantiated case for lack of supervision. Then in April 2001 a report regarding the mother’s use of crack cocaine was minimally investigated and closed as unsubstantiated without DFS requesting a drug test from the mother. The third referral came in August 2002 regarding improper supervision, lack of resources and drug sells. Again DFS did a minimal investigation and even after the mother admitted not having food in the home; they closed the case as unsubstantiated. DFS provided some food vouchers and did not investigate the underlying causes including no drug testing for the mother. The fourth referral to DFS occurred in January 2003 and involved drug use by the mother. DFS finally requested a petition and the court substantiated the allegations. The children were placed into foster care and the mother ultimately failed to complete a case plan and had her parental rights terminated to the children.</p> <p>② As to the 5<sup>th</sup> referral, DFS investigated the matter and found that the mother was residing with a registered sex offender (grandfather), the grandmother and a family friend. The mother had denied using drugs but ultimately tested positive for methamphetamine, cocaine and coca ethylene in May 2009. Despite the history, current drug use, sex offender residing in the home and the father of the child committing multiple acts of domestic violence, DFS left the child in the home and informed the court that there are no safety issues necessitating the removal of the child.</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) Highlighted Report(s) Specific to DA Description):</b>	05-2009	Court Substantiated
	10-2003	Court Substantiated
	01-2003	Court Substantiated
	08-2002	Unsubstantiated
	04-2001	Unsubstantiated
	11-1999	Substantiated
	04-1997	Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>5-2009 Report Date (for child with intact parental rights):</u></b> Female, 1 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

① On May 18, 2009, DFS received a report of abuse/neglect alleging plausible risk of physical harm against the natural mother. The report was made by law enforcement who responded to a domestic dispute complaint. This family had prior child welfare history dating back to April 1997, which included four previously substantiated investigations (two with Court involvement), and two unsubstantiated investigations.

The April 2001, report alleged parent substance abuse. DFS staff contacted the mother, who indicated she and her child were living with her mother. She told staff that the child’s father was trying to locate her, and that he was hoping to do that through filing a report with child protective services. The mother appeared well as did the child. The child had no signs of abuse/neglect. The case was closed as unsubstantiated.

In August 2002, another report was received alleging lack of necessity and lack of supervision against the natural mother. The reporting source indicated the house was in disarray, there was no food, and the children were unkempt. The reporting source also indicated that the mother's boyfriend was selling drugs from the residence. DFS conducted an investigation, making a home visit the same day the report was received. The mother admitted she did not have any food available for the children. She also indicated she received assistance from her sister and her boyfriend. The home did not appear to be in disarray and the children appeared well. DFS staff provided the mother with food vouchers and other necessary supplies to care for the children. The investigation was unsubstantiated.

In January 2003, DFS received a report of abuse/neglect alleging abandonment, lack of necessity, and parent substance abuse against the mother. The report alleged that the mother left the children alone for several days, and that she was addicted to cocaine. DFS initiated an investigation, and requested the DA's Office file a petition that was later Court substantiated. The mother initially denied leaving the children alone, but admitted to having a drug problem. The children were made formal wards of the Court, and the mother's parental rights were terminated. The children were adopted in June 2005.

In October 2003, DFS received a report of abuse/neglect related to the birth of a new child. DFS staff was aware of the pregnancy and had previously requested a hospital alert on the mother; as a result of that alert, the hospital provided additional information to DFS at the time of birth. This child was made a ward of the Court, and like with the siblings, the mother's parental rights were terminated and the child placed for adoption.

② The May 2009, report was investigated by DFS staff. The mother had another child and law enforcement responded to a domestic dispute complaint. A friend of the mother got violent in the home threatening other people, including the child. The maternal grandfather was present when this occurred, and the case record documents that he was a registered sex offender. The child was not removed from the home.

At the Protective Custody Hearing held on June 3, 2009, the Court placed the child with the mother requiring a safety plan that involved the maternal aunt checking in on the family every other day, and DFS staff conducting home visits three times per week until case transfer.

Drug tests were requested of the mother and she tested positive for methamphetamine and cocaine.

At the Plea Hearing held on June 9, 2009, the mother admitted to the allegations. The DA's Office objected to the child's placement with the mother, citing her drug use and the previous TPR. The DA indicated they would be filing a waiver of reasonable efforts. DFS supported the child remaining in the care of the mother, providing that the safety plan remain in place. The Court ordered the child to remain in the care of the mother.

At the Dispositional Hearing held on June 30, 2009, the case plan was submitted and the child was made a ward of the Court. The mother was notified by the Court that if she tested positive for drug use, her child would be removed and placed in out-of-home care.

In August 2009, the case record documents disagreement between the DA's Office and DFS staff regarding a motion to waive reasonable efforts. DFS staff did not make a request to put the matter on calendar due to the mother's progress. To date the DA's Office has not requested the matter be put on calendar.

DFS continues to provide on-going case management services. The mother is currently completing Drug Court, and the Court has agreed to close the case upon her successful completion.

To date, the mother has completed her case plan and remained drug free. She has completed counseling to address her domestic violence history.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	

DA Case ID:  <b>42</b>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>❶ In May 2008, DFS received a report from a medical provider indicating that a ten-year old child had suspicious bruising inside her mouth and there was suspected sexual abuse. The case was assigned to the sexual abuse unit and the investigator interviewed the child. There was no disclosure from the child. At that point, the investigator wanted to close the case but our office was able to convince DFS to file a petition alleging physical abuse (unexplained physical injury). The case went to trial and the court found an unexplained physical injury and made the children in the case wards of the court. The children were permitted to reside in the home with the parents on the condition that their contact was supervised by a grandparent living in the home. The parents were given case plans with counseling services. The parents have refused to provide a credible explanation for the injuries throughout the time the case has been open. ❷ In June 2009, DFS requested that wardship over the children be terminated despite the parents not providing an explanation for the injuries to the child. The DA's office disagreed.</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	6-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>06-2008 Report Date:</u></b> Female, 9 YOA Male, 4 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ In June 2008, DFS received a report of abuse/neglect alleging sexual abuse against the natural mother and her boyfriend. The report was filed by a local dentist who observed bruising to the soft palette of a child's mouth on two separate occasions. The dentist indicated that the first time he saw the child he noticed the bruising, and purposefully scheduled a required second visit 30 days later to see if it healed. The dentist indicated the bruise was larger at the child's second visit.

DFS initiated an investigation and forensically interviewed the child on June 20, 2008. The child made no disclosure regarding the sexual abuse. The mother and her boyfriend were also interviewed, and neither could identify how the child's injury was sustained.

The investigator conferred with a forensic pediatrician who indicated that if a child had bruising to the soft palette it could be caused by shoving something hard into the mouth, and that if the bruising got larger after a period of time, then the injury to the mouth had continued.

According to case record documentation the investigator submitted the case for closure, but the supervisor denied the closure due to the child's unexplained injury.



Instead, DFS staff requested the DA's Office file a petition and the children were removed from the home and placed with paternal grandparents. At the Protective Custody Hearing held on July 3, 2008, the DA's Office requested the matter be continued pending another opinion from a physician. On July 15, when the hearing was continued DFS indicated that the child was scheduled to see a specialist regarding the injury. The DA's Office requested to proceed given the evidence at hand.

At the Plea Hearing held on July 22, 2008, the mother and her boyfriend denied the allegations, and the matter was set for an Evidentiary Hearing. The children remained in the care of the paternal grandparents.

On August 11, 2008 the Evidentiary Hearing was continued until October 2, 2008. The mother and her boyfriend hired a new attorney and the attorney requested another continuance until November 14, 2008. The children remained in the care of paternal grandparents. The November 14, hearing would later be continued until December 12, 2008, again at the request of the mother and boyfriend's attorney.

On December 12, 2008 the Evidentiary Hearing was held. The Court made a finding of non-accidental injury caused by blunt force trauma, but noted that the case will not be treated like a sex abuse case.

At the Dispositional Hearing held January 7, 2009, the mother and boyfriend were provided case plans, which included a physical abuse assessment. The case plans did not include counseling services. The children were returned to the mother with contact to be supervised by a grandparent who also resided in the home.

The mother and boyfriend completed the physical abuse assessment. The assessment indicated that the risk for another unexplained injury was low and did not recommend any further treatment.

② On June 30, 2009, DFS recommend termination of wardship at a Review Hearing. The DA's Office objected and recommended that the mother needed to complete counseling to address Post Traumatic Stress Disorder (PTSD) issues as those unresolved issues would diminish her protective capacities. Although the mother did disclose an abusive childhood, there is no indication that she was ever diagnosed with PTSD. The Court ordered for the mother to complete individual and couple's counseling, and requested the matter be put back on calendar prior to the next Court date if DFS deemed appropriate to reconsider closure.

On December 17, 2009, the Court agreed with DFS recommendation to terminate wardship. The DA's Office objected indicating that the mother and boyfriend had not received the necessary training on how to avoid a similar situation.

This case is currently closed, and there have been no additional reports received on this family for 2 years, 3 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

43

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ A mother and her teenage daughter (low functioning – at 8 yr old level) who recently had her own child are involved. The mother/grandmother allowed a nineteen year old to reside in the home for an unknown period of time. He is the putative father of the teenage mother’s child. In March 2009, he was arrested on six (6) counts each of preparing/distributing minor pornography and possession of child pornography. The teenage mother is identified as the victim of the child pornography.

❷ There was a sex abuse investigation by DFS in late May 2009, which was closed as unsubstantiated. The mother/grandmother disclosed previous drug use to the investigator at that time, but was not drug tested.

❸ On May 27, 2009, DFS received a report from a mandatory reporter raising concerns regarding the teenage mother’s ability to provide for the care of the new baby based on her cognitive abilities and the fact that the putative father of the child was in jail. The current investigator drug tested the mother/grandmother as she wished to be considered for placement of the infant. The mother/grandmother tested positive for greater than 20,000 pg of methamphetamine in her hair. The current investigator did not call in a new report regarding the drug issues for the mother/grandmother as it relates to her ability to care for the teenage child. DFS investigators continue to verbalize that drug use alone is not a basis to remove a child and do not raise safety issues.

❹ The DDA assigned to the case has articulated the following safety concerns in an attempt to persuade DFS to perform a thorough investigation into the care of the teenage mother and her new baby: There is a mentally impaired 16 year old child (operating at 8 yr old level) who was sexually abused by a perpetrator her mother allowed to live in the home. That the mother/grandmother has subsequently tested positive for a large amount of methamphetamine, indicating heavy usage during the time frame in which the abuse was occurring.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	05-2009 (2)	Court Substantiated (infant investigation) Substantiated (teen parent investigation)
<b>Age of Child(ren) Involved:</b>	<b>05-2009 Reports:</b> Female, 16 YOA Female, 1 day	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ Two reports of abuse/neglect were received on May 27, 2009 regarding the same family. The first report alleged sexual abuse against the maternal grandmother regarding the teen mother. The second report alleged lack of supervision against the teen mother.

The reporting source for both reports was staff at a local hospital. The reporting source indicated that the father of the teen mother’s newborn child was arrested for stolen property, possession of child pornography (the teen mother being the victim of the pornography), and a probation violation. The reporting source also expressed concerns regarding the teen mother’s ability to care for the newborn.

- ② DFS initiated an investigation into the sexual abuse allegations made against the maternal grandmother. DFS staff interviewed the grandmother who indicated that only two children resided in her home, the teen mother and another biological child. She also indicated that her daughter and the male individual in question had a relationship with one another prior to his turning 18. That relationship resulted in her daughter's pregnancy. She indicated that he had resided with them, but only for a two-week period of time. The grandmother indicated she was not aware of the pornography issue or that he had taken pictures of her daughter until his arrest. The grandmother voluntarily disclosed past drug use.

DFS staff forensically interviewed the teen mother. She indicated her newborn's father had taken multiple pictures of her naked and sent them to others via his cell phone. She indicated that they dated for 10 months, and that he prostituted other girls. She indicated her mother did not like him as she felt he was lazy. She shared a room with her mother during the time he lived with them, and he would share a room with her brother. She indicated she had been sexually active since she was 14, but with a different partner. Based on the information gathered during the investigatory process, on June 12, 2009 the investigation was substantiated (without Court intervention) against the grandmother.

Based on this review of the case record documentation, while DFS staff substantiated the investigation, the fact pattern supported Court intervention and supervision.

- ③ Simultaneous to the initiation of the previous investigation, DFS also initiated an investigation into the allegations made against the teen mother and the newborn child's father. The father of the newborn child was incarcerated and there were concerns regarding the teen mother's ability to care of the child.

The newborn was immediately removed from the care of the teen mother, and placed in out-of-home care. The case record documents that the maternal grandmother was interested in being a placement option, but that she tested positive to methamphetamine, preventing her from providing care for the newborn.

DFS staff requested the DA's Office file a petition, and the teen mother denied the allegations at the Plea Hearing which was held on June 17, 2009. An Evidentiary Hearing was scheduled for August 13, 2009.

On July 28, the teen mother enrolled in the Fresh Start Family Services program and became a resident of the program's homes that specialize in teen mothers and babies. This placement arrangement was made and approved by both the teen mother and her mother.

At the Evidentiary Hearing, the father pled no contest to the allegations and the petition was continued for the teen mother for 90 days. She was ordered to maintain her new placement at the Fresh Start program, demonstrate her ability to parent, complete parenting education, and submit to a cognitive evaluation. The newborn remained in out-of-home care as the Fresh Start facility did not meet the licensing requirements to take placement of an infant.

The Court hearing was continued until September 21, 2009, where it was determined by an alternate Hearing Master that the newborn would be returned to the teen mother. The Hearing Master indicated that as long as the Fresh Start program would assist the teen mother with receiving the necessary services for the newborn and the agency's staff had completed and cleared background checks, the newborn could reside there.

On November 9, 2009, the petition against the teen mother was dismissed, but wardship of the newborn was maintained.

Subsequent to the teen mother's dismissal from the case, DFS continued to provide case management services to the teen mother and natural father. The father completed both drug and domestic violence assessments, and based on the assessment results was not required to receive additional services/treatment for either issue. The father completed his case plan and the Court terminated wardship on May 10, 2010.

This case is currently closed, and there have been no additional reports received on this family for 1 year, 4 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
44	<p>❶ In December 2008, DFS received a report from a mandatory reporter raising concerns of sexual abuse with a fourteen-year old girl. DFS assigned an investigator and the young lady was interviewed. During the interview, she disclosed multiple incidents of sexual abuse by her stepfather occurring in the family home over the course of a seven to eight year period. The investigation also revealed two brothers living in the home with the alleged perpetrator. The mother of the children was interviewed and denied the abuse and accused the daughter of being a liar. The father submitted to a polygraph and was found to be deceptive.</p> <p>❷ Despite the disclosure of sexual abuse and the statements by the mother, DFS left the two younger brothers in the home with the mother, while asking the alleged perpetrator to leave the home. DFS submitted a petition request form, which indicated that the mother should not be charged since she was protective. ❸ After the petition was filed and without DDA knowledge, DFS subsequently permitted the perpetrator to move back into the home with the mother as the supervising party for the two younger boys. ❹ The victim of the sexual abuse recanted her disclosure shortly after the mother started to tell her how much the brothers missed her and how things would be different in the home.</p> <p>❺ The case resolved with a no contest plea by the perpetrator. The two brothers are potential victims and the court expressed reluctance to take the boys out of the home based on the length of time that DFS had permitted them to remain home.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>12-2008 Report Date:</b> Female, 14 YOA Male, 5 YOA Male, 1 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ On December 18, 2008, DFS received a report of abuse/neglect alleging sexual abuse against the step-father. The reporting source indicated that that the child had lived with her maternal grandmother since the beginning of the school year, but that she occasionally visited her mother. The child had recently gotten into trouble and the grandmother decided the child would have to return to the mother's home. The child then informed the grandmother of being sexually abused by the step-father.

The child was interviewed at the Southern Nevada Children's Assessment Center on December 20, 2008, and disclosed the sexual abuse. The child reported living with the grandmother and grandfather. The child reported having two half brothers (biological children to the step-father), and that her natural father was incarcerated and had not been in contact for several years.

The grandmother was interviewed on December 20, 2008. She reported that she has had legal guardianship of the child since infancy, and that the child has lived with her on and off since birth. She reported that the child has been living with her since September 2008, because the child's family lived in a small one-bedroom apartment.

The grandmother stated that the child described being molested by the step-father when she was told that she was going to have to move back in with her mother. The grandmother filed a police report and took the child to Sunrise Hospital. The grandmother was directed to keep the child in her home and to ensure that the child had no contact with the step-father.

- ② DFS staff made an unannounced visit to the mother's home on December 20, 2008. The step-father denied the allegations and the mother denied being aware of the abuse. She expressed concern regarding the truthfulness of the child's allegations.

The step-father subsequently left the home, and a safety plan was completed and was signed by the mother. It stated that he was to have no contact with his remaining biological children pending further notice. DFS staff also spoke with law enforcement, informing the Detective that the parents had been interviewed, and that while the alleged perpetrator's children were remaining in the home, he would be staying at his mother's home indefinitely.

Contact was also made with the 1-year-old child at the mother's home. The 5-year-old male child was interviewed at the Southern Nevada Children's Assessment Center on December 20, 2008. The child denied being inappropriately touched by anyone.

DFS staff requested the DA's Office file a petition. A Protective Custody Hearing was held on December 24, 2008. All three children were included on the petition. The mother was excluded from the petition, as she was deemed protective and was unaware of the alleged abuse. Furthermore, the step-father agreed to leave the home and the alleged victim would remain with the grandmother, having no contact with the step-father. The Court ordered supervised visitation with the alleged perpetrator and the remaining children. No contact was ordered between the alleged victim and the step-father.

- ③ On January 1, 2009, the mother called the investigator to inquire about moving into a larger apartment with the paternal grandmother. She asked if her husband would be able to return to and live in the home. The mother was informed that the grandmother needed to have a background check completed and that a safety plan would need to be put into place.

The mother and two children were authorized by DFS staff to move in mid-January when she could no longer afford to maintain a separate residence. She moved in with the paternal grandmother and the father, and a new safety plan was developed. It required that either the grandmother or mother supervise any contact the father had with his children.

On January 8, 2009 the Plea Hearing was continued as the mother was erroneously included on the petition and needed to be removed. The new Plea Hearing was scheduled for January 15, 2009. The step-father denied the allegations and an Evidentiary Hearing was scheduled for February 25, 2009; it was later continued two additional times and eventually held in June, 2009.

- ④ On March 31, 2009 DFS staff spoke to the grandmother and she stated the child got upset with the maternal grandfather when she was told she was grounded. The child then stated that she lied about the allegations against her step-father and wanted to go to the mother's home.

On June 18, 2009, DFS staff met with the alleged child victim and the DA to prepare for Court. Case record documentation indicated that the child stated that DFS was involved with the family because she lied about her step-father touching her. The DA stated disbelief regarding the child's recanted statement, and the child got angry and left the room slamming the door on the way out.

5 An Evidentiary Hearing was held on June 19, 2009. Case records document that the Court approved the continued placement of the remaining children with their mother as she continued to supervise contact between the children and the father. The father was ordered to complete a psychosexual and substance abuse assessment. Neither case record documentation nor Court minutes reflect the Court's reluctance to remove the children from the home due to the length of time they had been allowed to remain there.

A home visit was conducted on July 29, 2009 at the maternal grandmother's home. The child again stated that her allegations against her stepfather were a lie.

An unannounced home visit was also conducted at the mother's home. She inquired about the continued need for supervised visitation as she had a new job and supervision with the father and two boys would be difficult with her new job. She was told by DFS staff that supervision would have to be discussed in Court, and the safety plan remained as previously approved.

An announced home visit was conducted on September 10, 2009 at the maternal grandparent's home. The alleged child victim stated that she lied about recanting her story and that the step-father did molest her. She was referred for counseling. In November, 2009, the child was allowed to visit the siblings and the mother, but a no contact order remained with the step-father.

A Review Hearing was held on January 14, 2010. Discussion was held regarding the visitation and supervision requirements for all children. The Court requested to hear from the alleged child victim before lifting the no contact order with the step-father; however, unsupervised contact with the father and boys was granted. Another hearing was set for February 11, 2010.

At the subsequent hearing, DFS recommended wardship termination for all children. The Court confirmed the validity of the guardianship with the grandparents and terminated wardship of the child victim, only. The Court terminated the wardship for the remaining children on June 17, 2010.

This case is currently closed, and there have been no additional reports received on this family for 1 year, 9 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A



<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

45

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

This is an example of e-mail sent by the assigned DDA to DFS regarding their request to terminate wardship over two children and return them to their biological father without approval from another state (violation of ICPC).

❶ Our office is not in support of any attempt by the Clark County Department of Family Services to request termination of wardship on this case. According to records maintained by the Las Vegas Metropolitan Police Department, Father started his criminal career in Nevada in 1991 (age 20). He was arrested and charged with DUI - Controlled Substance in November 1991. In December of the same year he was arrested for a Sexual Assault (ultimately denied for prosecution for unknown reason). By June 1992, Father was arrested and charged with Possession of a Controlled Substance with Intent To Sell. In July 1992 Father was arrested and charged with Robbery with Deadly Weapon. That charge was ultimately plea bargained to Attempt Robbery (Felony) in 1993. In 1992 he was also arrested and convicted of carrying a concealed weapon. In 1993, Father was released by the criminal court to Inpatient Drug Program (no indication that this was completed). In 1994, father was arrested for Aiming a Firearm and being an Ex Felon in Possession of a Firearm. Through the criminal court system father received probation. By 1995, father was arrested for being under the influence of controlled substance and negotiated that case to a misdemeanor drug charge - he apparently did not successfully integrate his inpatient drug experiences to life on the streets. He also had a DUI involving Liquor arrest. In 1997, he was arrested for Possession of Imitation Controlled Substance and resisting a police officer. There is a police report from April 1997 (Metro) which states:

Victim came in contact with suspect at the heritage lounge. Victim tried to leave in her vehicle but he pulled her out. Suspect and victim used to date in 1992. Suspect started to hit victim and grabbed a \$20.00 bill out of her hand. Suspect also broke off victim's necklace and bracelet taking them both. Suspect then left with some friends. Victim stated suspect went to prison in 1993 for robbing her. Father was sentenced to 3 years, stayed and placed on 4 years of probation.

In 1999, he continued to have criminal involvement and then apparently left the state of Nevada. In 2003 - according to your notes he physically abused one of the children, by striking him with a belt, leaving substantial bruises and welts and had formal services through Tennessee. The child was only 8 years old at the time of the abuse.

On June 21, 2003 – the father was arrested and charged with Child Abuse by the Nashville Metro Police Department. Presumably this is from the beating he gave the son.

On April 1, 2004 - father was arrested and charged with possession of weapon by prohibited person, possession of a controlled substance, possession of drug paraphernalia and "assault, reckless endangerment, deadly weapon". (Nashville Police). Father continued his criminal lifestyle with drugs and guns while he claims that he was the primary care provider for his sons.

On December 13, 2004 - arrested by ATF for Possession of Firearm (Federal charge)

In 2005, he was convicted on a weapon related charge and forced to register as a result of that conviction from Tennessee. The father was incarcerated at the United States Penitentiary, Lompoc, CA in May of 2006. He was paroled on March 14, 2007 to Nashville, Tennessee and is on parole until March 13, 2010.

You can see from the 14 years of documented criminal involvement that the father was engaged in selling drugs, using drugs, driving while using drugs and alcohol. He was also engaged in violent criminal conduct which involved deadly weapons (guns) and just four years ago was convicted in Tennessee of a gun related offense for which he was sentenced to prison. He did 10 months in prison. It does not appear that he has changed his life to the point where two children can be

safely placed into his care. live that lifestyle. Additionally, the mother was deathly afraid of him because she lived a very violent 12 years with him. There was a lot of domestic violence between them. On June 30, 1995, she filed for and was granted a TPO.

② It is my legal opinion that the Clark County Department of Family Services will be violating ICPC by simply requesting the termination of wardship and permitting the children to be placed into the care of the father without the approval of Tennessee ICPC. DFS knows or reasonably should know that the father intends to return to the state of Tennessee with the children if the court follows the recommendation. There is no legal basis to terminate wardship at this time and it cannot be argued that reunification has occurred at any time prior to the June 9, 2009 court hearing in this matter.

③ I respectfully believe that the Clark County Department of Family Services needs to appeal the denial by Tennessee ICPC, through appropriate channels and not try to circumvent the ICPC process. There should be some supervision of the children while in the father's care to insure that they are not beaten with foreign instruments and that he can handle their behaviors. He beat an 8 year old for associating with someone he did not approve of - what is he going to do to a 14 year old who has teenage issues of drug use?

Additionally, I did not see a recent safety or risk assessment in Unity (the last documents were from 2007). I took the liberty of completing a blank risk assessment which has the following:

Current Complaint - Neglect ----- 1  
 Prior Investigations - 3 (3 in Nevada and 1 in Tennessee)  
 Household - CPS ----- 1  
 Number of Children 0  
 Age of youngest child 0  
 Primary caretaker/inconsistent 0 (based on the beating it is arguable but I gave benefit of doubt)  
 Primary caretaker - mental health 0 (again based on physical abuse it is arguable but gave benefit of doubt)

**DFS RESPONSE:**

<b>UNITY Case #:</b>	[REDACTED]	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2007	Court Substantiated
	11-2006	Unsubstantiated
	08-2006	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b><u>01-2007 Report Date:</u></b> Male, 12 YOA Male, 7 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① This family came to the attention of DFS in 2006 due to allegations of abuse/neglect against the natural mother. In 2006, DFS conducted two investigations, both unsubstantiated. In 2007, however, DFS received an additional report of abuse/neglect alleging lack of necessity, parent substance abuse, and physical risk of harm against the natural mother.

Based on initial investigative findings, the children were removed from the home and placed with the maternal grandparents. DFS requested the DA's Office file a petition, and when filed the natural father was added to the petition due to his inability to care for the children as a result of incarceration in California. As a result of being named on the petition, and since reasonable efforts were not waived, the

natural father received a case plan that he was required to complete upon his release from prison.

The case record documents the father's lengthy criminal history, which dates back to 1991. The father served jail time in California and was released from jail on March 14, 2007. He completed his probation in March 2010. He has had no known subsequent criminal charges since 2006.

DFS staff confirmed the father was involved with Tennessee Children's Services in 2003, for the abusive punishment of his oldest child. Tennessee Children's Services did not remove his children at the time of their involvement, however. There is no case record documentation to indicate whether or not he was convicted of the child abuse charge in 2003.

The children's father was involved in the Court proceedings from Plea Hearing forward, attending Court hearings via telephone. He made constant phone contact with the children subsequent to his release from jail, and sent the children \$80.00 biweekly for allowance. The father's extended family also made frequent contact with the children. The children underwent therapy from March 2007, to the time of reunification with the father. The children's therapist supported reunification with the father.

Upon his release from jail, the father completed his family Court ordered case plan and held a steady job as a welder in Tennessee. Prior to completing probation, DFS staff maintained contact with his probation officer, who stated he was doing well, and that he tested negative on all drug tests.

② On December 10, 2008, due to the mother's lack of compliance with her case plan, the father's compliance with his case plan, and the children expressing a desire to be reunified with their father in Tennessee, the Court accepted DFS' recommendation that the children's permanency goal be changed to reunification with the natural father.

Subsequent to the change in permanency goals for the children, DFS staff requested Tennessee provide services and support to the family through the ICPC process. Tennessee denied the request, citing the father's previous child welfare history as the basis for denial. Tennessee took more than 6 months to issue the denial.

Case record documents that DFS staff were fully aware the father was residing in Tennessee and that is where the children would be residing. That fact was the impetus for the initial request for ICPC.

③ On June 17, 2009, the case was staffed with the DA's Office, and they indicated concern regarding the denial for ICPC received by Tennessee and the lack of child welfare supervision that would occur subsequent to reunification.

On August 4, 2009, at the Permanency Review Hearing the Court terminated wardship of the children based on DFS staff recommendation. Case record documentation does not indicate the DA's Office objected to the termination of wardship at this time.

The safety and risk assessments referenced were implemented in November, 2008. Due to the fact they are tools primarily utilized when conducting investigations, and that this case was referred to DFS in 2007, there would not be a completed version of this exact tool in UNITY. Additionally, as a result of the changes and updates to the tools, previously completed assessments are no longer available in UNITY.

The children were reunified with the father on August 11, 2009. This case is currently closed, and there have been no additional reports received on this family for 1 year, 1 month.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

N/A

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
46	<p>❶ A family came to the attention of DFS after the father shot three Metro Police Officers while they were trying to execute a search warrant on the home. Two of the three children were home during the incident and traumatized by the events. The mother of the children had a history of child protective service involvement in California and the father had a criminal history from California that was revealed during the investigation. ❷ The initial response from DFS was to not file a petition alleging any abuse or neglect based on the father being in jail and the mother appearing to be protective of the children. A petition was filed by the DDA assigned to the case without a request being made. The petition was ultimately resolved and the father agreed to participate in a case plan with counseling services. The criminal case is still pending a trial and there is a strong likelihood that the father will be going to prison. ❸ Despite the factual circumstances and the uncertainty of the future for the mother and children based on their financial dependence on the father, DFS recommended the closure of the case, citing no safety or risk concerns for the children. Based on that recommendation the court terminated wardship over the objection of the DDA assigned to the matter.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>12-2008 Report Date:</b> Female, 13 YOA Male, 12 YOA Male, 3 months	
<b>Case Status as of Review:</b>		Open
	X	Closed

<b>Summary Response:</b>	
❶	<p>This family came to the attention of DFS on December 29, 2008 due to allegations of physical abuse against the natural mother and father. The report was made by law enforcement SWAT officers who while executing a search warrant at the home were involved in a shoot out with residents. The natural mother and two children were present at the time of the incident. The father was arrested at the scene, but the mother was not.</p> <p>DFS staff confirmed the mother's child welfare history in California which was related to a domestic violence incident with a former boyfriend. The child protective services investigation related to the incident was unfounded by California. The natural father was confirmed to have a criminal history out of California as well.</p>
❷	<p>A case note entered by DFS staff on December 31, 2008 indicates staff requested the DA's Office file a petition. However, when reviewing the actual electronic form request that should be present in UNITY, it is missing. The DA's Office did, however, file a petition with the Court on January 5, 2009.</p> <p>At the Protective Custody Hearing on December 31, 2008, the Court ordered the children released to mother, if she passed a drug test and had appropriate housing. The children, who were removed from the home at the time of the incident, were approved to be released to maternal grandmother, pending her background check. DFS staff requested two weeks to review the child protective services history on the family from California, but the request was denied and another review set for one week later.</p>

At the follow-up hearing, the Court ordered the children returned to mother. The DA objected to the release, but the children were returned to the mother with a safety plan that included an uncle residing in the home with the mother and children.

At the Evidentiary Hearing, the father pled no contest to the petition. The mother's petition was held for 90 days, to be dismissed if she remained drug free, had no association with natural father's associates, and the children remained in Nevada.

The father completed an anger management assessment as required by the Court. The assessment indicated the father did not need anger management counseling. The provider cited that the father was trying to protect his family when the incident took place.

Case records documented that the maternal grandmother continued to provide financial support to the family, and had been doing so for some time.

- ⑥ At the June 2, 2009, Review Hearing, DFS staff advised the Court that DFS was not in the position to recommend case closure due to the pending criminal case against the father. The Court ordered the worker to hold a Child and Family Team meeting to discuss the possibility of closure, due to the father's attorney making such a recommendation at that hearing.

A Review Hearing was set for June 16, 2009, and the DFS worker reported to the Court that there appeared to be no safety concerns during his bi-weekly visits with the family. The father's attorney reported to the Court that the father had completed his case plan objectives, and as a result the case should be closed. The DA's Office requested that the family home be searched for weapons and for the father to re-submit to an anger management assessment prior to closure. The Court, after hearing all arguments, terminated wardship and directed DFS staff to file the order with Family Court.

This case is currently closed, and there have been no additional reports received on this family for 1 year, 9 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	✓
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>	
47	<p>① On June 26, 2009, a DFS worker conducted an unannounced home visit to check on two children. The children (who were 6 years old and 18 months old respectively) were wards of the court and were placed with their maternal aunt following removal from their mother’s home. When the worker arrived for the home check, she found the children had been left in the care of two adult males who had not been background checked and were not authorized to care for the children. The 18-month old was sitting on training potty. His hands were tied behind his back with shoelaces. A rash covered his body and his eyes were red and infected with discharge surrounding his eye. The child did not have a diaper. The adult male stated that the child was tied up so that he could not scratch the rash. The six year old was found sitting on the couch watching television with several other children. The DFS worker called her supervisor to respond. ② After consultation with a DFS Assistant Manager and after speaking with the perpetrator, the worker and supervisor removed the two children who were wards. However, they did not remove any of the perpetrator’s children finding that there were “no safety concerns.” Records reflect that the mother had four (4) children. The children were 9 years old, 7 years old, 5 years old and 6 months old at the time of the incident.</p> <p>③ When the 18-month-old ward was taken to Child Haven, he was treated for impetigo, scabies, eczema, staph and conjunctivitis. He had an open sore under his scrotum. The child had ligature marks on his wrists and lower legs. ④ DFS did not call police to respond to investigate the child abuse until seven hours later, when much of the evidence was lost or destroyed. When Metro responded, the ligature marks on the wrists had faded and were no longer visible, but they were still able to observe the ligature marks to the child’s legs despite the passage of several hours.</p> <p>⑤ When CPS attempted to contact the perpetrator’s children the next day, the perpetrator reported that the children had been taken to California by their grandmother. The grandmother and children were not able to be located for five (5) days. When they were located, CPS had California authorities conduct a courtesy interview. The children did not disclose direct abuse. Based on their “relocation” to California, DFS determined the children to be “safe” and closed the case “unsubstantiated” as against her own children. The case was never referred to the District Attorney’s Office for filing of a petition based on the risk of harm to those children. The District Attorney’s Office discovered this action by DFS and informed them of the DA’s intent to file a petition.</p>	

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2009 (2)	Unsubstantiated (biological case) Substantiated (relative foster case)
<b>Age of Child(ren) Involved:</b>	<p><b><u>Foster Children: 06-2009 Report Date:</u></b> Male, 6 YOA Male, 1 YOA</p> <p><b><u>Biological Children: 06-2009 Report Date:</u></b> Female, 11 YOA Male, 9 YOA Female, 7 YOA Male, 5 YOA Male, 6 months</p>	
<b>Case Status as of Review:</b>		Open
	X	Closed

## Summary Response:

- ① On June 26, 2009, DFS received an institutional abuse report on the relative caregiver of two children, who were in the custody of the department. DFS permanency staff filed the report upon arriving to the home to conduct a home visit and discovering a one-year old child sitting on a potty chair with hands tied behind the back. The child was covered in a rash and eyes appeared to be infected. The child had been left in the care of two adult men, not known to or approved by DFS staff to provide care for the child.
- ② At the time of the initial arrival, the biological children of the caregiver were also present. After consultation with an assistant manager, the DFS staff removed the two children who were wards of the Court. The caregiver's biological children were not removed from the home.  
  
After further consultation, DFS staff filed a second abuse/neglect report on the caregiver regarding her biological children. DFS staff returned to the home to assess the well-being of the caregiver's biological children, arriving at the home with law enforcement at approximately 1:00 AM on June 27, 2009; no one was home.
- ③ The one-year old child was diagnosed with scabies, eczema, conjunctivitis, impetigo, and cradle cap. The child had ligature marks on hands and feet.
- ④ DFS staff did not contact law enforcement until several hours after the initial arrival at the home. Law enforcement responding, when contacted, to the Child Haven campus.  
  
Digital pictures were taken of the child's injuries by the permanency worker shortly after she arrived at the home.
- ⑤ When DFS staff again went to the caregiver's home on June 27, 2009, the caregiver reported that her children were in California with their grandmother and that they left on June 26, 2009. She further stated she was not trying to flee inquiry, but rather there was a previously existing plan to relocate the children to the grandmother in California. DFS staff contacted the grandmother in California, but was unable to connect with her.  
  
On July 1, 2009 a phone call from the grandmother was received by the DFS staff. She reported she picked up the children on June 26, 2009, and they were residing with her in Victorville, CA. The grandmother further stated that the trip was planned and had nothing to do with the recent incident. The grandmother stated there was no timetable for the return of the children back to their mother, and that the mother was planning to move to California.  
  
On July 2, 2009, DFS staff faxed a report and letter to California child welfare services in San Bernardino County regarding the children requesting further investigation. On July 9, 2009, DFS' staff followed up with the San Bernardino agency to determine the status of the case.  
  
San Bernardino child welfare staff indicated the children had been seen and there were no injuries or issues with them or the natural mother. San Bernardino staff also indicated that the maternal grandmother was in the home, and had been involved in raising the two older children and was willing to assist the natural mother with the children. San Bernardino concluded that the grandmother's home was appropriate for the children, and there were no concerns regarding child well being.  
  
Primarily based on the information received by the San Bernardino child welfare services agency, DFS staff unsubstantiated the investigation against the caregiver for the abuse/neglect of her biological

children; the institutional investigation was substantiated, however.

There is no case record documentation to indicate the DA's Office has filed an independent petition related to the caregiver's biological children.

The institutional abuse case is currently closed, and there have been no additional reports received on this family for 1 year, 3 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	✓
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
48	<p>① On July 24, 2009, a one-year-old child died from abusive injuries inflicted by his father, who had a history of domestic violence and other violent crime. The child had obvious scratches and significant bruising to his face and body. An autopsy later revealed abdominal injury, internal hemorrhaging and multiple rib fractures.</p> <p>CPS investigated this family three times in early 2009 following multiple hotline calls on January 3, March 2 and March 29. The hotline calls included detailed allegations regarding the children (ages 1 year, 2 years and 5 years) being left alone for extended periods of time. The reports referenced the father’s periodic incarceration and detailed mother’s extensive drinking and drug use, including regular drug use in front of the children. The reports described the home as filthy with an overwhelming odor and trash (including dirty diapers and old food) piled up from the floor to the counters in the kitchen. The bathtub was black with filth and there was standing urine in the toilet. The reports detailed that the home was without power or food and that the mother was seen selling her food stamps for drug money.</p> <p>Despite the fact that the investigations revealed substantial credible evidence to support the allegations and their own risk assessment reflected that the family remained a “moderate risk,” DFS closed all three investigations as “unsubstantiated” without referring them to the District Attorney’s Office for filing of a petition. Two were closed without services. One case indicated that the Department handled it “informally.” The family was not referred to the District Attorney’s Office until the one-year-old child died from the abusive injuries inflicted by his father.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2009	Court Substantiated
	02-2009 (2)	Unsubstantiated
	01-2009	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b><u>07-2009 Report Date:</u></b> Female, 6 YOA Male, 2 YOA Male, 1 YOA (deceased)	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

① This family came to the attention of DFS on January 3, 2009 due to allegations of inadequate shelter and lack of supervision against the natural mother. DFS staff responded to the residence and made contact with a babysitter in the home, who indicated the mother was not home. As DFS staff was informed that the mother was not home at the time of the first visit, law enforcement assistance was requested. Law enforcement indicated that they had recently been out to the home in response to a domestic dispute. They indicated that based on previous interaction with the mother earlier that day; there were no concerns about the children residing with her.

At the second visit to the home, it was discovered that the mother was the same individual who stated she was a babysitter earlier. The home did not have power, but the mother indicated she was not living there, but was living instead with her mother at a different location. DFS staff confirmed her living

arrangements. The children were seen and appeared to be well. As there was no indication of abuse/neglect, the case was closed as unsubstantiated.

In March 2009, DFS received two additional reports of abuse/neglect against the mother. The March 2, 2009, the reporting source alleged the mother used drugs in front of the children, sold her food stamps for drugs and alcohol, that the home was filthy with no food or electricity, and that she leaves the children alone for periods of time. DFS staff initiated an investigation and went to the mother's residence. The residence was observed to be in disarray. Although the mother indicated the children were staying with the maternal grandmother, DFS staff informed the mother the residence required cleaning before the children could return. DFS staff also held a conversation with the apartment manager, who agreed to spray for roaches and clean the carpets. When DFS returned the next day, the apartment was observed to be clean with food, water, and working utilities. During an unannounced visit to the mother's home 15 days after initial contact, the residence remained clean and appropriate. The two younger children were also there; the children did not have any marks or bruises and did not appear fearful of the mother. The investigation was unsubstantiated.

The third report, which came to the attention of DFS on March 29, 2009, alleging failure to protect and environmental neglect. The report was filed by law enforcement who had found a young child left home alone. The residence was again found to be filthy without food and power. During the initial contact with the mother, she reported she left her two younger children with her friend because her grandmother was in the hospital. The friend was arrested by law enforcement for leaving the child alone. The mother indicated she was staying in the home of her children's paternal grandparents because of her home's current condition as well as interpersonal issues with her neighbors. This information was confirmed through a visit with the aforementioned grandparents as well as subsequent unannounced visits. The investigation was unsubstantiated.

The final report for the family was received on July 24, 2009 and alleged physical injury/death and plausible risk of physical injury. This was the first report received that presented any physical abuse allegations. The report was filed by law enforcement who responded to the home where the youngest child was unresponsive. The oldest child had remained in the care of the maternal grandmother, and the other surviving sibling was removed from the care of the mother and placed with the maternal grandmother. The cause of death for the child was blunt force trauma with contributing conditions; DFS received a copy of the final autopsy report on December 16, 2009. The child's father was criminally charged with his death, and he pled guilty to second degree murder.

The child welfare case was Court substantiated against both the mother and the father.

Based on this review of the case record documentation, there may have been sufficient information to substantiate on the second investigation received and to provide on-going services to the family. The father's involvement with the family was not sufficiently explored by DFS staff.

DFS continues to provide on-going case management services. A referral was made for termination of parental rights in May 2010, but until termination of parental rights is granted, the children's permanency goal will remain reunification with the mother.

**Relevant Statute:**

N/A

Personnel Issues/Outcomes:	
N/A	
Relevant Systemic Issues:	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
49	<p>❶ On July 2, 2009, an allegation of sexual abuse came into the CPS Child Abuse Hotline. The case was assigned to an investigator, who immediately interviewed the victim child and her mother. Based on her preliminary interviews, the investigator entered into a "safety plan" under which the mother agreed to allow no contact between the child and the perpetrator. ❷ Thereafter, the investigator had little or no contact with the family for more than 30 days. ❸ When the child victim was interviewed at the Southern Nevada Children's Assessment Center on August 6, 2009, she disclosed that in the intervening month her mother moved in with the perpetrator and that she was currently living with the perpetrator. The victim disclosed being sexually abused prior to the CPS report and being re-offended in the intervening month after her mother moved in with the perpetrator. The child was subsequently removed, but not until after she had been re-victimized and forced to live with her sexual abuser.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2009	Substantiated
	02-2002	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>07-2009 Report Date:</b> Female, 13 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶	<p>This family came to the attention of DFS in 2002 due to allegations of sexual abuse-fondling against the natural father. DFS conducted an investigation, interviewing the mother, father, and child. The parents were going through a contentious custody battle at that time, and both made numerous allegations of child abuse/neglect against one another. Due to a lack of credible evidence, the investigation was unsubstantiated.</p> <p>A second report of abuse/neglect was received by DFS on July 2, 2009. The report alleged sexual abuse against the natural father and was filed by the child's mother. DFS staff immediately initiated an investigation. The child was forensically interviewed at the Southern Nevada Children's Assessment Center on July 2, 2009. The child disclosed that her father had touched her breast. The mother was interviewed as well, and agreed to institute a safety plan which provided for no contact between the child and her father. The child was left in the care of the mother, and they relocated from the family home to reside with a friend of the mother.</p>
❷	<p>DFS staff did not have contact with the mother and the child again until August 4, 2009. The mother then contacted DFS staff and informed them she had moved back into the family home with the alleged perpetrator.</p>
❸	<p>The child was re-interviewed on August 6, 2009. During the interview, the child disclosed that in the intervening month, despite the safety plan being in place, her father had again touched her breast. Law enforcement submitted the case for a count of lewdness in August 2009, however it was denied, and no charges were filed.</p>

The child was removed from the care of the mother and placed in out-of-home care subsequent to the August interview. The DFS investigation was Court substantiated and the child remained care until March 2010, when the child was reunified with the mother. Wardship of the child was terminated by the Court on April 15, 2010.

This case is closed, and there have been no additional reports received on this family for 1 year, 2 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>50</b>	<p>① In June 2009, CPS unsubstantiated a sexual abuse case with credible disclosures from two victims. The case was called into the Hotline and assigned to an investigator, who interviewed the 15-year-old child. The child disclosed that when she was 12 or 13 she had surgery on her feet. She took her pain medication and fell asleep on her parent’s bed. When she woke, her panties had been ripped off and her bra was off. In another instance, she woke up to see a shadowy figure that she identified as her father taking off her pants. She pretended to roll over in her asleep and her father left the room. In a third instance, she was lying in bed when she felt her father’s hand on her leg. She was able to get up and get in her sister’s bed to get away for his advances. In a fourth instance, her father told her to take Xanax. The child pretended to take it, but did not. Her father kept asking if she was sleepy. The victim secretly called her mother and asked her to come from work for fear that the father was going to sexually abuse her again. In each instance where the father sexually abused this child, the mother was confronted with the father’s actions and she did nothing to protect her children. The victim also disclosed that her father sexually abused her (now adult) sister several years earlier.</p> <p>CPS interviewed the sister who disclosed that her father repeatedly sexually abused her. She described that he would give her Xanax and then touches her once she was asleep. In the first instance she remembered, he gave her Nyquil. After she fell asleep, she felt him touching her vaginal area and she felt his finger inside her vaginal opening. When she moved, he got up and left the room. In another instance, when she was 15 years old, he tried to give her Xanax. She pretended to take it. That night, he came into her room and lay down in the bed next to her. He tried to pull down her pants but when she moved, he stopped. A minute later she felt him touch her vaginal area, hurting her “really badly.” When she moved again, he stopped for a moment but then started touching her again. She turned over and he finally stopped and left the room. When she told her mother, her mother did not believe her or protect her. Despite receiving these detailed disclosures, CPS closed the case “unsubstantiated.” ② The District Attorney learned of the case and independently filed a petition. The father pled no contest to the petition</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2009      Unsubstantiated (Court Substantiated subsequent to DA filing independent petition filing)
	02-2007      Unsubstantiated
	02-2006      Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2009 Report Date:</b> Female, 17 YOA Female, 15 YOA
<b>Case Status as of Review:</b>	Open
	X      Closed

**Summary Response:**

① This family first came to the attention of DFS on February 06, 2006 due to allegations of emotional abuse, domestic violence, and physical abuse against the natural mother and the adoptive father. DFS conducted an investigation that was unsubstantiated.

DFS received the second report for this family on February 23, 2007. The report was filed by local law enforcement who had responded to a report that a female child had been sexually assaulted by her adoptive father. The child reported that her father would give her medication to help her sleep, and that she would subsequently have soreness in her vagina and trouble urinating the next day. The child

also reported that her sibling woke up with her bra undone and underwear torn, after taking pain medication following foot surgery. The child reported these allegations while staying at a friend's house. The police report indicated that the alleged victim had runaway twice and been arrested for battery/domestic violence.

DFS staff made numerous attempts to contact the alleged child victim, but was unable to do so. DFS staff interviewed the child's sibling (referenced in the report), who provided no corroborating information; she disclosed no sexual abuse. DFS also interviewed the father; he denied the allegations. The investigation was closed as unsubstantiated on April 19, 2007 after repeated unsuccessful attempts to locate the alleged victim at home and school.

The third report was received on April 24, 2009 alleging sexual abuse against the adoptive father. This report was staffed with law enforcement on April 24, 2009. DFS staff attempted a home visit on April 25, 2009. DFS staff was informed the family no longer lived at that address, but was provided a phone number for one of the children.

DFS staff was able to meet with the child (the sibling referenced in the first report) on April 29, 2009, and she disclosed that she had been sexually abused by her father on multiple occasions for a few years. She stated her father fondled her breast and vaginal area on multiple occasions and that the most recent incident occurred in December 2008. She stated her father had been out of the home for 2 months.

The child was forensically interviewed May 1, 2009, at the Southern Nevada Children's Assessment Center. She discussed having to take pain medication when she had surgery when she was 12 or 13. She stated she woke up with her underwear ripped off and her bra undone. She did not know what happened. She told her sister, and her mother ultimately confronted the father. He responded that the child must have had a rough night of tossing and turning, and this was the reason for the ripped underwear. She did not discuss the situation further with her mother. She reported a similar incident occurred on the couch. She immediately told her mother who woke up her father to confront him. He said she must have been dreaming. She reported another occasion where the father tried to give her Xanax. She called her mother, who was working at the time, and asked her to come home. Her mother arrived within 30 minutes. She stated that her father mixes pain pills with alcohol, and that he doesn't remember anything when he does this. She also discussed her sister's allegations (as described in the first report) and stated that her mother didn't believe her sister because the allegations came out during a fight between her sister and father. The alleged victim stated that her mother didn't believe her at first, but now believed her. The child felt safe in her home now that her father lives elsewhere.

The alleged victim's sister was interviewed at the Southern Nevada Children's Assessment Center on May 2, 2009. She stated that she used to get into physical altercations with her father regularly before he moved. She reported that her father touched her vaginal area while she was sleeping and tried to give her pills such as Xanax. The first incident occurred when she was lying on the couch after taking Nyquil. She didn't report this incident because she was dazed from the Nyquil, and was unsure that the abuse really happened. She reported that a similar incident occurred when she was 15. She stated that she didn't tell her mother until one night when she ran away and began getting into trouble. Her mother didn't believe her because she had stolen her father's car, and her mother thought she was lying as the allegations were not made until she was in trouble.

The children's mother was interviewed on May 2, 2009. She reported that she did not initially believe the allegations brought forth by her oldest daughter because the allegations were not mentioned until she got into trouble. She confronted her husband, but he denied everything. She separated from her husband for a period of time, but later allowed him back home for financial reasons. Most recently, he

had been out of the house for 2 months, and she did not plan on taking him back as she was more financially stable. She reported that she would be filing for custody and divorce soon. She stated that the oldest child doesn't speak to the father; however, the younger child would like a relationship with him. The mother reported that the younger child was never left alone with the father. She reported being open to counseling and receiving in-home services.

The father was interviewed on June 8, 2009. He stated these types of allegations were brought against him before, and that they were ridiculous. He stated he had been out of the home for 5 months, and that he takes Loratab, Soma, and Xanax for his acute anxiety. He stated he would not attempt to get custody of the children because he adopted them. He was open to counseling and would like to have a healthy relationship with his daughters.

The father contacted the investigator on June 25, 2009 and indicated that he may have an opportunity to move out of the state, and wanted to make sure that it was okay. He was advised that the case was being submitted for closure. The investigation was closed as unsubstantiated on July 5, 2009 by DFS staff.

Based on this case review, despite the fact that the mother was protective of the children, there was sufficient information to substantiate on the April 24, 2009 report and to provide on-going services to the family. Case records reviewed supported Court intervention and supervision.

② The DA's Office independently filed a petition on July 30, 2009, citing the same allegations listed in the report received by DFS on April 24, 2009 (see above). The mother and father were both named as perpetrators in this petition and both children were also named.

Court records indicate a Plea Hearing was held on July 30, 2009. The children were placed with the mother, and the father was ordered to have no contact with the children. A continuation of the Plea Hearing was held on August 6, 2009. The father's attorney entered a denial to the petition on behalf of the father. The mother's plea was continued by the Court.

The father pled no contest at the Evidentiary Hearing held on November 11, 2009. The Court accepted the plea and recommended that the petition against the mother be dismissed as she had been compliant. She had enrolled in non-offending parenting classes, counseling, and had maintained no contact with the father. At the Dispositional Hearing held on December 3, 2009 the children were made wards of the Court.

DFS continued to provide case management services to this family until April 22, 2010. At the time of case closure, the mother maintained sole legal and physical custody of the child. The father was prohibited from having any contact with the child until completion of a psychosexual assessment and following any related recommendations. There have been no additional reports received on this family for 1 year, 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	✓
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>51</b>	<p>❶ In June 2009, a 17-month old child presented at University Medical Center with extensive 2<sup>nd</sup> and 3<sup>rd</sup> degree immersion burns to both hands. The burns encompassed the entirety of both hands ending in a ring shaped line around the wrists such that they resembled “mittens.” Mother admitted responsibility for the injuries, but attempted to explain them as “accidental.” ❷ At the dispositional hearing, the Department submitted mother’s case plan to the Court. The case plan did not require the mother to engage in any services to address the physical abuse of the child nor did it include a mental health assessment. At the request of the District Attorney’s Office, the Court directed the DFS worker to prepare an amended case plan including those requirements. When the amended case plan was presented to the court several weeks later, it still did not include any language to address the mother’s physical abuse of this child. When confronted with the omission, the DFS worker stated that it was her belief that the physical abuse “only applied to the father.” This was despite the fact that the mother had prior substantiated petitions for physical abuse of the children and she admitted to causing these injuries.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2009	Substantiated (requires change in UNITY to Court Substantiated)
	12-2007	Court Substantiated
	08-2007	Court Substantiated
	11-2006	Court Substantiated
	08-2005	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b><u>06-2009 Report Date:</u></b> Male, 5 YOA Male, 2 YOA Female, 1 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

❶ This family came to the attention of DFS on June 4, 2009 due to allegations of physical abuse and plausible risk of physical injury against the natural mother. This family had prior child welfare history dating back to August 2005, which included three previous Court substantiated child protective services investigations. The family’s previous case with DFS closed on March 16, 2009.

In June 2009, a report was filed by a local hospital providing medical care to a child presenting with second and third degree burns to the hands. The reporting source indicated the mother alleged the child was burned while washing her hands, but that the burns were so severe, they appeared to have occurred as a result of punishment. DFS initiated an investigation, interviewing the mother who admitted to causing the child’s injuries, but stated it was accidental. The children were removed from the care of the mother, and placed in out-of-home care. DFS requested the DA’s Office file a petition.

② The mother denied the petition, but later pled no contest. Case record does not reflect discussion or disagreement between DFS staff and the DA's office regarding the mother's case plan. In fact, there are multiple references to the fact that DFS staff intended to request and eventually did request a motion to waive reasonable efforts on the mother. A case note dated on June 6, 2009, indicates that DFS staff informed the mother that "due to her history with CPS and the new injury to [the child] that a Motion to Waive Reasonable Efforts may be submitted to the Court and...that if granted DFS would not be required to give [her] a case plan and work with her on reunification." The Court was also advised on June 18, 2009 DFS staff intended to request a waiver of reasonable efforts.

Subsequent to the transfer of the case from DFS child protective services staff to permanency staff, the case record indicates permanency staff developed a case plan with the mother. Records do not document the contents of that case plan. At the January 7, 2010 Dispositional Hearing, Court minutes reference a continuance request made by DFS staff who indicated to the Court the case plan was not complete.

The mother's case plan, according to Court minutes, was discussed at a hearing held on January 28, 2010. The minutes indicate the mother was not present at the hearing due to a conflict with Criminal Court requirements. The minutes indicate that a Motion to Waive Reasonable Efforts was pending hearing on February 4, 2010 and that the DA's Office requested that discussion regarding the case plan be held until that Motion had been decided. The mother's attorney objected to the request, and the Court proceeded with the case plan review. While Court minutes indicated the plan was only amended to include a mental health component, other case records indicate the amendment included a component to address physical abuse.

On February 18, 2010, the Court approved the Motion to Waive Reasonable efforts, essentially making any case plan in effect null and void. DFS continues to provide case management services, and the permanency goals for the children remain adoption.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	✓
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
52	<p>❶ In December 2007, DFS investigated a case involving a 13-year-old girl who was repeatedly sexually abused by her mother's adult boyfriend beginning at age 10 and continuing over the course of several years. The child described the boyfriend removing her pants, rubbing her vaginal area and kissing her stomach. He forced her to bend over and rubbed his erect penis against her vaginal area. He also made her fondle his penis. During the initial investigation and despite the boyfriend's plea in child welfare court, the mother never believed her child and maintained a romantic relationship with the perpetrator. ❷ In March 2009, DFS requested to close the case despite the fact that criminal charges were pending against the perpetrator, the boyfriend had not undergone any treatment or worked his case plan, the mother continued to maintain a romantic relationship with the perpetrator, and the mother refused to believe her daughter. ❸ The District Attorney objected noting the obvious concerns for the safety of the child and Court refused DFS's request for closure.</p>

DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2007	Substantiated
	11-2002	Unsubstantiated
	01-2001	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b><u>12-2007 Report Date:</u></b> Female, 13 YOA Male, 6 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

Summary Response:	
❶	<p>This family came to the attention of DFS on December 21, 2007 due to allegations of sexual abuse against the natural mother's boyfriend and failure to protect against the mother. This family had prior child welfare history dating back to January 2001, which included two previous unsubstantiated child protective services investigations.</p> <p>The December 2007, report was filed by the mother, who expressed concern that her boyfriend was inappropriately touching her daughter. While the mother was the reporting source, during the course of the investigation the mother expressed her disbelief that the abuse occurred. The mother's boyfriend pled no contest to the petition in May, 2008. He was later charged criminally for the abuse.</p> <p>The mother, however, completed Court ordered services and the petition against her was later dismissed on June 24, 2008. Case records indicate that the DA's Office recommended she be dismissed due to her willingness to participate in services, maintaining her child's counseling, and maintaining no contact between the child and the perpetrator of the abuse. The DA's Office indicated they would not agree to terminate wardship of the child or to close the case until the criminal case concluded. The Court concurred.</p>
❷	<p>DFS staff recommended case closure at a Review Hearing held on March 1, 2009. Case records do not document the rationale behind the request. The Court would not close the case, as the mother still expressed a disbelief of the allegations in open Court.</p>



Based on this case review, the mother’s dismissal from the petition was unfortunate. She continued to express disbelief that the abuse/neglect occurred, which ultimately diminished her ability to protect the child. The mother also continued to maintain a relationship with the perpetrator, although she did not allow contact with her children. The case record reflects an emphasis in requiring the service participation of the perpetrator, with a denial of case closure based on the status of the perpetrator. The perpetrator had no contact with the child since December 2007, and had no biological relationship to the child. If the mother had remained on the petition, the focus of the case may have more appropriately shifted to her, focusing on increasing her ability to protect her children and helping her come to terms with (and acknowledge) the abuse that occurred.

The case remains open and DFS continues to provide case management services to the family.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	✓
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	✓
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>53</b>	<p>❶ In May 2009, a 3-year-old child was determined by CPS to have an adult-size bite mark on her arm and two red marks on her legs. The victim told both the reporter and the CPS investigator “mommy bit me.” The reporter also informed CPS that she observed the mother pull the child’s hair so hard the child was lifted off the ground, that (from outside) she heard the child screaming inside the apartment for an extended period of time, and that the child and her 2-year-old brother were frequently left outside without supervision. In one instance, they tried to bring the 3-year-old back to the family apartment, but the door was locked and no one would answer. In another instance, the 2-year-old was outside unattended without a diaper and was almost hit by a car. The source reported seeing the mother with a black eye on a previous occasion. Mother also presented with a black eye and bruised arm when interviewed by CPS. The mother pled no contest to the petition.</p> <p>❷ At the dispositional hearing, DFS recommended that the children not be made wards and that the case be closed. ❸ Despite the mother’s plea to the allegations, the DFS caseworker communicated to the DDA that she disbelieved the allegations. ❹ The Court, at the behest of the District Attorney, kept the case open and required DFS to develop a case plan to address the children’s safety and to include specific counseling for the physical abuse.</p>

DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	07-2010	Unsubstantiated
	05-2009	Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>05-2009 Report Date:</u></b> Female, 3 YOA Male, 2 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

Summary Response:	
❶	<p>This family came to the attention of DFS in May 2009 due to allegations of physical abuse against the natural mother and father. The report was filed by law enforcement who responded to a domestic dispute complaint. DFS initiated an investigation, and upon arrival at the home found the child to have sustained an adult size bite mark on her arm and two red marks on her right leg. The child was interviewed and indicated that her mother bit her. The mother denied the allegation, and stated that the bite mark was caused by the child’s sibling.</p> <p>DFS also interviewed the source who reported the incident to law enforcement. The source indicated witnessing the mother pull the child’s hair so hard she was physically lifted off the ground and also that the children are frequently left outside without supervision.</p>
❷	<p>The children were immediately removed from the home and placed in out-of-home care until June 1, 2009, when they were released to the natural father and the uncle, who relocated from California to assist the family.</p> <p>Both the mother and father initially denied the allegations and an Evidentiary Hearing was scheduled. At the Evidentiary Hearing, the mother entered a no contest plea, but the father’s petition was held for 90 days. The Dispositional Hearing for the mother was held on October 13, 2009, but continued for one week until October 20, 2009. At that time, DFS staff recommended that the children not be made wards</p>

of the Court. The family was cooperating with services, and the children had previously been returned to the care of the father. DFS staff believed that case management oversight and services could continue to be provided in lieu of making the children wards of the Court. However, the Court disagreed and ordered the children be made wards. The case record does not indicate that DFS staff recommended case closure.

③ Case record does not document DFS staff disbelieved the allegations.

④ At the December 22, 2009, Review Hearing the case was ordered closed by the Court and wardship of the children terminated. The petition on the father was also dismissed. The mother had been compliant with her case plan, including clinical assessments, therapy, and parenting classes.

DFS received a second report of abuse/neglect in July 2010 alleging physical abuse. One of the children presented at a local hospital with an injury to the jaw. Initially it was diagnosed as a fracture, but later the physician indicated the x-rays had been read incorrectly. The case was unsubstantiated.

This case remains closed, and there have been no additional reports received on this family for 2 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>54</b>	<p>① On August 2009, a five-year-old child was severely beaten while living in the home of her father and stepmother. Upon return to her mother’s care, the child had multiple bruises in the shape of finger marks on her upper thigh near her groin area, a bruise in the shape of a hand print on her buttocks, and a long, linear bruise on her thigh that appeared to be a belt mark. She also had a bruise under her left eye and two bruises to her face near her chin and jaw line which appeared circular like a fingerprint. The bruises were both old and new. The child had suffered significant hair loss while in the care of her father, and she had not been treated for a urinary tract infection while in her father’s care despite the fact that father had been advised of the need for treatment. As a result of the extensive abuse of this five-year-old, she was placed with her mother and her step-and half-siblings (ages 5 years, 3 years and 6 months) were removed from the home.</p> <p>② When the case transferred workers, the permanency worker erroneously believed that that North Carolina Family Assessment Survey (NCFAS) – a tool recently “rolled out” by the Department - was a risk assessment tool and, based on the results of her NCFAS assessment recommended that the infant and two other very young &amp; vulnerable children be returned home. When the DA objected, the error was discovered and the children were not returned home.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2010	Substantiated
	09-2009	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>09-2009 Report Date:</u></b> Male, 5 YOA Female, 3 YOA Male, 7 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

①	<p>This family came to the attention of DFS in September 2009 due to allegations of plausible risk of physical injury and failure to protect against the natural father and the step-mother. The report was filed by DFS child protective services staff who were investigating another report involving a child who was half-sibling to one of the children referenced in this report.</p> <p>DFS initiated an investigation. The five-year old child had bruising on the face, legs, and buttocks. Some bruising appeared consistent with fingerprints. The child had a belt-like linear mark/bruise as well. The children were removed and placed in out-of-home care.</p>
②	<p>DFS recommended the Courts return the children to care of the parents at the Dispositional Hearing held on October 22, 2009. The recommendation was not solely based on the NCFAS assessment, and the tool was not viewed as a risk assessment tool by DFS staff. The recommendation for reunification was based on the NCFAS, the parent’s engagement in treatment which included their completion of parenting classes, and the paternal grandmother’s willingness to move into the home.</p> <p>The DA’s Office requested a 2-week continuance to receive the results of the anger management assessment. The Court continued the hearing until November 3, but allowed the children to return to the home where they would remain in the care of the paternal grandmother. That hearing was</p>

continued until November 17 and again until November 22.

At the continued Dispositional Hearing held on November 22, 2009, DFS staff recommended that the mother be allowed to return home. That recommendation was based on the mother's completion of the anger management assessment, which did not specify follow-up other than couple's counseling and the prior completion of parenting classes. In addition, the paternal grandmother remained in the home to assist with the care of the children, and DFS staff would be conducting announced and unannounced home visits. Court minutes indicate that the Court agreed and allowed the mother to return home with reunification to occur within 90 days.

A new report of abuse/neglect was received in April, 2010 due to the birth of a new child. The child was born drug-exposed and the investigation was substantiated. DFS continues to provide case management services and supervision to the family. There have been no additional reports received on this family for 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
55	<p>❶ Mother admitted her abuse and neglect petition in September 2007 and was ordered to complete Drug Treatment. At the 6-month Review hearing in March 2008, Mother was continuing to relapse and was ordered into the Family Court Drug Court program. In mid-2008, mother appeared to be doing well and DFS reunified the children into her home. Shortly after the children were reunified, mother began to relapse again. Between July 2009 and January 2010 mother failed to submit urine samples or tested positive in her urine: 7/29 (residual THC), 7/31 (new marijuana use), 8/3 (new marijuana use), 8/14 (new marijuana use), 8/17 (new marijuana use), 9/2 (missed UA), 9/23 (missed UA), 10/26 (new marijuana use), 11/2 (Opiates and new marijuana use), 11/26 (Opiates), 12/7 (new marijuana use), 12/28 (Opiates and residual marijuana). In January 2010 she remained in poor compliance with Level I in Drug Court and tested positive in her hair at extremely high levels (&gt;25,000 for Cocaine, 6224 Benzoylcegonine and 328 Norcocaine). Thereafter, mother failed to return to drug court. The Court <i>sua sponte</i> put the matter on for protective custody review.</p> <p>❷ At the PC hearing, DFS argued that despite the extremely high levels of drugs, the children were safe in mother's care and should not be removed. DFS repeatedly told the Court it had "no safety concerns." The District Attorney's Office pointed out to the Court that mother was using large amounts of illegal drugs on a regular basis. The DDA noted that, while mom denied using in the home, she is responsible for the care of the children 24/7 and that she is not and cannot be an appropriate caregiver while she is high or withdrawing from drugs. The Court ordered the children removed from the mother's home finding significant ongoing safety threats to the children based on mother's pattern of drug use.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2007	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<u>09-2007 Report Date:</u> Male, 11 YOA Male, 9 YOA Female, 8 YOA Female, 3 YOA Male, 1 day YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

❶ This family came to the attention of DFS in September 2007, due to allegations of parent substance abuse and drug exposed infant against the natural mother.

The report was made by a local hospital subsequent to the birth of a drug exposed infant. The newborn child was not released to the mother's care, but rather placed from the hospital with a maternal aunt. DFS requested the DA's Office file a petition, which the mother later admitted to, and the investigation was Court substantiated.

In May 2008, the mother completed in-home drug treatment. Case record documentation indicated the following information was provided in a report summarizing the mother's participation in drug treatment: "[patient] maintains a safe, clean environment for her children and uses appropriate disciplinary

techniques, and spends quality time with her children. [She] did very well in the program, but indicated she believed future therapy would be advantageous. It is recommended that she receive assistance from a licensed mental health professional to address personal issues that she prefers remain confidential but do not appear to cause risk for her children at present.”

On September 15, 2008, with Court approval, the newborn was returned to the mother. Later that month mother relapsed and agreed to participate in Drug Court. She continued to receive some out-patient drug treatment services, but struggled with maintaining a commitment to receiving them. She also continued to test positive on required drug tests.

At the Court hearing on March 18, 2009, DFS recommended case closure despite recent drug use due to the mother’s ability to care for her children and maintain their safety. DFS recommended a 30-day status check to ensure drug levels decreased prior to case closure. The DA’s Office requested that substance abuse treatment be ordered. The Court required a 60-day status check, and the case remained open. DFS referred the mother to drug treatment, and she initiated Drug Court participation in July 2009.

At a Review Hearing on May 20, 2009, DFS reported that 5 drug tests were given to mother and only 1 was taken, which was positive for marijuana in her urine. The DA’s Office recommended the children be removed, but the Court denied the request, and the children remained in the home with additional services.

In December 2009, the mother was incarcerated due to being out of compliance with Drug Court, and the children were removed from the home. DFS recommended allowing the children to return to home upon the mother’s release. The DA’s Office disagreed with returning the children home. The Court, however, ordered the children returned home with weekly visits by DFS staff.

②

In January 2010, the mother was again incarcerated due to being out of compliance with Drug Court. At the Protective Custody Hearing held on January 13, 2010, the DA’s Office again recommended the children be removed from the mother’s care. DFS staff supported maintaining placement due to the mother’s continued ability to meet her children’s physical, medical, and educational needs and her continued attendance in counseling. DFS staff also noted that during the 2-years that DFS had been providing services to the family the mother had never abused or neglected her children due to drug use. The Court ordered the children’s removal, and the children were placed with maternal aunt.

The case remains open and DFS continues to provide case management services to the family. The mother is currently participating in in-patient drug treatment (there was a four-month wait to receive services), but a termination of parental rights is pending. The permanency goal for the children is adoption by relative.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	✓
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
56	<p>① In September 2009, DFS recommended case closure on a sexual abuse case in which the mother's 41-year-old boyfriend sexually abused her 12-year-old daughter. The 12-year-old was sitting on the couch when the boyfriend put his hand on her vaginal area and began rubbing it. He told her that he did not want to "hit it." He said he only wanted to "see it." The 12-year-old also disclosed that the boyfriend played with her one-year-old brother's genitals. The perpetrator was the father of the one-year-old and was on the child's birth certificate. ② Despite the fact that the perpetrator continued to deny the abuse and had not obtained an evaluation or any treatment whatsoever, DFS recommended closing the case in the belief that the mother was protective and that there was a valid protective order in place. In fact, no protective order was in place because the mother had failed to appear for the hearing to extend. Since the father maintained his parental rights to the one-year-old, if the case had been closed based upon the representations of DFS the child would have been placed in significant danger of further abuse.</p>

DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	05-2010	Unsubstantiated
	10-2008	Substantiated
<b>Age of Child(ren) Involved:</b>	<u><b>10-2008 Report Date:</b></u> Female, 12 YOA Male, 8 YOA Male, 1 month	
<b>Case Status as of Review:</b>		Open
	X	Closed

Summary Response:
<p>① This family came to the attention of DFS on October 14, 2008 due to allegations of failure to protect and medical neglect against the natural mother and sexual abuse against the mother's boyfriend (who was also the natural father of one of the children). The report was filed by law enforcement who responded to a report of sexual abuse. DFS initiated an investigation, and the children were removed from the home and placed in out-of-home care.</p> <p>DFS requested the DA's Office filed a petition, and the children were returned to the care of the mother at the Protective Custody Hearing. The natural mother was protective when she learned about the allegations. She no longer allowed her boyfriend to reside in her home, filed charges against him, and filed for a Temporary Protection Order.</p> <p>The Court substantiated the petition allegations against the boyfriend. The petition against the mother was dismissed, primarily because she was compliant with Court requirements and remained protective of her children. While the allegations against the mother were not Court substantiated, the DFS investigation was substantiated.</p>
<p>② In March 2009, at a Review Hearing the Court terminated the wardship of the natural mother's two biological children, but the case remained opened as to the child shared with the boyfriend. DFS staff did recommend case closure for all children. Staff indicated that while the boyfriend refused to admit to the allegations and refused treatment, the mother remained protective of all children.</p>

At the September 9, 2009, Review Hearing DFS staff again recommended case closure due to the mother completing non-offending parenting classes, enrolling her daughter in counseling and demonstrating protective capacity. The Court agreed to close the case after the mother filed for custody of the children. At the March, 2010 Review Hearing the Court terminated wardship of the remaining child, providing the mother with sole legal and physical custody of the child, with the father only having supervised contact once he completed treatment.

DFS received a subsequent report of abuse/neglect in May 2010. The report was not related to the previous sexual abuse allegations. DFS conducted an investigation, and the investigation was unsubstantiated. The case remains closed and no further reports have been received on this family for 4 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ Between 2000 and 2008, CPS received 9 calls reporting abuse and/or neglect on this family. Four (4) of the reports were substantiated, four (4) were unsubstantiated and one was screened out without any investigation. None of the cases were referred to the District Attorney's Office for filing of a petition. ❷ The case that was screened out by CPS without investigation occurred September 10, 2008 and involved physical abuse of multiple young children by their father/stepfather. The reporting source told the hotline that the 7-year-old child had marks/bruises on his leg and shin. The child stated that he received the bruises while "fooling around" with his stepfather. He stated that he and his stepfather fight a lot and that the step father "likes to leave marks" on him. The child told the source that his stepfather "beats the shit out of him and pushes him around." The 7-year-old stated that his stepfather punched his 4-year-old brother in the rib cage, hurting him. The 7-year-old also reported that his stepfather hits and pushes his two-year-old sister when she doesn't listen. Despite the family's long CPS history and the call-taker having knowledge that the stepfather had "criminal history including violent charges," this call was "screened out" without even speaking with the children or any investigation whatever.

❸ Approximately nine (9) months later, the family's now 3-year-old child presented at the hospital with a femur fracture (this is the same child that was alleged to be physically abused as a 2-year-old above). Her leg was broken when her stepfather threw a door over an upstairs loft balcony down onto the living room floor below, where the child was sleeping. The door struck the child's leg, breaking it. The family reported that children regularly slept in this area on the living room floor because the rest of the house was too dirty and cluttered to sleep in. When the child presented at the hospital she was described as "filthy with extremely poor hygiene." The hospital social worker described hospital staff having to clean caked fecal matter out of the child's perianal area. Hospital staff described the other children as being equally filthy and stated that mother allowed them to run around unsupervised. They stated that the mother "wreaked of alcohol, was argumentative and acting bizarre."

When responding to the house, CPS described the conditions inside as "deplorable," with clothes, food and miscellaneous items strewn across the house. During the home visit, the mother was not tending to the younger children, but instead the older children were assuming that responsibility. The victim's siblings described that the stepfather "gets crazy and breaks things." The family members stated that stepfather is known to drink alcohol and that he had been drinking that night. A criminal history of stepfather reviewed that night revealed history violence, including domestic violence against the mother. CPS left the children in the care of the mother with mother promising not to allow contact between the father and the children or between the stepfather and the children. Between the time of the offense and the protective custody hearing, the mother violated the agreement to allow no contact numerous times. She also told DFS that she was financially dependent on the men in her life and that, for that reason, she wanted to move back in with the abuser. The children were removed from her care at the protective custody hearing at the request of the District Attorney.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Substantiated
	06-2009	Court Substantiated
	11-2008 (2)	Unsubstantiated Substantiated
	10-2007	Unsubstantiated
	05-2007	Substantiated
	09-2006	Substantiated
	07-2006	Unsubstantiated
	04-2006	Unsubstantiated
	01-2000	Substantiated
<b>Age of Child(ren) Involved:</b>	<b>06-2009 Report Date:</b> Female, 12 YOA Male, 8 YOA Male, 5 YOA Female, 4 YOA Female, 3 YOA Female, 1 month	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

- ① Between 2000 and 2010, DFS received 10 reports of abuse/neglect on this family. The child welfare history included six substantiated investigations, with one being Court involved, and four unsubstantiated investigations.
- ② In addition to the above, the history also included a report that was screened out for investigation. The report screened out on September 10, 2008, indicated one of the children had marks/bruises on the leg and shin. The source reported that when asking the child how the injury occurred, the child indicated the injury was caused by his step-father. The source reported that the child also indicated his sister was abused by the step-father, and that the house was dirty.  
  
Based on this review of the case record documentation, the report should have been screened in for investigation.
- ③ On June 21, 2009, DFS received a report of abuse/neglect alleging physical abuse against the natural mother and the step-father. The report was received by a local hospital that was providing medical care to a child presenting with a femur fracture. Hospital staff indicated the child was filthy, and that the mother smelled of alcohol.  
  
DFS conducted a joint investigation with local law enforcement. DFS staff interviewed the natural mother, step-father, the children, and medical personnel. The house was found to be filthy. DFS staff requested the DA's Office file a petition. Initially, the mother and the children went to stay with the maternal grandmother. A safety plan was developed; it required that the step-father as well as the father to one of the children have no contact with the children due to prior history. Prior to the Protective Custody Hearing held on June 23, 2009, the mother failed to comply with the safety plan. The children were removed from the care of the mother as a result and placed in out-of-home care.

The case remains open, with the children placed in out-of-home care. In February 2010, DFS received a new report of abuse/neglect alleging sexual abuse against a paternal uncle (who, based on case record documentation, may also be a minor). This incident occurred prior to the abuse which brought the children into care. DFS conducted an investigation which was substantiated.

The permanency goals for the children are reunification. There have been no additional reports received on this family for 7 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
58	<p>❶ In April 2009, a foster parent informed CPS that the 4-year-old child in her care had disclosed sexual abuse. The child is special needs and suffers from cerebral palsy. The child was interviewed at the Southern Nevada Children’s Advocacy Center, where she disclosed that her mother’s boyfriend would “do bad things” to her. The child disclosed that he would go under her skirt, pull down her panties and “smell her butt.” She said his “wiener” would touch her butt when he smelled it and he would tell her “I love you” when he did it. She said her mother saw him “smell her butt with his wiener” and that she told the victim “you don’t want to have that.”</p> <p>❷ Following this disclosure, DFS did nothing for two months to further investigate the abuse or protect the child.</p> <p>❸ On July 1, 2009, DFS contacted the child’s therapist and confirmed the disclosures. The therapist advised that the victim disclosed that her mother’s boyfriend would choke her and put his “wiener in her butt and it hurt.” She also described him putting his penis in her mouth and demonstrated him taking both their clothes off and rubbing his genital area against hers. ❹ Yet, nothing was done for another four (4) weeks. Finally, on July 28, 2009, DFS for the first time reviewed the videotape of the child’s disclosure at the SNCAC. Thereafter, the investigator directed that the child’s visitation with the mother be stopped and she calendared the matter for protective custody review.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2009	Court Substantiated
	12-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>04-2009 Report Date:</u></b> Male, 6 YOA Female, 4 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

❶ This family came to the attention of DFS on December 7, 2008 due to allegations of plausible risk of physical injury and physical abuse against the natural mother. The children were made wards of the Court and placed in out-of-home care.

The children remained in out-of-home care when the second report of abuse/neglect was made on April 24, 2009. The report was filed by DFS staff assigned to manage the family’s existing out-of-home care permanency case. The child had disclosed to her foster mother that she had previously been sexually abused by her mother’s boyfriend; this disclosure prompted the new abuse/neglect report. While the report was filed in April 2009, the abuse referenced in the report occurred prior to/concurrently with the abuse which brought the child into care—it did not occur while the child was receiving services with DFS.

The child was forensically interviewed at the Southern Nevada Children’s Assessment Center on May 8, 2009, and during the interview disclosed being sexually abused by the mother’s boyfriend. The child’s sibling was also interviewed, but provided no disclosure.

- ② The investigation was transferred to a new investigator on June 8, 2009 due to the unexpected, long term medical absence of the investigator who had previously been assigned to the case.  
  
The child was never left in an unsafe situation, however, as the child was already placed in out-of-home care, and had no contact with the perpetrator of the sexual abuse. Additionally, the mother was only allowed contact with the child at the DFS Visitation Center.
- ③ On July 2, 2009 DFS staff discussed the case with the child’s therapist, who confirmed the child had made similar disclosures regarding the sexual abuse.
- ④ On July 28, 2009, DFS staff reviewed the child’s forensic interview DVD, and placed the matter back on Court calendar. The mother’s visitation, while only having occurred at the DFS Visitation Center, was also suspended. The investigation was later Court substantiated.

The case is open, and the children remain placed in out-of-home care. Termination of parental rights is pending and the current permanency goal for the children is adoption.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

① Three children (ages 14, 5 and 2) were taken into protective custody on February 11, 2010, after their father attacked their mentally retarded, bed-ridden maternal aunt with an axe. The father then left the home and brutally bludgeoned a 28-year-old woman (who was a random stranger) and her four-month-old baby with the axe, killing the infant and critically injuring the woman.

When CPS responded to the scene, they spoke with the mother, who told them that the father had been acting strangely the last few weeks. She stated that he appeared dehydrated with dark circles under his eyes, he hadn't been sleeping, he had "been doing a lot of thinking" and was having dreams regarding death and angels. The mother denied any drug or alcohol use by the father. The CPS investigator removed the children after determining that they were unsafe in the mother's care based upon her decision to leave the children with the father while he was clearly displaying unusual and bizarre behavior.

The 2-year-old was transported to the hospital by the Fire Department prior to CPS arrival. A body check was done on the child. A healed burn mark was found on the child's left rib cage and he had redness and scarring on his buttocks, which appeared to be caused by a diaper rash. He had bruising on both shins and a small red mark on the middle of his neck. He had a small blister on his bottom lip. The child was observed running, throwing items and taking off his diaper to urinate on the floor. The child appeared to be verbally delayed, as he would not speak and only grunted.

② After the crime scene had been cleared, CPS was allowed to view the family home. Prior to CPS access, police had impounded the decorative axe used to kill the woman and infant and a second axe with a pointed spear end that was used to attack the mentally retarded, bed-ridden maternal aunt. They also had impounded 2 decorative Samurai swords as well as marijuana, scales and drug paraphernalia.

Upon entering the home, the CPS investigator noted a strong odor of urine throughout the home. The flooring in the main living area was soiled with numerous piles of trash (including old food, food containers, and cigarette butts) up against the walls. The kitchen area had piles of trash against the walls, piles of dishes in the sink and on the counters, and piles of food on the floor. There were ashes and cigarette butts on the counters and floor. The refrigerator contained only old, spoiled food and there was old liquid and food crusted to the bottom and sides of the refrigerator. There appeared to be no edible food.

The master bedroom closet was full of clothing, trash and paperwork. A dresser in the closet contained an ashtray with cigarette butts and the remains of smoked marijuana cigarettes, commonly referred to as "roaches." The master bedroom was in disarray with materials to roll marijuana on the bed. The bedside table was covered in old cigarette butts, roaches and ashes. The bedroom that appeared to belong to the 2- and 5-year old boys had a mattress on the floor. The sheets were stained with feces and there was fecal matter smeared on the walls. There was trash throughout the room and marijuana roaches and ash on the children's windowsill. The bedroom that appeared to belong to the aunt had a strong stench of urine. There were no sheets on the bed and a urine soaked blanket was on the floor. The mattress was soaked in blood where the aunt had been attacked while lying on the bed.

The toilet in the bathroom was clogged with feces and urine. There was obvious water damage



and mold on the bathroom wall next to the shower. There was a pit-bull in the backyard that prevented access, but CPS was able to see an accumulation of trash bags in the backyard. Despite Metro Homicide already being present, the CPS investigator independently called the Metro Child Abuse and Neglect Unit regarding the living conditions.

In a subsequent interview, the mother disclosed that there was a long history of mental illness on the father's side of the family, including two of the father's brothers being diagnosed paranoid schizophrenic. The mother's description of father's recent behavior reflected agitated and bizarre behavior for several days prior to the attacks. He had told the mother that he did not have long to live and that he was talking of angels and death. Three days before the attack, the father had "passed out." When he awoke, he was apparently delusional and believed someone had hit him & knocked him out, so he started swinging and fighting. In his rage, he grabbed a picture and smashed it on the floor. No one saw the incident. When family members found the picture, the father first denied knowing what happened. Two days later (the day before the attack), the father told the mother what had really happened. The mother described that in the days leading up to the attack, the father had a different look in his eyes that reminded her of his schizophrenic brothers. The mother also admitted that the father was using marijuana, despite her prior statements that he did not use any drugs.

In an interview with the 14-year-old daughter, the daughter stated that she was aware of father's marijuana use. She also stated that several days prior to the attack her father had been displaying abnormal behaviors and saying strange things. His conduct was so strange that she and her mother had both commented on it and talked about it. She also described an incident in January 2009 when she was 13 years old and in the 6<sup>th</sup> grade. She had run away from home and when she returned her father beat her with a belt. He had her bend over a dresser while he beat her. When she kept lifting her head up, he slammed her face into the dresser causing a bruise on her cheek. She also had bruises on her buttocks from the belt, but she did never told anyone about the belt marks. CPS records show that they investigated the incident and verified the mark on the victim's face, but unsubstantiated the allegation after the parents denied knowing how she sustained the injuries. They never did a body check and never discovered the belt marks on her backside.

③ The day after the attack, DFS released the children back to the mother, finding that she had sufficient protective capacity to keep the children safe. On February 17, DFS received mother's drug tests back, reflecting positive results for marijuana in both her hair and urine. Since that time, the mother has gone to visit the father in jail. In an interview February 24, the mother admitted that a couple weeks before the attack, the father was not as communicative as normal and was pacing around the house. He was saying things like "you can't kill an angel and go to Heaven" and "you have to kill the devil." She suggested that he go to UMC, but did not pursue it after he said he didn't think it was necessary.

The mother told DFS "if I leave him, which I have to do for my own sanity, I don't know what that would do to him." But, then she described the father crying when she talked about leaving the state with the children. Later in the conversation, the mother talked about possibly staying in Las Vegas for the father's trial and then leaving later.

DFS released these children from protective custody the day after the attack without a court hearing or completed investigation. ④ DFS indicated that they were not inclined to request file a petition or court intervention. DFS indicated that their initial findings were that the children are safe and that the case does not warrant a formal court process. The State initiated a dispute resolution, indicating their concerns regarding mother's mental health and her ongoing protective capacities. DFS ultimately agreed that a petition was appropriate against father and mother.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Court Substantiated
	01-2009	Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>02-2010 Report Date:</u></b> Female, 14 YOA Male, 5 YOA Male, 2 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

① This family came to the attention of DFS on February 11, 2010 due to allegations physical abuse and plausible risk of physical injury against the natural father. The report was filed by law enforcement who responded to a homicide report. The initial scene was chaotic as Law Enforcement sorted out incident events. It would later be determined that the natural father had attacked his medically and developmentally challenged sister-in-law who was bedridden. He then left the home and brutally bludgeoned a 28-year-old woman and her 4-month-old child with an axe that happened to be walking down the street. The child died at the scene and the baby's mother was critically injured. The natural mother was at work at the time of the incident.

The parents' 2-year-old child was transported to the hospital where he was physically assessed. It was noted that he did have an old healed burn mark to his left rib cage, a diaper rash, and a blister on his bottom lip. What appeared to be bruising on his lower back and buttock was later determined to be Mongolian spots. The house was found to be unkempt as described in the DA's statement.

The natural mother was interviewed by law enforcement and would later be interviewed by DFS staff the evening of the incident regarding the placement of the children.

② After the crime scene had been cleared, DFS staff was allowed to enter the family home. Law enforcement had previously impounded axes, swords, marijuana, and other drug paraphernalia. The description of the home and the interviews conducted by DFS staff with the natural mother and children, as provided by the DA above, is reflected in case record documentation and is taken nearly verbatim from DFS staff case notes.

③ The children remained in out-of-home care the night of February 11, 2008, as the mother had to make necessary arrangements for her sister. The next morning the natural mother was further assessed by DFS staff, and it was determined that she did not pose an immediate or imminent danger of serious harm to her children. The children were released to her care with the understanding that DFS would continue to monitor and assist with services.

With the assistance of DFS staff, the natural mother and the children did not return to their family home. Instead they were provided an alternative place to reside until the mother could make more permanent relocation plans.

The mother contacted her husband in jail subsequent to the event. She also tested positive for marijuana use, however every test taken since that time has been negative.

④ DFS did not oppose filing a petition on the father, but initially was uncertain about filing the petition on the mother. DFS management and the DA's office initiated the Dispute Resolution Protocol. Several meetings occurred between the DA's Office and DFS. DFS management advised the DA that they would not refute the filing of a petition on the father, however requested that the petition on the natural mother be continued. The DA's Office agreed, and the petition on the father was Court substantiated and the petition on the mother was dismissed on September 9, 2010.

The Court terminated wardship of the children, and the case was closed on September 23, 2010. The father remains in jail pending criminal trial. There have been no additional reports received on this family for 7 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ In December 2008, a five-month-old infant presented at the hospital with a non-acute fracture of his right distal humerus (upper arm bone). The fracture was determined to be approximately a week old. A bone scan was conducted which revealed additional healed fractures of the infant's right tibia (lower leg bone), left distal radius (wrist), right distal radius, and four of his left posterior ribs # 7, 8, 9, & 10. Due to the healed condition of these injuries it was determined that they were inflicted a different time than the humerus fracture. The parents were unable to provide a medically justifiable explanation for any of the injuries to this infant. The investigator staffed the case with a medical expert and ruled out a possible diagnosis for "brittle bone" disease, based on the lack of family history and the child's lack of external indicators as well as the type of injuries, which were indicative of abuse rather than a medical disorder.

❷ A background check revealed that the mother previously lived in Texas and two weeks prior to this infant's birth she tested positive for barbiturates and amphetamines. Drug tests conducted in Texas five days after the infant's birth showed the mother positive for PCP and barbiturates. Texas closed their case after the mother completed a drug assessment, which did not recommend treatment, and both parents completed parenting classes.

❸ The abuse and neglect petition was negotiated with both parents pleading no contest. The State agreed not to file a Motion to Waive Reasonable Efforts for six months to give the family an opportunity to provide a medically justifiable explanation for the injuries and commence treatment. To date, the parents have not provided a medically justifiable explanation for the injuries to this infant and, as a result, a Petition for Termination of Parental Rights (TPR) was filed in December 2009.

❹ This infant sustained no new injuries while placed with his local foster parents for several months. However, after being transferred to a relative placement out of state, the infant recently sustained a new fracture to his right arm. The out of state child protection agency ruled the injury as [abuse or neglect] "indicated" with perpetrator unknown. A physician in that jurisdiction also ruled out the possibility of brittle bone disease.

❺ Despite all of the above, in February 2010, the assigned Nevada DFS supervisor communicated to our office that she was not certain she wanted to proceed to TPR. They stated that they wanted the child tested for brittle bone disease so that it can be "proven" that the injuries were abusive in nature. At the time of the request, she had not reviewed either the local or out-of-state medical record. As a result, she was completely unaware that the records indicated that these types of injuries were indicative of abuse. She told our deputy that it was "not fair" to require the parents to admit the abuse, despite the parent's clear agreement in the plea negotiations that they would provide a medically justifiable explanation for the injuries and the fact that she had access to the mother's prior statement to a treatment provider that she "might know" who injured this infant.

The District Attorney's Office, with the assistance of the CPS investigator and supervisor (who understood that these were abusive injuries and supported TPR), were able to educate the permanency worker and supervisor in this case. This education process was ongoing for approximately two months, during which the permanency staff would not commit to whether they would support the pending TPR.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2010	Pending
	12-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>12-2008 Report Date:</u></b> Female, 1 YOA Male, 5 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

- ❶ This family came to the attention of DFS on December 20, 2008 due to allegations of physical abuse and plausible risk of physical injury against the natural mother and father. The report was filed by a local hospital, providing care to a child with a distal humerus fracture. The child was five-months old.
- The case was staffed with a medical expert, and the possibility for brittle bone disease was ruled out, and the expert opinion indicated the injuries were indicative of abuse.
- ❷ DFS staff conferred with Texas child welfare services staff and the mother's child welfare history there was confirmed. Texas had previously provided services to the mother, particularly those related to drug use. An assessment completed indicated she did not require further treatment. She also completed parenting classes.
- ❸ DFS staff requested the DA's Office file a petition. The parents both pled no contest to that petition on June 8, 2009 at the Plea Hearing. The Court minutes state the following:
- “...Pursuant to negotiations, MOTHER and FATHER WITHDREW DENIAL and entered a NO CONTEST PLEA as to Petition 1, with the stipulation that any statements made to a treatment provider will NOT be used against him/her. Additionally, the District Attorney's office has agreed NOT to file a Motion to Waive Reasonable Efforts for the next 6 months, as to both parents. Counsel stipulated to the facts as outlined in Petition 1....”
- It is unclear why the DA's Office agreed to provide the parents with an additional six months to provide a medically justifiable explanation for the injuries, as DFS had already requested medical opinion as part of the investigation and such an explanation had been ruled out. Case record documentation indicated as early as January 20, 2009, DFS staff would have preferred to waive reasonable efforts given the severity of the child's injuries and the absence of an explanation from the mother and father as to cause. Case notes from that date reflect a conversation between DFS staff and the parent's attorney, at which time, staff informed the attorney of department intent. On February 22, 2009, case record documented DFS staff discussed the waiver with the DA's Office. Again at a Child Family Team meeting held on May 29, 2009, the department position was to waive reasonable efforts on the case.
- Subsequent to the DA's negotiated agreement at the Plea Hearing on June 8, 2009, the parents were not able to provide the explanation required and also failed to make significant progress on their case plan goals and requirements. DFS staff submitted a referral to the DA's office to terminate parental rights in September, 2009. The Termination of Parental Rights Hearing was held on April 19, 2010. Unfortunately, the termination was denied by the Court, as the DA's Office could not prove that the parents knew or should have known how the child's injuries occurred.

Since no motion to waive reasonable efforts was filed and the termination of parental rights was denied, DFS is now required to make reasonable efforts to reunify the child with parents who still cannot provide a plausible explanation of how the child's severe injuries occurred.

④ In August, 2009, the children were placed via an ICPC agreement in Illinois with a maternal aunt. In December 2009, DFS was notified that the child suffered a broken arm. The child remained in the aunt's care until removed by Illinois child protective services in February, 2010. The child was returned to Nevada.

⑤ On March 3, 2010, DFS management requested a multidisciplinary team meeting (medical, legal, and child welfare staff) to review all the x-rays from initial injury to most recent injury to determine if any further testing was needed and to rule out any medical explanation for injury. The Deputy DA contacted DFS management after the meeting was requested, as there was concern that DFS was attempting to prove that the parents were not responsible for the injuries and were not supportive of terminating parental rights. DFS management explained that given the parents had already attempted to use a medical explanation for the previous injuries, the meeting was being requested to formally/finally resolve the possibility of a medical explanation. DFS management expressed that staff were supportive of the termination of parental rights, as DFS staff had made the referral and had been supportive previously of a waiver of reasonable efforts.

The multidisciplinary team meeting was held, and a forensic pediatrician explained why testing for brittle bone disease was not necessary given the family history and the intrusiveness of the testing to the child. The radiologist had also reviewed all x-rays from the previous injury and most current injury and did not find any indication to warrant a medical cause. It was determined that no further testing was needed, and that any care providers should be made aware of the child's previous injuries and how those areas would be at risk for future re-injury.

This information is not contained in the case record, but made available through DFS staff interviews.

The case is open, and the children remain placed in out-of-home care. While the permanency goal for the children is adoption, the termination of parental rights has been denied by the Court once. The natural mother recently gave birth to a new child; the hospital did not call in a report, and the child was released to the mother at the time of birth. The mother self-reported to DFS that she caring for her newborn. DFS staff called in a new report and initiated an investigation. The newborn child was placed in Protective Custody and placed in out-of-home care with siblings. DFS will continue to provide case management services to the family, but does not support reunification.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	✓
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>61</b>	<p>❶ In July 2009, the District Attorney’s Office filed a petition alleging that a father had sexually abused a minor child and therefore was an inappropriate caregiver for the children in the family. The victim in the sexual abuse was not a child alleged in the petition, but rather was his half-sister who was seven years younger than he. The petition also alleged that his prior acts of domestic violence against the mother adversely affected his ability to care for the children. Specifically, the petition alleged that the father threatened to put a knife to the throat of her daughter in the presence of her two young daughters, ages four (4) and five (5). Criminal databases also confirmed a significant history of domestic violence, including two convictions. On September 29, 2009, a default was entered against the father. The family has been under the supervision of DFS since that time.</p> <p>❷ Despite the Court Substantiation being in place, in November 2009, DFS overturned their agency substantiations for Risk of Sexual Injury as to three (3) of the family’s five (5) children. The father was notified of the reversal and was also notified that the substantiations would be removed from the State’s central Child Abuse and Neglect registry.</p> <p>❸ In February 2010, the State was served with a Motion to Set Aside Default, citing DFS’s reversal of its agency substantiation on the same allegations. The District Attorney’s Office contacted DFS to confirm the department’s actions. DFS verified that it is against department policies to overturn an agency substantiation when a court substantiation was in place. However, they also acknowledged that they had overturned the substantiation.</p> <p>❹ It should also be noted that DFS records dated December 23, 2009 reflect that DFS intended to close the case as to two of the father’s children at the next court hearing with an order that he would have no contact with those children until he completed a psychosexual evaluation and completed his sex offense treatment with regard to his victim. Thus, while department administration had unsubstantiated the risk of harm to these children (and therefore necessarily found no credible evidence of a risk of harm to these children), the records prepared by the worker at the same point in time reflect a clear concern for the safety of these children if left in his care prior to sex offender treatment. And, despite the clear safety concern perceived by the worker, she intended to close the case without ensuring that the father received treatment. Of equal concern is that the caseworker’s note does not address the fact that he even has a third child. It is unclear what her intent would have been as to that child. Fortunately, the Court did not close the case at the subsequent hearing despite DFS.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2009	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>06-2009 Report Date:</b> Female, 5 YOA Male, 4 YOA Male, 3 YOA Female, 1 YOA Male, 2 months	
<b>Case Status as of Review:</b>		Open
	X	Closed



## Summary Response:

① This family came to the attention of DFS in June 2009, due to allegations of sexual abuse and plausible risk of physical injury against the father. The reporting source alleged that the father sexually abused his half-sister, and as result posed a threat to his two biological children and their mother's three other children (not related to him). The reporting source also cited incidents of physical abuse and domestic violence.

DFS initiated an investigation, and the children remained in the care of the natural mother. A safety plan was developed, and the father was not allowed to have contact with any of the children. DFS staff confirmed the father's criminal history.

DFS staff requested the DA's Office file a petition. Initially, the petition was filed against the father who allegedly molested his sister (father of two children), as well as the father of the remaining children (three children). The mother of the children was never listed on the petition.

② Court hearing video of the September 11, 2009, continued Plea Hearing, depicts that the father of the three of the children (not the alleged perpetrator of sexual abuse) was dismissed from the petition as were his three children. Those children were not made wards of the Court, as the mother was not listed on the petition and the father was dismissed. The petition, as revised, included only the alleged perpetrator of sexual abuse and his two biological children.

At the Disposition Hearing held on September 29, 2009, the allegations against the father who remained on the petition were Court substantiated.

③ In addition to those allegations being Court substantiated, DFS staff agency substantiated the same allegations against the father as they pertained to the three non-biological children who had previously been dismissed from the petition at the September 11 Court hearing.

Subsequent to the agency substantiation, he was sent a notification, in accordance with DFS Policy, confirming the agency substantiation and providing a right of appeal. DFS is required by statute to provide an appeal process for individuals who are determined to have committed acts of child abuse/neglect and are substantiated as the perpetrators of a child welfare case (NRS 432B.190; NAC 432B.300). By policy and process, that appeal process is only provided to those individuals where the investigation is substantiated by DFS and not by a Court. In this case, that fact pattern held true—the non-biological children had been dismissed from the petition and the Court substantiation was applicable only to the remaining biological children. The DFS agency substantiation was applicable to the non-biological children who were previously dismissed from the Court substantiated petition.

The perpetrator of the abuse then requested an appeal of the agency substantiation, and his case (as it pertained to the three non-biological children) was reviewed by the DFS internal appeals review committee. This committee determined that there was not sufficient evidence to meet the criteria required for the substantiation of the allegations. As a result of this finding, the department overturned the substantiation and sent out the appropriate notifications.

The DA's Office was served a Motion to Set Aside the Court substantiated petition in February, 2010. When contacted by the DA's Office, DFS administration confirmed that the substantiation as it pertained to the three non-biological children was overturned subsequent to internal review.

- ④ In May 2010, DFS staff and the DA discussed closing the case, with custody being provided to the natural mother. The DA was not opposed to case closure in this scenario.

On June 29, 2010, the Court was provided with an update regarding the natural father's arrest and subsequent incarceration for an additional incident of domestic violence towards the mother. DFS staff recommended termination of wardship, with sole custody being provided to the natural mother. The Court acknowledged that they had received the court report and based on the information provided which included the mother's compliance and demonstration of protective capacities, the Court supported the decision to terminate wardship.

This case remains closed, and there have been no additional reports received on this family for 1 year, 3 months.

### Relevant Statute:

NRS 432B.190 Regulations to be adopted by Division of Child and Family Services. The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:

1. Regulations establishing reasonable and uniform standards for:
    - (a) Child welfare services provided in this State;
    - (b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;
    - (c) The development of local councils involving public and private organizations;
    - (d) Reports of abuse or neglect, records of these reports and the response to these reports;
    - (e) Carrying out the provisions of [NRS 432B.260](#), including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;
    - (f) The management and assessment of reported cases of abuse or neglect;
    - (g) The protection of the legal rights of parents and children;
    - (h) Emergency shelter for a child;
    - (i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;
    - (j) Developing and distributing to persons who are responsible for a child's welfare a pamphlet that is written in language which is easy to understand, is available in English and in any other language the Division determines is appropriate based on the demographic characteristics of this State and sets forth:
      - (1) Contact information regarding persons and governmental entities which provide assistance to persons who are responsible for the welfare of children, including, without limitation, persons and entities which provide assistance to persons who are being investigated for allegedly abusing or neglecting a child;
      - (2) The procedures for taking a child for placement in protective custody; and
      - (3) The state and federal legal rights of:
        - (I) A person who is responsible for a child's welfare and who is the subject of an investigation of alleged abuse or neglect of a child, including, without limitation, the legal rights of such a person at the time an agency which provides child welfare services makes initial contact with the person in the course of the investigation and at the time the agency takes the child for placement in protective custody, and the legal right of such a person to be informed of any allegation of abuse or neglect of a child which is made against the person at the initial time of contact with the person by the agency; and
        - (II) Persons who are parties to a proceeding held pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive, during all stages of the proceeding; and
  - (k) Making the necessary inquiries required pursuant to [NRS 432B.397](#) to determine whether a child is an Indian child.
- (Added to NRS by 1985, 1370; A 1987, 1439; 1991, 922; 1993, 2706; 1995, 787; 1997, 2471; [2001, 1700, 1839, 1850; 2001 Special Session, 36; 2003, 236, 251, 650; 2005, 2094; 2007, 1086, 1502](#))

**NAC 432B.300 Resolution of grievances. ([NRS 432B.190](#))**

1. An agency which provides child welfare services shall establish and maintain a procedure for the review of a grievance of an applicant for or recipient of its services.
  2. An applicant for or recipient of the services of an agency which provides child welfare services who wishes to obtain a review of a grievance concerning an action or decision of the agency affecting the services that may or are being provided to the applicant or recipient must file a written request with the agency which provides child welfare services within 30 days after the date on which the action or decision that is the subject of the grievance occurred or was made.
  3. A grievance must not be resolved through a process of review established pursuant to this section if:
    - (a) The applicant or recipient is entitled to a hearing because the grievance constitutes a contested case as defined in [NRS 233B.032](#);
    - (b) The matter which is the subject of the grievance is presently the subject of a proceeding before a court of competent jurisdiction;
    - (c) The applicant or recipient has initiated an action or proceeding in a court of competent jurisdiction to resolve the matter which is the subject of the grievance; or
    - (d) The subject of the grievance has already been decided by a court of competent jurisdiction.
- [Welfare Div., Standards for Child Protective Services part Art. II-H, eff. 9-11-87]—(NAC A by Div. of Child & Fam. Services by R045-02, 7-23-2002)

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

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**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ In September 2009, Las Vegas Metropolitan Police Department responded to a call of a four-month-old infant not breathing. When medical personnel arrived, the child was not breathing and had no pulse. The father reported that he was napping with the child while the mother was at work. The father stated that when he awoke the child was breathing shallow and crying. It wasn't until after arriving at the hospital that the infant's heart began beating on its own again. Following a skeletal survey, doctors discovered two healing, non-acute rib fracture (meaning that the fractures happened several days prior). The child was having seizures and was admitted to the Pediatric Intensive Care Unit. Neither parent could provide a medically justifiable explanation for the infant's injuries. A doctor informed the CPS investigator that the infant's critical condition upon presentation was due to "oxygen deprivation," not pneumonia.

❷ A records check on the father revealed that he and his then wife (now his ex-wife) were arrested in 1994 in connection with injuries to their then one-month-old son. They took the child to the doctor for a fever and x-rays disclosed a broken clavicle and ribs. The father attributed the injuries to co-sleeping with the infant. Eventually, the charges were dropped.

❸ Shortly after our case was filed, we received a Request for Motion to Waive Reasonable Efforts from the CPS investigator in this case. The matter is set for adjudicatory hearing on March 19, 2010. Since the motion to waive is not ripe until there has been a finding of abuse and neglect, it is the State's intent to file the motion as soon as the matter is adjudicated.

❹ On February 3, 2010, the District Attorney's Office received a communication from the permanency worker assigned to the case that she wanted to start the reunification process. The District Attorney's Office responded that we intended on waiving reasonable efforts in accordance with the request of the department. The permanency worker indicated that she did not agree with that decision and that she did not want the District Attorney's Office to file the motion. Despite the fact that the parents have not provided a medically justifiable explanation for the injuries, the permanency worker maintained that the child was ready to be reunified.

❺ Due to the conflicting requests from DFS, the DA's Office was required to initiate a dispute resolution between CPS and permanency, requesting that they give us a clear direction on their intent. It is unfathomable to the DA's Office that one employee of the department would view this as so serious as to relieve the department from its federal mandate to preserve and reunify the family, while at the very same time another employee of the same agency is saying that not only should the family be reunified but that they are in fact ready to begin the process.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09- 2009	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<u>09-2009 Report Date:</u> Male, 5 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

## Summary Response:

- 1 This family came to the attention of DFS in September 2009, due to allegations of physical abuse and failure to protect against the natural mother and father. The report was filed by law enforcement responding to the report of a child found not breathing. The father indicated that he was taken a nap, and when he woke up the child was breathing shallowly and crying. The father started CPR and called 911.

Upon arrival at a local hospital, medical personnel indicated that a skeletal survey revealed two healing rib fractures.

Neither parent could provide a medically justifiable explanation for the child's current and previous injuries.

- 2 Case record documentation indicates that the natural father admitted to law enforcement that in 1994 he was arrested when his, now 16-year-old son, was treated for rib fractures, but that the father was cleared of wrong doing and the charges were dropped.

- 3 DFS discussed waiving reasonable efforts with the DA's Office in September and October 2009. It was the intent of the department to request the waiver due to the severity of the child's injuries and no viable explanation being provided from either the mother or father.

The DA's position is that a waiver of reasonable efforts cannot be submitted until which time the case is adjudicated. DFS, however, is uncertain of the basis for this position as waivers of reasonable efforts are filed as early as Plea Hearing in other jurisdictions, including Washoe County.

The delay in waiving reasonable efforts is significant for the department, as it often takes months to adjudicate a Court involved case. The case referenced here took 8 months to adjudicate as a result of 5 Court hearing continuances, 4 of which occurred as a result of the DA's Office failure to provide discovery information to the defense attorney. Under statute, DFS is required to provide a case plan to the family within 45 days of a child's removal from home (NRS432B.190, NAC 432B.100). If a waiver of reasonable efforts is not promptly filed, DFS is obligated to provide reasonable efforts to reunify children and families on cases where that is not the department's intent or desire, and arguably, not in the children's best interest.

- 4 Case record documentation indicates that in February 2010, the DA's Office requested that DFS permanency staff provide direction on the Motion to Waive Reasonable Efforts. DFS permanency staff responded indicating that there was no intent to waive reasonable efforts; DFS child protective services staff intervened and indicated that there was support to waive reasonable efforts. Given the contradictory information, the Deputy DA requested the official position of DFS on the motion.

While DFS management responded that DFS supported filing the motion to waive reasonable efforts, the DFS permanency case manager expressed concern regarding the fact that a case plan had been developed and the department had been making reasonable efforts to reunify the family for four months, and staff was not clear on how a motion to waive reasonable efforts could be addressed. DFS proceeded with the request to waive reasonable efforts.

- 5 There is no record of the formal Dispute Resolution Protocol being enacted on this case. There was concern expressed from DFS permanency staff regarding the fact DFS had developed a case plan for the family and spent months of effort working toward reunification in the absence of the waiver of reasonable efforts being filed timely and the delay in case adjudication.

It is difficult for DFS permanency staff to work with families (as required by Federal law) under the premise of family reunification for extended periods of time knowing that the department's intention is to waive reasonable efforts and terminate parent rights.

The case is open, and the child remains placed in out-of-home care. The motion to waive reasonable efforts was granted, and the department is recruiting for an adoptive home for the child.

**Relevant Statute:**

**NRS 432B.190 Regulations to be adopted by Division of Child and Family Services. The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:**

1. Regulations establishing reasonable and uniform standards for:
  - (a) Child welfare services provided in this State;
  - (b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;
  - (c) The development of local councils involving public and private organizations;
  - (d) Reports of abuse or neglect, records of these reports and the response to these reports;
  - (e) Carrying out the provisions of [NRS 432B.260](#), including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;
  - (f) The management and assessment of reported cases of abuse or neglect;
  - (g) The protection of the legal rights of parents and children;
  - (h) Emergency shelter for a child;
  - (i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;
  - (j) Developing and distributing to persons who are responsible for a child's welfare a pamphlet that is written in language which is easy to understand, is available in English and in any other language the Division determines is appropriate based on the demographic characteristics of this State and sets forth:
    - (1) Contact information regarding persons and governmental entities which provide assistance to persons who are responsible for the welfare of children, including, without limitation, persons and entities which provide assistance to persons who are being investigated for allegedly abusing or neglecting a child;
    - (2) The procedures for taking a child for placement in protective custody; and
    - (3) The state and federal legal rights of:
      - (I) A person who is responsible for a child's welfare and who is the subject of an investigation of alleged abuse or neglect of a child, including, without limitation, the legal rights of such a person at the time an agency which provides child welfare services makes initial contact with the person in the course of the investigation and at the time the agency takes the child for placement in protective custody, and the legal right of such a person to be informed of any allegation of abuse or neglect of a child which is made against the person at the initial time of contact with the person by the agency; and
      - (II) Persons who are parties to a proceeding held pursuant to [NRS 432B.410](#) to [432B.590](#), inclusive, during all stages of the proceeding; and
  - (k) Making the necessary inquiries required pursuant to [NRS 432B.397](#) to determine whether a child is an Indian child.
2. Regulations, which are applicable to any person who is authorized to place a child in protective custody without the consent of the person responsible for the child's welfare, setting forth reasonable and uniform standards for establishing whether immediate action is necessary to protect the child from injury, abuse or

neglect for the purposes of determining whether to place the child into protective custody pursuant to [NRS 432B.390](#). Such standards must consider the potential harm to the child in remaining in his or her home, including, without limitation:

(a) Circumstances in which a threat of harm suggests that a child is in imminent danger of serious harm.

(b) The conditions or behaviors of the child's family which threaten the safety of the child who is unable to protect himself or herself and who is dependent on others for protection, including, without limitation, conditions or behaviors that are beyond the control of the caregiver of the child and create an imminent threat of serious harm to the child.

The Division of Child and Family Services shall ensure that the appropriate persons or entities to whom the regulations adopted pursuant to this subsection apply are provided with a copy of such regulations. As used in this subsection, "serious harm" includes the threat or evidence of serious physical injury, sexual abuse, significant pain or mental suffering, extreme fear or terror, extreme impairment or disability, death, substantial impairment or risk of substantial impairment to the child's mental or physical health or development.

3. Such other regulations as are necessary for the administration of [NRS 432B.010](#) to [432B.606](#), inclusive.

(Added to NRS by 1985, 1370; A 1987, 1439; 1991, 922; 1993, 2706; 1995, 787; 1997, 2471; [2001, 1700, 1839, 1850](#); [2001 Special Session, 36](#); [2003, 236, 251, 650](#); [2005, 2094](#); [2007, 1086, 1502](#))

**NAC 432B.400 Case plan for child receiving foster care; reports regarding child placed outside state where parents reside. ([NRS 432B.190](#))**

1. The agency which provides child welfare services shall develop a written case plan for a child within 45 days after the date on which the child is removed from his home. The case plan:

(a) Must:

(1) If possible, be developed jointly with a parent or guardian of the child who is receiving foster care;

(2) Be developed with input from the child if the agency which provides child welfare services determines it is appropriate, based on the age and stage of development of the child; and

(3) Be developed with input from the foster parent caring for the child.

(b) Must include a plan to ensure that:

(1) The care that the child receives is safe and proper; and

(2) The parent or guardian of the child receives services to improve the condition of the home as well as to facilitate the safe return of the child to his home or another permanent placement; and

(c) Must be updated at least once every 6 months and submitted to the court with the report required by [NRS 432B.580](#).

2. The case plan developed pursuant to subsection 1 must include:

(a) A statement addressing the long-term goals of the plan, including reunification of the child and his family, permanent placement of the child with a relative, placement of the child for adoption, placement of the child into a legal guardianship or placement of the child into another permanent living arrangement;

(b) A projected time by which these goals should be achieved;

(c) A description of the current strengths of the family and the needs which must be satisfied to achieve these goals;

(d) A description of services offered or provided to prevent removal of the child from his home and to reunify the family of the child;

(e) A description of the type of home or institution in which the child is placed;

(f) A description of the safety and appropriateness of the placement to ensure that the child receives proper care, including, without limitation, a description of the manner in which the agency will accomplish this goal;

(g) A description of the manner in which the agency will ensure that services are provided to the child and the foster parents which address the needs of the child while in foster care, including, without limitation, the appropriateness of services that have been provided pursuant to the case plan;

(h) A description, as applicable, of the programs and services which will assist a child in foster care who is 16 years of age or older prepare for the transition from foster care to independent living;

(i) If the goal of the case plan is adoption or placement in another permanent home, a description of the steps that will be taken to finalize the adoption or placement, including any steps that will be taken to recruit adoptive parents through the use of electronic or other types of state, regional and national adoption exchanges, or by

other means;

(j) A description of the manner in which a placement will be made and the reasons that such a placement will be in the best interest of the child, with particular consideration given to a placement that is safe and in the least restrictive familial environment available;

(k) In addition to the factors set forth in paragraph (j), if the goal of the case plan is reunification of the child and his family, the description provided pursuant to paragraph (j) must indicate that particular consideration will be given to a placement that is in close proximity to the home of the parent of the child;

(l) If the child will be placed in a family foster home or institution for child care that is located a substantial distance from or in a different state than where the family of the child resides, a description of the reasons that such a placement will be in the best interest of the child;

(m) If a child is placed in a family foster home or institution for child care that is located in a different state than where the parents of the child reside, a description of the frequency with which a caseworker from an agency that provides child welfare services and that is located in the state in which the child is placed or the state in which the parents of the child reside will visit the foster home or institution and will submit a report to the agency that provides child welfare services in the state in which the parents of the child reside;

(n) A description of the efforts that will be made to place children who are siblings together;

(o) A plan for family visitation, including, without limitation, visiting siblings if the siblings are not residing together;

(p) A statement indicating that the proximity of the school in which the child was enrolled at the time that he was placed in foster care was considered as a factor in the selection of the placement for foster care; and

(q) The health and education records of the child to the extent those records are available, including, without limitation:

(1) The names and addresses of the providers of health care and education of the child;

(2) The grade level at which the child performs;

(3) Documentation of the immunizations that the child has had;

(4) Documentation of any known medical or psychological problems of the child;

(5) Documentation of any medications prescribed for the child; and

(6) Such other health or educational information concerning the child as the agency which provides child welfare services determines is necessary.

3. The agency which provides child welfare services shall ensure that the report described in paragraph (m) of subsection 2 is submitted to the agency located in the county in which the parents of the child reside at least once every 12 months.

4. As used in this section:

(a) "Education records" means a report card or other report of progress and an individual education plan, if applicable.

(b) "Family foster home" has the meaning ascribed to it in [NRS 424.013](#).

(Added to NAC by Div. of Child & Fam. Services, eff. 5-14-96; A by R045-02, 7-23-2002)

**Personnel Issues/Outcomes:**

N/A



<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	✓
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ Siblings ages 9 (male) and 13 (female) are being raised by father and stepmother. The family was the subject of nine (9) abuse and neglect reports between February 2007 and February 2010.

❷ On February 14, 2007, the then 7-year-old boy had cuts inside his mouth. It was reported that the child stated that his stepmother caused the injury by force-feeding him oatmeal with a fork. He also had a gouge on the right side of his mouth. DFS verified the injuries, but closed the case unsubstantiated after the stepmother denied causing them.

On February 15, 2007, while investigating the prior report, an additional report was received that six months ago the child came to school with a black eye. Staff stated that he frequently came to school dirty and that he was always hungry. Staff had made special arrangements for the child to eat in the cafeteria so he would not go hungry. These allegations were also unsubstantiated upon denials of the parents.

❸ On March 28, 2007, a report was received from a mandatory reporter that the then 11-year-old child disclosed that she and her brother were sleeping in the father's car while he works. Upon denials from the family, the case was closed unsubstantiated.

❹ On May 16, 2007, a mandated reporter disclosed that the 7-year-old boy disclosed being hit with a hairbrush and pushed down stairs by his stepmother. He was told to stand in a corner with his hands over his head. The stepmother told him to "Shut up for five fucking minutes" and called him an "asshole." The reporting source indicated that he had bruises on his left wrist, on his back between his shoulder blades and a red mark on his right wrist. The reporting source indicated that she believed the children were coached and that they knew they were not supposed to disclose to CPS. An interview with the child confirmed that he was pushed down the steps by the stepmother. However, the rest of the family denied the abuse and characterized the child as a "liar" with "behavioral problems." Thereafter, the matter was closed unsubstantiated.

❺ On December 30, 2007, a report came in to the hotline from law enforcement. The report indicated ongoing domestic violence in the home. The domestic violence included the father grabbing the stepmother by the neck, pulling her hair, calling her a "piece of shit bitch" and threatening to kill her. Stepmother stated that father controls the finances, forces her to sign her unemployment checks over to him and that he threatened to hurt her dogs if she did not comply. She stated that father knew how to hit her without leaving marks. The report also indicated that in April 2006, father broke the son's arm. Stepmother told the officer that the family lied to cover up the injury by saying he tripped over the family dog and fell. CPS did not investigate the allegations, closing them "Info Only."

7. Minor, . . . has expressed being afraid of his father and disclosed he was choked by his father the night before. School staff have reported to CPS that when [minor] has to take a bad notice to school, he is "literally shaking" with fear. The school also reported that when [minor] gets in trouble in school; the father keeps him out for a couple of days.

❻ The case notes reflect that the daughter was left in the home because "she did not disclose any abuse or neglect to Specialist . . ." The next day, after the case was staffed with a senior Deputy DA, the daughter was removed. Both children were subsequently made wards as a result of the Father's extensive abuse.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Court Substantiated
	11-2009	Court Substantiated
	07-2009	Unsubstantiated
	10-2008	Unsubstantiated
	02-2008	Unsubstantiated
	05-2007	Unsubstantiated
	03-2007	Unsubstantiated
	02- 2007	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>02-2010 Report Date:</b> Female, 13 YOA Male, 10 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

- ① This family first came to the attention of DFS in February, 2007. Between February 2007 and February 2010, the family was the subject of eight abuse/neglect investigations, two of which were Court substantiated, and six of which were unsubstantiated.
- ② On February 14, 2007 DFS received a report of abuse/neglect alleging physical abuse against the step-mother. The reporting source indicated that the child had cuts in the mouth that were caused by the step-mother gauging the inside of this mouth while feeding the child oatmeal. The report was made by school staff.  
  
DFS initiated an investigation, interviewing the step-mother who denied the allegations. The child was interviewed, and indicated that the injury was accidental, but was caused by the step-mother. DFS also met with the reporting source, who indicated that she was concerned about the child as the child had previously appeared at school with bruises and was often hungry. DFS completed a follow-up visit with the family, and as there were no other concerns in the home, the case was unsubstantiated.  
  
DFS did receive an additional information report on February 15, 2007. The reporting source referenced a black eye the child had several months previously, and also indicated the child came to school hungry. Despite the additional information received, case record documentation does not indicate any additional investigation was completed.  
  
Based on this review of the case record documentation, the investigation was limited in scope and lacked appropriate follow-up.
- ③ On March 28, 2007 an additional abuse/neglect report was received alleging lack of necessity and lack of supervision against the natural father. The reporting source indicated that the father and children were sleeping in a car at the father's place of employment.  
  
DFS initiated an investigation, interviewing the children who denied sleeping in the car while their father was working, but admitted to sleeping in a car while he played softball. The parents were interviewed and they denied the allegations. The case was unsubstantiated due to a lack of credible evidence.

④ On May 16, 2007 DFS received a report of abuse/neglect alleging physical abuse against the step-mother. The reporting source was school staff, and indicated the child disclosed being hit with a hair brush, being pushed down the stairs, and having to stand in the corner for an extended period of time.

DFS initiated an investigation, and interviewed the child who admitted to being pushed down the stairs, but denied the other physical discipline. The child did not have any marks or bruises. He indicated he was not afraid of his step-mother. Staff also interviewed the reporting source who indicated the child had issues with lying. The step-mother was interviewed and denied the allegations. The child's sibling was also interviewed, and indicated that as punishment they do have to stand in the corner. The sibling indicated that the other child had recently urinated all over and that the father had hit him over his clothes with a belt, but that there were no marks and bruises as a result. The investigation was closed as unsubstantiated.

⑤ On December 30, 2007 DFS received an abuse/neglect report alleging emotional abuse and domestic violence against the father and the step-mother. The report was made by law enforcement who responded to a complaint of domestic violence. The step-mother disclosed to law enforcement that her husband had previously broken the child's arm and had also been violent and physical with her. She reported that he had threatened to kill her.

The following statement from the DA's statement above is out of sequence with regard to the December 2007 report.

"7. Minor, . . . has expressed being afraid of his father and disclosed he was choked by his father the night before. School staff have reported to CPS that when [minor] has to take a bad notice to school, he is "literally shaking" with fear. The school also reported that when [minor] gets in trouble in school; the father keeps him out for a couple of days."

This statement was taken verbatim from a case note that is dated February 28, 2010, and is related to a later incident.

Based on this review of the case record documentation, the report, however, should have been screened in for investigation.

⑥ Between December 2007 and July 2009, DFS received three additional reports of abuse/neglect on this family. All investigations were investigated and unsubstantiated.

In November 2009, DFS received another report alleging failure to protect, emotional abuse, physical abuse, plausible risk of physical injury, and lack of supervision against the natural mother, natural father, and step-mother. The reporting source was school staff. The source reported that the child disclosed domestic violence and physical abuse. The child had a bruise on his forehead and face that the child disclosed was caused by being pushed head first into a wall by his father. DFS staff made contact with the child and observed the marks and bruises as described by the reporting source. DFS did not request the DA's Office file a petition. The children were not removed from the home.

While this case remained open, in February 2010, DFS received another report of abuse/neglect alleging failure to protect, lack of supervision, plausible risk of physical injury, and physical abuse against the father and step-mother. The reporting source was school staff who indicated the child had a bruise on his neck and he disclosed his step-mother caused the injury.

The child was then removed from the home and placed in out-of-home care. The child's sibling was left in the home, as she did not disclose any abuse/neglect. DFS requested the DA's Office file a petition. The DA expressed concern regarding the other child being left in the home. The child was removed and would later be placed with her natural mother and dismissed from the petition.

Both investigations were Court substantiated.

Based on this review of the case record documentation, the children should have been removed from the home in November 2009, DFS staff should have requested the DA's office file a petition at that time as well.

The case is open, and the child remains placed in out-of-home care. The permanency goal for this child is reunification with his father.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	✓
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>64</b>	<p>❶ In May 2009, the District Attorney’s Office, Juvenile Division, received a delinquency submission on an 8-year-old child, alleging that he had committed various sexual offenses. The submission revealed that the child had tied a rubber string around a seven (7) year-old boy’s penis and left it there. It wasn’t until several days later that the victim’s parent discovered the string. By that time, the victim’s penis was swollen and purple and he needed to be taken to the emergency room. In investigating this offense, the detective found out that when the child was seven (7), he tied a string around his own penis while in school and tied a pencil to the other end to the string. He allowed his classmates to see it prior to being discovered. When he was six (6)-years old, this child inappropriately fondled a young girl. The matter was staffed with the DA, DFS and law enforcement. ❷ In the meeting, a determination was made that the matter would be pursued as a child welfare matter, not as a delinquent matter due to the age of the offender. After the case was referred to DFS, DFS contacted the District Attorney’s Office and asked if they could handle the matter informally. With assurances that DFS would ensure that DFS would actively supervise the case and the child would receive the necessary counseling, the DA agreed to informal supervision. ❸ Less than two (2) weeks later, DFS closed the case “unsubstantiated.” While they received a “promise” from the family to get the child counseling at a local resource center, the center was not qualified to provide sex offense specific treatment. In addition, DFS did not keep the case open long enough to make sure the child’s assessment was complete; much less making sure the child received the necessary treatment.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	05-2009	Unsubstantiated
	09-2003	Unsubstantiated
	09-2002	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>05-2009 Report Date:</b> Male, 12 YOA Male, 8 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

<b>Summary Response:</b>	
❶	<p>This family came to the attention of DFS on May 4, 2010 due to allegations of sexual abuse against the natural mother and father. The report indicated that a father of a 7-year-old child had found his child with a string tied around his penis. The child indicated that it had been tied there by a friend. The report DFS received was related to the child’s friend.</p> <p>The incident in question was reported to Law Enforcement on March 8, 2009 although was not referred to DFS until May, 2009. DFS conducted the child welfare investigation jointly with law enforcement. The DFS investigation was unsubstantiated as staff was unable to determine that the alleged child perpetrator was a victim of sexual abuse.</p>
❷	<p>The case record reflects that on May 6, 2010, the DFS staff contacted law enforcement and spoke with the Detective involved in the matter. DFS staff was advised then that the DA’s Office would not be filing criminal charges on the child.</p>

On May 13, 2010, DFS staff contacted the DA to staff the case. A case note made that same day, summarized DFS staff's understanding of that meeting and indicates that the family would be provided with contact numbers to service providers in Laughlin, so that the child could enroll in counseling. The parents were to be advised of their duty to assure that child was enrolled in counseling and that they were required to follow the recommendations of the counselor. The parents were also to be advised that failure to comply may result in an abuse/neglect petition being filed against them. The case record does reflect that the parents contacted the Nevada Mental Health Center in Laughlin to seek services for their son prior to case closure.

- ③ The case record does not document that the family would receive on-going DFS supervision. DFS supervision is not extended to families without a substantiated allegation of abuse/neglect against the parent or an unresolved safety threat.

This case remains closed. There have been no additional reports received on this family for 1 year 4 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
65	<p>❶ In November 2009, a matter was set for R&amp;D hearing. The sex abuser pled guilty and was going to prison for 3 years. The psychosexual assessment had high risk to re-offend. The Sexual Abuser was the father to 8 years old and Stepfather to the victim 14 year old.</p> <p>DFS recommended case closure with no wardship since sex abuser would be in prison for three years. Mother just started victim counseling 1 week prior to suggested closure. Mother plans to seek full custody in the next 6 months, but does not see a rush since father is in prison. Wardship was not declared (October 14, 2009). Mother never completed the non-offending parent counseling and DFS failed to insure her participation.</p> <p>❷ After DFS recommended case closure and no wardship, DFS received report that the sex abuse victim was suicidal and cutting herself because her mother continued a relationship with the perpetrator (December 29, 2009). DFS had failed to insure the victim's counseling, choosing to close the case for their "numbers". Our Office had to file a second petition regarding the mother's neglect and emotional abuse of the sex abuse victim. Mother ultimately entered a no contest plea to the second petition.</p>

DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2009	Court Substantiated
	03-2009	Court Substantiated
	06-2007	Substantiated
<b>Age of Child(ren) Involved:</b>	<b><u>03-2009 Report Date:</u></b> Female, 14 YOA Female, 8 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

Summary Response:	
❶	<p>This family came to the attention of DFS in March, 2009 due to allegations of sexual abuse against the step-father. This family had prior child welfare history, including one substantiated investigation. The March report was filed by law enforcement investigating a report of child sexual abuse.</p> <p>DFS initiated an investigation, and requested the DA's Office file a petition. The step-father pled no contest to the child welfare petition and was charged and convicted criminally for the abuse.</p> <p>On October 20, 2009, a Review Hearing was held and case closure was discussed. DFS staff supported the closure as the perpetrator of the abuse was in jail and had no contact with the child. The Court denied the closure, requesting that DFS gather additional information regarding the children including the identification of counseling / therapy for the child victim and determining the on-going custody relationships. The Court also requested a case plan for the step-father to include counseling that follows the recommendations of a psychosexual assessment. The matter was continued for 2 weeks.</p> <p>On November 3, 2009, the Court reconvened and was satisfied that the appropriate services were in place and that the mother would file for full custody. The Court terminated wardship of the children and the case was closed.</p>



② On December 29, 2009, DFS received another report of abuse/neglect alleging the sexual abuse against the mother. The child ran away from home, and was taken into custody by police. The other child remained in the custody and care of the natural mother. Prior to running away, the child was still in weekly treatment with her therapist. Her mother, however, was continuing a relationship with the perpetrator and the child felt she was not supported by her mother. DFS requested the DA's Office file a petition, which was later Court substantiated.

The case remains open with the child placed in out-of-home care. The mother has completed parenting classes, and the child remains in therapy. There is a no contact order in place between the mother and the child until the therapist approves such contact. The permanency goal of the child remains reunification.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>66</b>	<p>❶ Original allegations were that mother's boyfriend sexually abused 5-year-old girl. Natural mother and Boyfriend improperly supervised 3 year old resulting in child falling out of bedroom window resulting in a fracture to her leg and a skull fracture. Natural mother and Boyfriend have prescription drug abuse addictions. Boyfriend uses marijuana. Natural Father also has drug use issues. Case came in January 2009.</p> <p>❷ Natural mother had domestic violence issues in May 09 and case plan was amended to include domestic violence counseling. Throughout case mother has been completely loyal to the Boyfriend. On Sept 10, 2009 in court mother and Boyfriend acted as a couple and Boyfriend was allowed therapeutic contact with 3 year old, but no contact with sex abuse victim.</p> <p>❸ On 10/12/09 Mother broke up with Boyfriend and moved into maternal grandmother's home. Trial home visit started 10/13/09. Case scheduled for 60-day status check on 11/3/09. DFS recommends case closures because Mother and Boyfriend broke up therefore there are no more issues and no need to monitor. The trial home visit was only three weeks old when DFS recommends closing the case. Court report actually recommended continued wardship, but caseworker brought termination orders. Court denied termination.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2008	Substantiated
	11-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>11-2008 Report Date:</b> Female, 5 YOA Female, 3 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ This family came to the attention of DFS on November 2, 2008, due to allegations of physical abuse, parent substance abuse, plausible risk of physical injury, lack of supervision, and failure to protect against the natural mother and her boyfriend. The report was made by hospital staff who were providing care to a child who fell from a second story window. The child had sustained a fractured femur.

DFS initiated an investigation. The natural mother reported that child was playing in the room with the door open, but that the child took the window lock off, opened the window, and fell out. The natural mother stated that she was in the kitchen when the incident occurred, however admitted that she does have a lock on the outside of the bedroom door to keep the children in their room at night. The natural mother denied that the child was locked in the room when the accident happened. The natural mother's boyfriend was interviewed, and contradicted the mother's story. He stated that the child had been put down for a nap, and the window was open several inches, but that the child opened the window more, and fell out. He stated that the door was closed; however, it was not locked.

The mother and boyfriend both tested positive for Marijuana and the mother for a prescription drug, Loratab, for which she did not have a prescription.

DFS requested the DA's Office file a petition and the children are removed from the home. The uninjured child was placed with her father, and the injured child remained in the hospital. Both children were later placed with the maternal grandmother,

While this case is open, DFS received a new report of abuse/neglect in December, 2008 alleging sexual abuse against the mother's boyfriend. The report is filed by a licensed social worker providing services to the family as a result of the open DFS case. The reporting source alleged that one of the children disclosed being sexually abused by the mother's boyfriend. DFS requested the DA's Office file a new petition.

② In March 2009, the DA's Office agreed to remove the sexual abuse allegations from the petition due to lack of credible evidence.

In May 2009, the mother's case plan was amended to include domestic violence counseling. Case record documentation indicated the mother remained loyal to her boyfriend. Review Hearing minutes for the September 10, 2009 Court hearing indicated the boyfriend would only be allowed therapeutic contact with the child involved in the previous allegations of sexual abuse. The no contact order remained for the other child.

③ In October 2009, the mother separated from the boyfriend and moved into the maternal grandmother's home. A Review Hearing was held on November 3, 2009, neither the Court minutes nor case record documentation indicates that DFS staff recommended case closure. The Court terminated wardship at a subsequent hearing on January 5, 2010.

This case remains closed, and there have been no additional reports received on this family for 1 year, 9 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ On December 2, 2009 DFS received their third report on this family – this one came to the attention of DA’s Office after law enforcement responded to the residence on a report of suspected child abuse. One of the children called the police and advised that his mother was beating him. The child reported to officers that his mother had hit him multiple times with a broom. The child was observed to have abrasions to the side of the face, swelling to the arm, numerous scars and cuts to the chest area. The child disclosed to officers that mother frequently hits him and that she always uses an object. The child showed officers a curling iron that mother frequently uses to hit him. Officers interviewed an older sister who confirmed the brother’s statements that mother hit him multiple times with a broom. The officer also told officers that mother frequently hits her as well. The sister had no visible injuries on that night. The mother admitted hitting the son multiple times "all over" his body with a broom. Mother also admitted to officers that she regularly hits the children with objects as a means of discipline. Mother stated that she has used the curling iron to hit her son.

The Police arrested the mother for felony child abuse. The family had two prior contacts with CPS, which were unsubstantiated, even though the improper supervision actually was proven.

❷ That on December 24, 2007, DFS made an unannounced home visit to the residence to deliver donations and found children age’s 7yrs., 3yrs., 23mos., 2yrs., 7yrs., and 3yrs. home alone without supervision. The children belonged to two sisters. DFS employees waited 1.5 hours and then placed children into protective custody.

On November 9, 2007, DFS received this report “Source reports that two young male children, both approximately three to five years old, are continuously left without supervision and they run the streets. Source has had to pick the two boys out of the street three times in the last week. Source reports that the first time they were found on Maryland Parkway. Source reports that yesterday and today they on the property streets; yesterday they were found on Lulu Avenue and this morning they were found on Turner Street. Source reports that the smaller three-year-old male was almost hit by a car today.

❸ DFS claimed that the oldest boy was a problem and since the other children were not direct victims they should be reunified, leaving the son in foster care. ❹ DFS employees actively worked to convince the criminal court to modify its restrictions on Mother’s contact with the victim contrary to the requests by DA’s Office. ❺ Dispositional Report prepared by DFS and NIA (Nevada Initial Assessment) contradicted the mother’s and DFS’ position that the other children were not abused. Despite that information DFS claimed that the Mother’s admission of striking the other children and the oldest daughter’s admission of mother striking her were the result of a language barrier/misunderstanding. The court ultimately agreed with DFS and returned the three siblings to mother, prior to mother engaging in any counseling truly designed to change her behaviors. We could not resolve the dispute but chose to handle it by saying that we deferred to DFS’ assessment of the situation, without saying we supported it.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	12-2009	Court Substantiated
	12-2007	Unsubstantiated
	11-2007	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>12-2009 Report Date:</b> Female, 14 YOA Male, 13 YOA Female, 9 YOA Male, 5 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

- ➊ This family came to the attention of DFS on December 9, 2009 due to allegations of physical abuse and plausible risk of physical injury against the natural mother. This family had prior child welfare history, including two unsubstantiated investigations completed in November and December, 2007.

The 2009 report was filed by law enforcement responding to a complaint of child abuse. The victim had called the police indicating his mother was beating him. The child had multiple injuries, including an abrasion to the face, and swelling to the arm. The child also had many scars and cuts to the chest area. He showed police officers the curling iron that the mother frequently used to hit him. Officers interviewed the older siblings who confirmed the child's statements, and indicated that they were frequently hit as well. The mother admitted to the abuse, and was arrested for felony child abuse.
- ➋ DFS initially became involved with this family on November 9, 2007, due to a report alleging lack of supervision. The mother had left the 12-year-old alone with three other children. Upon initial contact with the family, DFS staff learned the family had just immigrated to America from Ethiopia 3 months prior. Through the use of an interpreter, the family explained that in Ethiopia it was customary to leave younger children with older siblings. DFS staff explained the Nevada laws for providing child supervision and the investigation was unsubstantiated.

The second report came to DFS on December 24, 2007, when DFS staff went to the home to deliver Christmas gifts, and again found the children home alone. Upon investigation, the mother and her sister went to Catholic Charities, and left the children with the 16-year-old aunt. The aunt left the apartment to go to another apartment, leaving the children alone. A safety plan was developed that included extended family members agreeing to provide supervision at all times to the children. Follow-up unannounced home visits confirmed that the family was providing adequate supervision.
- ➌ During the course of the DFS investigation, the mother stated that during the incident in question, the older child was hitting one of the toddlers, she intervened and then the older child started hitting her. She had a broom in her hand from sweeping and used the broom to protect herself from being hit and not for the purpose of hitting her child. However, the mother does admit to using physical discipline with instruments in the past to reprimand the children.

Case record documentation indicated the child victim had behavioral issues that would require services be put in place. DFS staff believed those services could best be coordinated and initiated with the child remaining in out-of-home care. The mother also needed to receive assistance in developing appropriate intervention strategies when dealing with the child.

For these reasons, DFS staff pursued the reunification of the remaining children while recommending this child remain in out-of-home care.

④ Case record documentation does not indicate that DFS staff actively tried to convince the Court to modify the contact restrictions between the child victim and the mother. Rather it appears as if DFS staff was trying to clarify what restrictions were in place. At the criminal trial on December 28, 2009, the two older children including the primary victim recanted their stories. The Criminal DA informed the DFS staff that the Criminal Courts ordered a no contact with the children and the mother until services were started for the family. The Public Defender also contacted DFS staff, and contradicted the Criminal DA's information by stating that the no contact order was in place unless otherwise determined by DFS.

On February 17, 2010, the DA confirmed with the Court that there was not a no contact order in place and that DFS could determine the placement of the children back in the home.

⑤ On February 17, 2010, there was a Court hearing to discuss reunifying three of the children with the mother. DFS reported to the Court that Family Preservation Services would be provided in the home and that a Family Support Worker was being assigned to assist the mother with being introduced to and obtaining community resources. The Court released the three children to the mother and approved the reunification of the primary victim once services were in place.

In late February 2010, the child who remained in out-of-home care transitioned to the home of an aunt. Service remained in place. In March 2010, the child was charged with battery of a classmate and placed on probation.

On March 10, 2010, at the Dispositional Hearing the Court substantiated physical risk of abuse related to the three children who were not the primary victims of the abuse/neglect incident and physical abuse related to the child who was the primary victim. The petition contains all four children, but only references the physical abuse of the primary victim.

On May 14, 2010, the child was reunified with the mother, with 8 hours a week of Psychosocial Rehabilitation services in place. In June, 2010 the child began counseling with Children's Clinical Services.

The case remains open and DFS continues to provide case management services to the family.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
68	<p>① On April 6, 2010, DFS received the following report: Yesterday morning (4.5.10 approx 9 am) a person witnessed the mother slap the 4 year old child in the head with an open hand. It was reported the mother was slapping the child "upside" the head several times, the mother was slapping the child while leaving a fitness center. It was further reported the mother was hitting the child hard enough that the child's head was banging against the wall and staff at the fitness center heard the wall being banged. The child was in a crouched position while the mother was hitting her. Source reported the child was refusing to get in the car with the mother. Source reported the mother was telling the child she was embarrassing her." DFS investigation consisted of speaking to the mother who denied the incident took place in the manner described.</p> <p>On April 7, 2010, DFS investigator attempted to interview the child with the mother in the home and observed the following: A formal interview could not be conducted with child at this time as she would not speak to Specialist. Towards the end of the home visit she did say a couple of things; however she was not comfortable to meet with Specialist. Child appeared to be somewhat fearful of her mother as observed that when her mother went towards her she backed away and raised her arms in front of her face.</p> <p>Between April 7, 2010 and May 25, 2010, there are no entries regarding DFS involvement with the family. On May 25, 2010, the allegations were finally discussed with the father and he denied knowledge of the specific allegations.</p> <p>DFS has indicated the case will be unsubstantiated.</p> <p>The matter was never staffed with the DA's office and it does not appear that a medical professional, despite the repeated blows to the child's head and indication that her head hit the wall, examined the child. The independent eyewitness testimony would be enough to substantiate a legal case against the mother. There is no indication that the family was referred for any services.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	4-2010	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2010 Report Date:</b> Female, 4 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① This family came to the attention of DFS on April 6, 2010 due to allegations of plausible risk of physical injury against the natural mother. The report was filed by a medical professional who witnessed the incident. The reporting source indicated that the mother slapped the child on the head with an open hand several times, and that the child's head hit the wall as a result of the slap.

DFS initiated an investigation, interviewing the mother, the father, the child, and the reporting source. The mother denied the allegations.

On April 7, 2010, DFS staff attempted to interview the child, but the child refused to speak with staff.

Contact would later be made on May, 25, 2010, where the child denied being physically disciplined by parents. Case record documentation indicates that the child appeared fearful of the mother. DFS staff interviewed the reporting source, who repeated her recollection of events similarly to what was documented in the initial report. The father was interviewed and indicated he was not aware of the incident and that he has never seen the mother slap the child.

The record reflects that information was provided to parents for parenting classes as well as counseling for the family. Family was cooperative and open to accessing voluntary services. They were provided with an extensive resource packet. The case was not referred to the DA's Office and the investigation was unsubstantiated.

Based on the review of this case record documentation, DFS management initiated a well check of the child. Additionally, there may have been sufficient information to substantiate on the investigation, and to provide on-going services to the family. The case record documentation lacks detail and the investigation appears to be insufficient and non-compliant with policy and procedure.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

Based on this case review, DFS has implemented a comprehensive case review of the DFS staff direct services/case management staff involved with this case to better determine the overall consistency/inconsistency of policy and procedure application and compliance.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
69	<p>① On April 21, 2010, DFS received the following report from law enforcement: Report states law enforcement responded to the home.</p> <p>Child reported that on Sunday (04/18/10), her stepfather got angry with her and accused her of "looking at boys" at church. She stated that at church, her stepfather pulled her hair to the ground and grabbed her wrist and arms. Her stepfather then started to shove her and told her he would continue this at home. She stated that her stepfather was yelling and screaming at her. She reported that her wrists and her head hurt from her stepfather hurting her.</p> <p>Child stated that the next day (Monday, 04/19/10), she went to school and spoke with the school counselor. Child reported what happened to the counselor. Due to child having bruises CPS was notified. Source reports that child already had an OPEN CPS case in California due to medical neglect. The mother had refused medical treatment to child.</p> <p>Child reported that the school told her to go home and wait for a CPS worker to respond to her. Child stated that when she got home, her stepfather and mother were yelling at her because she wasn't in classes all day. They accused her of ditching. Child stated she wasn't ditching, she was in the school nurses office and spoke with the counselor for most of the day. She stated her stepfather threatened her and made the mother go to the school (on Tuesday, 04/20/10) and find out what happened.</p> <p>She reported that the school told the mother that a report was filed. The mother told the stepfather and he was angry. He called child on her cell phone at school and threatened her that she would get it when she got home. Child stated that she is tired of being abused by her stepfather, and she was very afraid to go home, so she ran away from home.</p> <p>On April 22, 2010, the case was assigned to a DFS investigator. It appears that the child is placed with her adult brother with no legal case being filed.</p>

<b>DFS RESPONSE:</b>		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2010	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<u>04-2010 Report Date:</u> Female, 17 YOA	
<b>Case Status as of Review:</b>	X	Open Closed

**Summary Response:**

① This family came to the attention of DFS on April 21, 2010, due to allegations of physical abuse against the natural mother and step-father. The report was filed by law enforcement who responded to a complaint of physical abuse. They responded to the home of the child's adult sibling, although the child resided with the mother and step-father in Bakersfield, California. The child ran away from California and came to stay with the sibling in Las Vegas. The sibling contacted law enforcement due to concerns the mother was en route to pick the child up.

The information contained in the DA's description accurately reflects the information contained in the abuse/neglect report. However, what is not contained in the DA's description is that the abuse/neglect

referenced by the child transpired in California, where she, the mother, and step-father reside.

DFS initiated an investigation. DFS staff confirmed the family's California residency, but determined that the child was in need of legal protection as her guardians were in another state; the child was brought into Protective Custody.

DFS staff contacted California child welfare services, who informed DFS that there was an open case for the family in reference to medical neglect. The California agency initiated another investigation and went to the family home and interviewed the mother, step-father, and the child's sibling. After further investigation, DFS staff released the child to the care of the adult sibling who returned the child to California. California continued to investigate the matter.

The DFS investigation was closed as unsubstantiated, primarily because it did not have jurisdiction of the case and it was being resolved in California.

This case remains closed, and there have been no additional reports received on this family for 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

N/A

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
70	<p>① On January 8, 2010, DFS received a report from police officers regarding the following: "Source states that there was an altercation last night between mother and child due to child skipping school. Child told source that her mother pinned her to the wall by her neck, then when child said she wanted to kill herself, mother threw a knife at child's feet and said something to the effect that she should go ahead and do it. Child told source that she picked up the knife and stabbed herself in the thigh two times. Child currently has the two stab wounds as well as scratches on her neck from her mother pinning her to the wall by her neck. Source states that child was treated at hospital and released to the care of her father.</p> <p>Source states that mother gave a different version of the events that took place. Mother told source that she pushed child into the wall but she did not choke her, but mother admitted that she might have caused the injuries to child's neck. Mother said that child got the knife herself, mother took it away from her, child took it back, and then she stabbed herself. Mother told source that she (mother) had a couple of drinks prior to the incident, however mother was not "buzzed" or intoxicated". Source also states that mother did not appear to be incapacitated.</p> <p>Source states that mother is being arrested for Child Abuse and Child Endangerment. Mother was released the next day from jail.</p> <p>Source states that both victim and sibling are currently with their father at the above address. Father told source that he would be taking victim to Montevista, but source does not know what transpired to cause father to make that decision.</p> <p>② DFS continues to work the case. DFS did not make a referral for a petition. Mother has a DUI from 2009 and was apparently drinking on the night that she physically abused child. Victim also disclosed sexual abuse by mother's current boyfriend (January 2010) and a former boyfriend (at age 9). The sex abuse and physical abuse by mother was reported by the victim to her therapist.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	01-2010 (2)	Substantiated Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>01-2010 Report Dates:</b> Female, 16 YOA Male, 9 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

①	This family came to the attention of DFS on January 28, 2010, due to allegations of physical abuse against the natural mother. The report was made by law enforcement who responded to a complaint of physical abuse against a 16-year-old child. The information contained in the DA's description accurately reflects the information contained in the abuse/neglect report. The mother was arrested for child abuse and child endangerment.
②	DFS initiated an investigation, and interviewed the child, the sibling, natural father, and later the natural mother.  The child victim indicated that her mother was angry with her for skipping school. When her mother

questioned her about it, her mother got angry. She indicated her mother was drunk. During the course of the argument, the child told her mother she had been sexually abused by the mother's boyfriend. The mother became even angrier. At some point, the child's mother handed her a knife and told her to kill herself; the child proceeded to stab herself in the leg.

At the time of the investigation, a second report of abuse/neglect alleging plausible risk of physical injury and sexual abuse against the mother was received. The report was filed by a therapist providing the child services subsequent to the abuse event described above.

DFS staff interviewed the mother, the mother denied providing the child with the knife or telling her to kill herself. She acknowledged only recently being notified of the sexual abuse complaint. She indicated that men would no longer be allowed around her child.

The case record does not specifically document the mother's criminal history as it relates to DUI, it does reference that she had a criminal history.

The sibling was interviewed and denied knowledge of the event. He indicated he did not witness it. This child remained in the care of the mother, but the child victim remained in the care of her natural father. The father retained primary custody of both children.

The first investigation was unsubstantiated, and the second substantiated. DFS did not request the DA's Office file a petition.

The sexual abuse allegations were referred to law enforcement for investigation, and based on the child's disclosure, the case may have been submitted for prosecution.

Based on this review of the case record documentation, while DFS staff substantiated the investigation, the fact pattern, at a minimum, supported informal, on-going DFS supervision and service provision. The case should have been reviewed with the DA's Office, as well.

This case remains closed, and there have been no additional reports received on this family for 8 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

71

**DA Case Description:** Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.

① On February 11, 2010, DFS received the following report :

On 2/5/10, the Mother filed a police report stating that her three children had disclosed that their stepfather had touched them in a sexual manner on numerous occasions. She indicated that prior to contacting the police she confronted him and kicked him out of the house. As a result of the report all the children were interviewed by a detective.

Two of the three children revealed sexual abuse, with one child indicating that the abuse occurred the night before the police report. One child indicated that the touching began when she was seven (lasting for several years).

② Between the report and the date of the memo, the children remain with the mother and DFS has documented numerous problems with finding the mother and the children. In fact, one of the three children still has not been seen by the assigned investigator. (February to June 2010). The children have not been in any documented counseling. ③ In criminal court the Perpetrator entered an Alford Plea to Attempt Lewdness with Child Under 14 yrs of Age. ④ DFS did not submit for dependency petition.

⑤ Nevada Initial Assessment could not be completed because mom failed to cooperate with interviews. Safety Assessment done on 2/17/10 identified sex abuse as safety threat but identified mother as protective based on calling police and kicking her husband out of the home. No further safety assessment done in 4 months, especially after the mother failed to cooperate with DFS investigation. ⑥ The mother is still married to stepfather (married 2006) no divorce records in Clark County and no TPO. Father is in jail awaiting sentencing but no counseling for mother or children.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	02-2010	Substantiated
	06-2005	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>02-2010 Report Date:</b> Female, 14 YOA Female, 12 YOA Female, 10 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

① This family came to the attention of DFS on February 11, 2010 due to allegations of sexual abuse against the step-father. The family had prior child welfare history, including one unsubstantiated investigation in 2005.

The February 2010, report was filed by law enforcement who responded to a complaint of sexual abuse. The natural mother contacted law enforcement indicating that her three children had disclosed to her they have been inappropriately touched by their step-father.



②	<p>DFS initiated an investigation upon the receipt of the report. DFS staff did initially have difficulty locating and connecting with the natural mother. When she was located, she denied she had intentionally evaded DFS. The natural mother indicated she was confused because the Criminal Court proceedings were in progress and that she had maintained regular contact with law enforcement. She didn't understand the need for both DFS and law enforcement involvement. Law enforcement corroborated her participation in the criminal proceedings and her regular contact with them. The Detective assigned to the criminal case described the natural mother as "100% protective."</p>
③	<p>The step-father did enter an Alford Plea in the criminal proceeding. He is currently in jail and awaiting sentencing.</p>
④	<p>DFS did not request the DA file a petition. The mother immediately reported the crime to law enforcement and has remained protective of her children. She actively participated in the criminal proceedings. The children abused were not the biological children of the perpetrator.</p>
⑤	<p>Case record documentation related to the Nevada Initial Assessment (NIA) was completed in UNITY and it was updated as additional information was received. The NIA is designed to be a living document that is not finalized or completed until the end of an investigation.</p> <p>Case record documentation does not indicate the mother was uncooperative. She did not impede the completion of the NIA, and her behavior did not warrant an updated Safety Assessment.</p>
⑥	<p>Case records do not document that the mother has divorced the father or filed for a Temporary Protection Order. The step-father remains in jail awaiting sentencing.</p> <p>The DFS investigation was substantiated.</p>
<p>This case remains closed, and there have been no additional reports received on this family for 7 months.</p>	
<p><b>Relevant Statute:</b></p>	
<p>N/A</p>	
<p><b>Personnel Issues/Outcomes:</b></p>	
<p>N/A</p>	

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

72

**DUPLICATE CASE  
SEE RESPONSE FOR 50**

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

On April 24, 2009, DFS received the following report : "Child was upset and stressed today because there was a fight last night at home. During the conversation with source child disclosed that she has been sexually abused by her father on multiple occasions for a few years. Child said that her father fondled her breast and vaginal area on multiple occasions. Child states that she was typically taking Nyquil or Loratab to help her sleep when the incidents occurred. Child indicated that the fondling has been above and beneath her clothing. She indicated that she is not sure if her father has ever penetrated her vaginal or anal area.

Victim was able to give specific details about the abuse. She indicated that her older sister had told her that their father had also touched her. She states that this has occurred multiple times with her sister. She indicated that older sister reported the sexual abuse to a family friend about a year or two ago. Law enforcement was involved at that time, but older sister did not want to press charges.

Victim indicated that her mother has been aware of the sexual abuse to the girls for a few years. She indicated that she and older sister have each told their mother about the sexual abuse, but mother initially did not believe them. Victim said that she initially told her mother about the sexual abuse a couple of years ago. Victim indicated that her mother now believes them, but had not contacted law enforcement.

DFS had previously received the below report in February 2007 from law enforcement fax received from sexual assault unit. Fax reports the following: That child reported that over the past few years, her father has been sexually assaulting her. Child states that her father would give her some medication to help her sleep and the next day she would have trouble urinating and she would feel soreness in her vagina. She also reported that her younger sister had surgery on her foot and took pain medication before bed. When sister woke up her bra was undone and her underwear was torn. Sexual assault detectives were contacted and interviewed child. Source reports that victim is consistent with her story after telling four times. She has been a runaway twice and arrested once for battery/ domestic violence. She is sexually active and generated this allegation while staying at a friend's house.

DFS also had this report from February 2006 :

On last night (2/02/06), child was beat up by her father. According to source, the family has a phone rule that the children are not allowed to have phone calls after 8pm. Last night the phone rang at approximately 7:45 pm and child tried to answer the phone. Father picked the phone up and would not allow child to get the phone. Child thought that father was playing and teasing with her so she went over to him and began tussling with him for the phone. However, father was not playing and he became angry with child and snapped on her. Father chased child around the home and start punching her. Natural mom tried to use herself as a shield between the two of them but father continued to reach around and ended up hitting child in the face. They all struggled for about 10 minutes until mother was able to maneuver her body so that child could run away. Mother told child to run outside. Then father turned on mother and threw her to the ground by her hair. He started to drag her while she was on the floor but then realized that mother wasn't who he was after. So he ran outside after child who he grabbed by the hair and threw head first into the garage door. Father then punched child in the face and hit her in the side. Mother then ran up to father and hit him in the head with a textbook in an effort to get him off of child. But it did not work and he turned around and started hitting mother again. Father grabbed mother by the hair and threw her down. At this point, mother had the car keys in her hand and unlocked the door for child to get in. Child then locked herself into the vehicle.

	<p>The mother and children finally got away after mother yelled at sibling (who witnessed the entire incident) to call the police. Sibling child called the police and they jumped into the vehicle but left before the police arrived. Mother then drove to a friend's house and called the police. Once the police arrived they escorted mother back to the home and arrested father on two counts of domestic violence. Despite having all this information – DFS chose not to request that we file a petition. DA's Office learned of case and direct filed before the dispute resolution process was implemented. The perpetrator pled no contest to the sexual abuse petition when the daughter appeared to testify against him. Mother had already physically separated and filed for TPO so she was given further proceedings. DFS did not get a permanency worker assigned after the court substantiated petition for several weeks and as of June their records indicate that the matter is unsubstantiated (although it is court substantiated). The remaining minor victim is now receiving counseling.</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>	
<b>Date(s) of Report(s) (Specific to DA Description):</b>	
<b>Age of Child(ren) Involved:</b>	
<b>Case Status as of Review:</b>	Open
	Closed

**Summary Response:**

N/A

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

N/A

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
<b>73</b>	<p>❶ On March 30, 2010, DFS received the following from law enforcement:  “Source states that the father has felony warrants for domestic violence related incidents. That at 10:33 am this morning police located the father and attempted to pull him over. That the father accelerated to a high speed and police continued to pursue him in a high-speed chase. That the father was driving erratically and jumped curbs more than once while police were pursuing him. That when police were finally successful in pulling him over, they discovered that also in the car were the father's three children and the children's mother, (actually mother of only 2 of the children). That the father appeared to be intoxicated when police pulled him over this morning. That he admitted to drinking four beers this morning. That two empty beer cans were located inside the car. That the mother admitted that she was aware the father was drinking while driving with her and the children in the car. That the father was arrested on his warrants as well as felony child endangerment due to driving erratically and at high speeds with the three children in the car.</p> <p>❷ DFS records indicate that there was no contact between the assigned investigator and the mother or the children in April or May 2010. In June 2010, the only contacts DFS made were with the mother of the third child in the car. ❸ At this time DFS intends to close the case without a petition or staffing with DA’s Office. ❹ The police records indicate a history of domestic violence between the father and mother (2009 and 2010). The police records also indicate that the Father has serious felony charges in addition to the child neglect/endangerment from the above report. He has attempt murder, kidnap 1<sup>st</sup> degree, robbery with deadly weapon, burglary and coercion with force charges pending. ❺ Mother is unemployed and was living at a motel/hotel in March 2010.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	03-2010	Substantiated
<b>Age of Child(ren) Involved:</b>	<b>03-2010 Report Date:</b> Female, 1 YOA Male, 1 YOA Male, 1 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶	This family came to the attention of DFS on March 30, 2010 due to allegations of plausible risk of physical injury against the natural father. The report was filed by law enforcement. The information contained in the DA’s description accurately reflects the information contained in the abuse/neglect report.
❷	DFS initiated an investigation making contact with the natural mother of two of the children on March 31, 2010. The children were seen and appeared to be well. The family had previously been staying at a motel with the natural father. However, after the incident he was incarcerated. DFS staff again saw the children and mother on May 24, 2010 and again all appeared to be doing well. The mother was referred for services at this time. The other child was seen on June 14, 2010. DFS staff had been unable to locate the child’s mother as the information initially provided to the department was inaccurate. DFS staff attempted to interview the father, but he refused to speak with staff due to the pending criminal

	charges.
③	DFS substantiated the investigation in July, 2010. The case was not staffed with the DA's Office.
④	Case record documentation does indicate DFS staff was aware of the father's criminal history, including a domestic violence conviction in 2004. The mother of one of the children does disclose a domestic violence incident with the father—this is not the mother who was riding in the car during the time of the incident.
⑤	On May 24, 2010, case record documentation indicated that the mother had recently been employed. In March 2010, as referenced above, she was residing in a hotel.

Based on the review of this case record documentation, DFS management initiated a well check of the children. The case record documentation lacks detail and the investigation appears to be insufficient and non-compliant with policy and procedure.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

Based on this case review, DFS has implemented a comprehensive case review of the DFS staff direct services/case management staff involved with this case to better determine the overall consistency/inconsistency of policy and procedure application and compliance.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
74	<p>❶ On April 21, 2010, DFS received the following report “Source reports that the incident happened at the father’s home last night. 7 year old came to school with bruises on his right arm. The bruising covered a large portion of his lower arm. Child said he also has bruises on his hip and lower back, but source did not look there. Child said his father hit him with a belt. Father was upset because child did not finish his dinner. Source does not know how many times child was hit with the belt. Child said that he was crying so his mother picked him up and helped him last night.” Child said that his father hits him with a belt when he is really angry. If he is not too mad, father just hits child with his hand. Source reports that this is not a daily thing. Source does not know when the last time father hit child with the belt prior to last night. Source is not aware of child having any marks in the past. Father has told child that this is how he was disciplined, so that is what he will do to him.</p> <p>❷ DFS records indicate that the child was with the mother and they did not take any legal steps to protect the child from the father despite physical proof that the father had physically and emotionally abused the child. ❸ The legal records indicate that the mother and father had the marriage annulled but that the father has visitation and he went to get the child in May 2010. ❹ The records indicate that DFS did not refer the father to any services to address the Domestic Violence/Child Physical Abuse. The abuser appears to maintain unlimited access to the child.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2010	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<u>04-2010 Report Date:</u> Male, 9 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶	This family came to the attention of DFS in April 21, 2010 due to allegations of physical abuse against the natural father. School staff reported the abuse. The information contained in the DA’s description accurately reflects the information contained in the abuse/neglect report.
❷	DFS initiated an investigation, and saw the child. Case record documentation indicated the child had several linear marks on his body. The child disclosed that his father hit him several times with a belt due to not eating his dinner. During follow-up interviews with the child, the child indicated that the father had not hit him before. At the time DFS made contact with the child, he had been returned to his mother’s care. The child lived one week with the mother and the next week with the father.  The father was also interviewed and admitted to the abuse, indicating it was one time event and would not happen again.
❸	Case record documentation indicates that the mother and father were no longer married and that their marriage was annulled. The father retained visitation rights with the child after the annulment.
❹	Case record documentation does not indicate DFS staff referred the father for services; the investigation was unsubstantiated.

Based on the review of this case record documentation, DFS management initiated a well check of the children. The case record documentation lacks detail and the investigation appears to be insufficient and non-compliant with policy and procedure.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

Based on this case review, DFS has implemented a comprehensive case review of the DFS staff direct services/case management staff involved with this case to better determine the overall consistency/inconsistency of policy and procedure application and compliance.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓



DA Case ID:  <b>75</b>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>① On April 12, 2010, DFS received a report involving a seven year old girl who had been physically abused, observed domestic violence between her mother and mother's boyfriend and claimed that the mother and mother's boyfriend used marijuana in the home. The report indicated that the subject minor primarily resides with a "grandmother figure" and visits with her mother 1 to 2 days/nights at a time. The report further indicated that the child was struck in the face with a plate thrown by mother's boyfriend during an incident of domestic violence between mother and mother's boyfriend.</p> <p>When the subject minor was transported to school she informed the person that she hit a door because her mother told her to lie if anyone asked how she received the mark under her left eye. The bruise was observed to be ½" long and bluish in color.</p> <p>② DFS has not intervened in the matter according to notes. The child still apparently lives with fictive kin (no legal documents) and apparently visits with the mother. The assigned investigator spoke to the child and observed the injury. The investigator does not note any contact with the mother or the mother's boyfriend. The investigator does not note any contact with the child since April interview. This is an example of either poor investigation, poor supervision or "informal handling".</p>
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**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2010	Substantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2010 Report Date:</b> Female, 7YOA Male, 3 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed

**Summary Response:**

<p>① This family came to the attention of DFS on April 12, 2010 due to allegations of physical abuse against the natural mother and her boyfriend. The report was filed by a close friend (fictive kin) of the family. The reporting source had taken the child to school, and noticed a bruise on the child's face. When asked how the bruise occurred, the child disclosed she was hit by a plate that the boyfriend had thrown at the mother. The source also indicated that both the mother and boyfriend used marijuana. The source indicated the child did not reside with the mother, but for one to two days per week.</p> <p>② DFS initiated an investigation, and the child was interviewed on April 13, 2010 at school. The child presented with the bruising on the face as described in the report. The child disclosed that she had been hit in the eye with a plate that the boyfriend had thrown at the mother. The child denied seeing the mother and boyfriend hit each other, although disclosed they pushed one another. The child stated she felt safe at the mother's house, but felt scared when the mother and the boyfriend would fight. The child indicated she lived with her grandmother during the week, but went to her mother's house on the weekend.</p> <p>Case record documentation indicates a gap between the initial contact with the child on April 13 and attempted contact on May 24 and June 1, 2010. Face-to-face contact is made again with the family on</p>
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June 7, 2010. There is no known explanation for the lack of contact and/or documentation.

On June 7, 2010, DFS staff interviewed the natural mother. She corroborated the child's statements. On June 22, 2010, DFS staff interviewed the boyfriend. He indicated he had no intention of hitting the child with the plate, but that he threw the plate out of anger at her mother and should not have done so.

On June 22, 2010, DFS staff followed-up with the reporting source who indicated the child was doing well. The source reiterated that the boyfriend did marijuana and had involvement with law enforcement. The investigation was concluded as substantiated, but the case was not referred to the DA's Office for filing a petition.

Based on this review of the case record documentation, while DFS staff substantiated the investigation, the fact pattern, at a minimum, supported a referral to community services. The case should have been reviewed with the DA's Office, as well.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

Based on this case review, DFS has implemented a comprehensive case review of the DFS staff direct services/case management staff involved with this case to better determine the overall consistency/inconsistency of policy and procedure application and compliance.

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
Choose Your Partner Carefully Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	✓

DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
76	<p>❶ In Jan 2009, perpetrator shook his girlfriend’s 1-year-old baby causing subdural hematomas and retinal hemorrhages. DFS intervened to protect the shaken child but never conducted any investigation whatsoever into perpetrator. ❷ At the time of the injury to the girlfriend’s baby, perpetrator had a baby by another woman. That other woman was also pregnant with his second child. ❸ In Feb. 2010, at the time of his release from custody, perpetrator contacted DFS (presumably because a term of his jail release was to comply with DFS). DFS again failed to investigate him in any way and instead determined that since perpetrator was not planning on reunifying with the <u>injured</u> child he had “no accountability on the case.” ❹ Three months later, perpetrator killed his 1-year-old biological child. Preliminary medical records reveal that at the time of her death, the child had: head trauma and multiple fractures. Multiple bilateral rib fractures, bilateral clavicle fractures, buckle type fracture left distal diaphysis, non-displaced buckle type fracture proximal left tibia, left retinal hemorrhage (records from ophthalmology not yet received), subdural hematoma with question of acute or chronic bleeds. ❺ DFS released a statement to the press stating that they had ensured the safety of the injured child, and denying further responsibility (“We’re not a policing agency like that.” LVRJ 6/10/10)</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2010	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>06-2010 Report Date:</b> Female, 2 YOA Female, 1 YOA (deceased)	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

- ❶ This family came to the attention of DFS in June 2010, due to allegations of physical abuse against the natural father. The report was filed by law enforcement who responded to a complaint of physical abuse. When law enforcement arrived, the child was barely breathing and suffered from a head injury. The child was transported to a local hospital.
- ❷ While DFS has no prior reports on this family, the father of the injured child was, however, the perpetrator of abuse on another child associated with a DFS case in January 2009. His previous case with DFS referenced a shaken baby incident in which he was criminally charged, convicted, and served 10 months in prison. In this case, he perpetrated abuse on his girlfriend’s child; the child was not his biological child. The abuse occurred in Nye County, and DFS became involved when the child was transported to a local hospital. The injuries sustained by the child were not fatal. When the child presented at the hospital, medical personnel initially believed that the child had RSV. DFS staff requested a skeletal exam, and the results revealed previous injury/trauma indicative of abuse/neglect.
- At the time of this incident, case record documentation indicated the perpetrator had one biological child, and while incarcerated the mother of that child gave birth to his second child.

Case record does not document DFS staff either made contact with the perpetrator's biological child or made contact with the newborn child once born.

③ On February 12, 2010, DFS staff became aware that the perpetrator had been released from jail, and that he was no longer involved with the injured child's mother. The injured child remained placed in out-of-home care, and DFS was considering reunification with the biological father in another state. DFS staff noted that the perpetrator of the abuse had "no accountability" on the case primarily because of his severed relationship with the mother and inability to contact the child.

The perpetrator contacted DFS staff to inform them he had completed parenting classes on April 16, 2010. Those classes were previously required of him as part of his case plan. As a condition of his parole, he was required to comply with DFS. Another condition of his parole was that he has no contact with children.

④ On June 4, 2010, DFS received the report in reference to the injury of the biological child. The information contained in the DA's description accurately reflects the information contained in the case record documentation related to the type of injuries sustained by the child.

It should be noted the perpetrator did not live with the natural mother and his biological children and that DFS staff were not aware he was providing care to children.

⑤ The article referenced was published in the Las Vegas Review Journal on June 11, 2010. The public information officer was quoted as stating the following:

"Christine Skorupski, a spokeswoman for the Clark County Department of Family Services, said her agency has records of Taylor as an alleged child victim and a perpetrator of child abuse, but she could not provide the details of his history.

But Skorupski said that previous allegations of abuse against Taylor involved a child in an unrelated household, not Kaitlynn.

Family Services had not received reports involving Taylor's biological children before the latest incident, Skorupski said, and the agency was unaware that there were children in his care.

"When we intervene in a family, our focus is the safety of the child and working with the family to address their needs. In the prior case, we addressed the issues necessary to ensure the safety of that child," Skorupski said. "Once Taylor no longer played a role in that family, we didn't follow him on to monitor what he does with his life. We're not a policing agency like that."

This case remains open. The permanency plan for the surviving sibling is reunification with the mother; the child, however, remains in the care of the maternal grandparents.

**Relevant Statute:****NRS 432B.330 Circumstances under which child is or may be in need of protection.**

1. A child is in need of protection if:

(a) The child has been abandoned by a person responsible for the welfare of the child;

(b) The child has been subjected to abuse or neglect by a person responsible for the welfare of the child;

(c) The child is in the care of a person responsible for the welfare of the child and another child has died as a result of abuse or neglect by that person;

(d) The child has been placed for care or adoption in violation of law; or

(e) The child has been delivered to a provider of emergency services pursuant to [NRS 432B.630](#).

(Added to NRS by 1985, 1371; A 1991, 52; [1999, 830](#); [2001, 1256](#); [2005, 2038](#))

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	✓
Children Born To/Associated with Individuals Receiving DFS Services:	✓
Choose Your Partner Carefully Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	✓

DA Case ID:   <b>77</b>	<p><b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i></p> <p>❶ 41-day-old infant was murdered by mother’s boyfriend while mother was incarcerated on unrelated charges. At autopsy, it was determined that the infant sustained a right parietal skull fracture and severe traumatic brain injury (acute and chronic), including bilateral subdural hemorrhages, neuronal necrosis, diffuse cerebral edema, subarachnoid hemorrhages, multifocal axonal spheroid of Cajal and cerebral cortical contusional hemorrhages. Infant also sustained acute burns to over 1/3 of his body and was suffering from starvation. At the time of death, infant weighed .2 kg less than his birth weight, he was only one cm longer than he was at birth and his head circumference was 4.8 cm SMALLER than it was at birth. Photos show skin hanging off infant’s buttocks where the fatty tissue should be. Currently, we have a TPR trial scheduled for 7/1/10 on infant’s sibling, who is 6-years old). Mother was subsequently charged with Child Abuse with Substantial Bodily harm for the injuries to infant.</p> <p>On March 12, 2010, a report came into the CPS hotline indicating that the mother was engaged to a new man who had two children, ages 9 and 5. The report indicated that mother was living in the home with the children. ❷ When interviewed, the new boyfriend indicated that he was aware of the charges but denied that the mother had any role in the child’s injuries. He also stated that the mother had watched the girls “once or twice” on her own. However, the paternal grandmother reported that the mother had been “picking the children up at school and caring for them for unknown lengths of time.” ❸ The father refused voluntary services stating that he had talked to an attorney and was advised that he didn’t have to. ❹ On 5/21/10 and 6/7/10, the DA’s office sought to staff this case with DFS to discuss the safety concerns to the 9 and 5 year old due to the fact that the case was closed unsubstantiated, leaving these children in the care of a person responsible for the abuse, neglect and or death or another child. This case was staffed for dispute resolution between the DA’s Office and DFS.</p>
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DFS RESPONSE:		
<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	10-2010	In Progress
	03-2010	Unsubstantiated
	05-2006	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>03-2010 Report Date:</b> Female, 9 YOA Female, 5 YOA	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

Summary Response:	
❶	<p>This family came to the attention of DFS on March 12, 2010 due to allegations of plausible risk of physical injury against the step-mother. The report was filed by DFS staff that was involved with the step-mother, and responsible for managing the existing out-of-home permanency case for her biological child.</p> <p>The step-mother had previous child welfare history, including three prior child welfare unsubstantiated investigations, and one Court substantiated investigation related to the death of her child. The last report received by DFS on the step-mother came on March 9, 2009. The report was filed by law enforcement who responded to a complaint of physical abuse. Upon arrival, law enforcement</p>

discovered a child who had suffered 3<sup>rd</sup> degree burns to his body. The child subsequently passed away from the injuries sustained. While the mother was incarcerated at the time of the child's death, the injuries were attributed not only to the recent abuse, but to a lengthy period of sustained abuse. The mother was subsequently charged with felony child abuse. DFS removed the mother's remaining child, and the mother is currently pending a termination of parental rights.

While DFS has no prior reports on this family, the father of the injured child was, however, the perpetrator of abuse on another child associated with a DFS case in January 2009. His previous case with DFS referenced a shaken baby incident in which he was criminally charged, convicted, and served 10 months in prison. In this case, he perpetrated abuse on his girlfriend's child; the child was not his biological child. The abuse occurred in Nye County, and DFS became involved when the child was transported to a local hospital. The injuries sustained by the child were not fatal. When the child presented at the hospital, medical personnel initially believed that the child had RSV. DFS staff requested a skeletal exam, and the results revealed previous injury/trauma indicative of abuse/neglect.

- ② As part of the most recent investigation, the father, when interviewed denied his wife had anything to do with the abuse of her biological child. He indicated that his children were rarely left in her care. The paternal grandmother contradicted that information, however, and indicated that the children were frequently left with the step-mother.

Case records indicate the father had previous Court substantiated child welfare history related to drug abuse that occurred in May, 2006.

- ③ On May 28, 2010, the father refused to receive voluntary services; he indicated his attorney had advised him he did not have to participate.

The investigation was unsubstantiated.

- ④ The DA's office expressed concerns about this case and initiated the Dispute Resolution Protocol. The case was staffed with DFS management and the Deputy DA. DFS advised the DA's office that DFS would not refute a petition being filed on this case based on the requirements of NRS 432B.330. DFS advised the DA's office that they would need to initiate the filing of the petition to get DFS involved in the case. The DA's office agreed. A new report was then filed with the Hotline and is currently being investigated.

Based on the outcome of the Dispute Resolution Protocol, the DA's Office independently filed a petition on the natural mother, natural father, and the step-mother on September 23, 2010. This case remains open.

#### **Relevant Statute:**

##### **NRS 432B.330 Circumstances under which child is or may be in need of protection.**

1. A child is in need of protection if:

(a) The child has been abandoned by a person responsible for the welfare of the child;

(b) The child has been subjected to abuse or neglect by a person responsible for the welfare of the child;

(c) The child is in the care of a person responsible for the welfare of the child and another child has died as a result of abuse or neglect by that person;

(d) The child has been placed for care or adoption in violation of law; or

(e) The child has been delivered to a provider of emergency services pursuant to [NRS 432B.630](#).

(Added to NRS by 1985, 1371; A 1991, 52; [1999, 830](#); [2001, 1256](#); [2005, 2038](#))

<b>Personnel Issues/Outcomes:</b>	
<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	✓



DA Case ID:

78

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ When infant was 3-months-old, his mother and father engaged in a domestic dispute. Following the dispute, father left infant in the care of the emotionally distraught mother, who yelled that she did not want the child, left infant out in the cold and started throwing all of infant’s belongings out the window. Once paternity was established, CPS returned infant to the care of his father. A short time later, father returned infant to his mother despite the mother’s clear demonstration of instability. Father reported that he was in “constant contact” with the mother during this time. ❷ Thereafter, in Feb. 2008, the mother turned the care of the child over to the child’s paternal aunt. The paternal aunt described child as filthy, hungry and wearing a t-shirt as a diaper when she received him. The paternal aunt then turned the care of child back over to father and his new girlfriend.

In May 2008, one-year-old child was taken into care after he was repeatedly and severely physically abused by father’s girlfriend, who was five months pregnant at the time. The abuse included extensive whipping with an extension cord, including whip marks across the child’s genitals. It took three days following the report to contact the child due to father hiding child from authorities. While child was in the care of DFS, father and girlfriend intentionally misdirected DFS regarding where girlfriend was living in order to prevent their new baby from being taken into care. The new baby was taken into care after DFS was notified of her birth by paternal relatives. Ultimately, the victim and new baby were reunified with father and girlfriend/mother after they completed portions of their case plans. The case was closed on May 6, 2010 upon the recommendation of the Early Childhood Services therapist.

On June 4, 2010, the now three-year-old presented at UMC with a traumatic head injury, to which he ultimately succumbed. The injury was inflicted by the girlfriend. At the time he was admitted to the hospital, the 3 year old had a cast from a tibia fracture, which occurred approximately three weeks earlier. Girlfriend reported that the leg injury occurred at the child’s daycare but subsequent investigation determined that the injury occurred in her care. Moreover, upon child’s admission to the hospital, girlfriend explained that an abrasion to the middle of his forehead had occurred from a fall 2-3 weeks prior and a bump to the right side of his head occurred 2 weeks prior when child “ran into a table.” Father appeared to accept all of girlfriend’s explanations without question, even expressing “shock” to the media when he “discovered” that she was the one who inflicted the traumatic injuries to the child.

❸ Despite Father’s repeated failure to protect deceased child and his failure to protect new baby (by misdirecting CPS re: girlfriend’s whereabouts to avoid her being taken into protective custody), DFS left new baby in father’s care and custody until removed by the court on 6/15/10 at the request of DA.

**DFS RESPONSE:**

<b>UNITY Case #:</b>	[REDACTED]	
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	06-2010	Substantiated
	12-2008	Court Substantiated
	05-2008	Court Substantiated
	06-2006	Unsubstantiated
<b>Age of Child(ren) Involved:</b>	<b>06-2010 Report Date:</b> Male, 4 YOA (deceased) Female, 1 YOA	

<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

① This family came to the attention of DFS in November 2006, due to allegations of neglect, abandonment, plausible risk of physical injury, and parent in jail against the natural mother and father. The report was filed by law enforcement who responded to a domestic dispute complaint. The mother and father had argued and the mother indicated she no longer wanted to care for the infant, placing the infant outside the residence. The father indicated to law enforcement that he also did not want to care for the child. The child was brought to Child Haven by law enforcement as a result of the incident.

DFS initiated an investigation. During the course of the investigation, the father denied stating to law enforcement that he did not want to care for the child, and instead indicated that the child was brought into care because he was not named on the birth certificate. DFS staff contacted law enforcement who indicated the father was neither for nor against the child being brought into care. At the Protective Custody Hearing on November 14, 2006 the Court ordered the child returned to the care of the father.

The case was closed as unsubstantiated in November 2006. The father was, however, referred to community services.

Case record documentation related to later DFS involvement with the family indicates that the father does return the infant back to the care of the mother.

② Case record documentation indicates the child’s natural mother did relinquish care of the child to the paternal aunt. The paternal aunt indicated that when she received the child, he was filthy. The child is eventually returned to the care the natural father and his new girlfriend.

In May 2008, DFS received a report alleging physical abuse and lack of supervision. The reporting source was anonymous. The reporting source acknowledged witnessing the girlfriend hit the child so hard on the back that she knocked him to the ground. The reporting source witnessed multiple small bruises on his face, and when asking the girlfriend what happened, she disclosed pinching the child on the face.

Upon initiating investigation, the child presented with linear marks on his lower abdomen that were noted to look “whip-like” and bruising to his lower back. The child also possibly had scabies. DFS staff had difficulty locating the family, as father and girlfriend were aware that child protective services had been called. The child was removed from the home and placed with the paternal grandmother. The girlfriend admitted to hitting the child with an extension cord. The investigation was Court substantiated.

The girlfriend was pregnant at the time DFS conducted this investigation, and the father misled DFS staff as to her whereabouts in order to prevent the new child from being taken into care. In December 2008, the paternal aunt contacted DFS to inform them of the child’s birth and location.

Both children were reunified with the parents in October 2009. The parents had completed a portion of their case plans. At the recommendation of the Early Childhood Services therapist, the Court terminated wardship and the case was closed on May 17, 2010.

On June 4, 2010 DFS received a new abuse/neglect report alleging physical abuse/death against the

natural father and the girlfriend. Law enforcement filed the report after responding to a complaint of physical abuse. The child had presented at a local hospital with a massive head injury. DFS initiated an investigation. The girlfriend initially did not admit to causing the injuries and indicated the child had fallen and bumped his head. The child passed away from the injuries on June 7, 2010. The girlfriend later admitted to causing the injuries and was criminally charged with the child's death.

③ The surviving sibling was placed with paternal grandmother voluntarily by the parents at the time of the child's injury. Based on the information DFS had at the time of the child's death, there was no indication the father presented an immediate or imminent danger of serious harm to the surviving sibling. As the investigation unfolded and new information was learned, DFS staff would later agree that the father was not an appropriate caretaker of the surviving sibling. It is important to note that the surviving sibling remained in the care of the paternal grandmother until the Court officially ordered the child removed from the father and into the care of the paternal grandmother on June 17, 2010. The father was allowed to reside in the home with the grandmother and child, but supervision of the child and father was required.

This case is open and the child remains placed with the paternal grandmother.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
Choose Your Partner Carefully Campaign:	✓
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	✓
Proper Notice of Service:	
Staff Education/Training:	✓
Supervisory Expectations:	✓

On 4/22/10, a seriously endangered child was removed from an abusive parent because the DA was empowered to speak on behalf of the public interest and was not limited by the attorney client relationship.

❶ On 12/21/09, three-month-old presented at hospital emergency room at the request of the infant's pediatrician. A report to the CPS hotline indicated that the parents had previously been given feeding instructions for child due to the infant's failure to gain weight appropriately. Despite the feeding plan, child had only gained 10 oz. in the three months since her birth. The report indicated that the mother was depressed due to the recent death of her one-year-old child, (which was due to a congenital heart defect – not neglect). The report indicated that the mother did not feed infant when she was hungry, pay attention to her or comfort her. ❷ The reporter also relayed that the father of infant and stepfather of three-year-old is a registered sex offender. It was determined that the father was a Tier One Sex Offender for Attempt Lewdness with a Minor for molesting an 8-year-old girl. The father's probation officer verified that father was not to have unsupervised contact with anyone under 18 years old.

❸ Upon CPS contact at the hospital, the infant was observed to be small and pale with a distended belly. Infant was observed by hospital staff to be eating well. While the pediatrician had not ruled out an organic cause, it was believed that mother was not feeding the child. Reports dated 12/23 indicates that infant gained 4 oz in the 2 days she was in the hospital and all organic causes for failure to thrive had been ruled out. ❹ Investigation revealed that mother confided in a friend that she was lying in bed with one child on one side and the infant on the other. The mother got up to feed infant (who was hungry) and when she returned, sibling had died.

❺ Upon interview, the father admitted a prior diagnosis of Intermittent Explosive Disorder as a teen, and both parents admitted prior meth addiction.

❻ On 12/27/10, the hospital indicated that infant would be ready for discharge from the hospital. She had gained 1 lb. 4 oz. since she was admitted. On 12/28/10, the mother called the nurse to ask about infant's current weight and asked if it was done on the same scale. When the nurse tried to update the mother regarding infant's recent food intake, the mother refused to listen and hung up on the nurse. ❼ DFS took infant into protective custody, though they left another child in the home. At the protective custody hearing, DFS requested that the child be released home with mom. The DA expressed concerns regarding mother's mental health and her ability to care for the child. The Court granted DFS's request over the District Attorney's objection. The matter was subsequently staffed between the DA's Office and DFS, in which the DA's office expressed concerns of possible Munchausen's by Proxy. ❽ On 12/30/10 a nurse expressed concerns that mother was leaving infant home alone with father while she took sibling to daycare.

❾ Infant gained weight steadily until about 1/4/10, and then dropped off. The child was positive for RSV in the interim, but also on 1/18/10 had the distended belly again and would cry if someone touched her belly. On 1/22/10, a DFS worker received a report that the mother would complain of a variety of medical ailments for the infant and even discussed surgery (tonsillectomy, adenoidectomy, g-tube). It was reported that mother had credibility issues and has attention seeking behaviors. It was also reported that the father had been arrested recently and had attempted suicide in the past few days. It was reported that the mother was pregnant again.

❿❶ On 1/26/10, mother reported to DFS that child told her "Daddy touched my pee pee while

sleeping.” On 1/27/10, a new hotline report was generated regarding the sexual abuse of child. On 1/28/10, child disclosed sexual abuse in a forensic interview. Following the forensic interview, both girls were taken into protective custody. At the protective custody hearing, both girls were released to mother who had obtained a TPO against father, promised to divorce him and espoused that she would protect.

①② On 2/24/10, concerns were expressed that the mother was not demonstrating appropriate parenting skills and, if the mother had learned anything, it was not being implemented in the home. DFS determined they would increase the amount of therapy which was done in the home. On 3/1/10, the mother called the worker to report that the infant had undergone surgery to fix a breathing issue. She also indicated that the doctors were considering a G-Tube for infant to resolve her weight issue. A G-Tube was inserted 3/4/10, and thereafter infant began to gain weight rapidly.

A case note on 3/19/10 indicates mother failed to attend her Non Offending Parent class and a case note 3/23/10 indicates mother is in “minimal compliance.” Infant was repeatedly hospitalized in February and March for a number of illnesses including reflux, aspiration and ear infections. On April 9, 2010, mother admitted to DFS that she had visited father in CCDC. On 4/11/10, infant was weighed and had lost 1 lb since 3/21/10.

①③ On 4/13/10, infant was again admitted to hospital for purported choking. Hospital staff reported that the child was filthy, mom looked homeless and they were concerned she was “hospital shopping.” While in the hospital, infant demonstrated none of the symptoms described by the mother – i.e. – “turning blue,” aspirating, seizures or bouts of diarrhea. The hospital social worker indicated to DFS that the doctors did not believe that infant was safe in mother’s care. When interviewed, mother was not able to articulate infant’s feeding schedule and claimed to have never been taught to use the g-tube pump. Mother’s therapist cautioned that mother was very smart and that mother was capable of manipulating an assessment. She also cautioned that mother needed “consistent therapy because there is a discrepancy between fantasy and reality in her world.” Nevertheless, DFS developed a safety plan with the intent of returning infant home.

①④ On 4/22/10, a protective custody hearing was held. At that hearing, DFS represented to the Court that the mother had “finally” come clean, admitted that she had missed some overnight feedings and did not know how to use the feeding pump. But, DFS assured the court that she is now committed to meeting infant’s needs and that they would provide supportive services. The DA opposed release to mother, noting the long history of failure to thrive and how mother has not availed herself of the counseling opportunities afforded her. The DA noted that mom was not attending to her own hygiene and was not feeding infant. Infant was finally brought into protective custody.

①⑤ Since being removed infant has gained over three pounds. She is bonded to her caregivers and is eating well. On June 9, 2010, infant’s g-tube was removed.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	09-2010	In Progress
	04-2010	Substantiated
	01-2010	Substantiated
	12-2009	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2010 Report Date:</b> Female, 3 YOA Female, 6 months	
<b>Case Status as of Review:</b>	X	Open
		Closed

## Summary Response:

- ① This family came to the attention of DFS in December 2009, due to allegations of medical neglect, plausible risk of physical injury, and sexual abuse against the natural mother and father. The report was filed by a local hospital that was providing medical care to 6-month-old child who was not gaining weight and consequently referred for in-patient care by a local physician. The reporting source indicated that the physician had previously provided the parents with instruction on feeding the child, but the child still had not gained any weight. The reporting source indicated that the parents had recently lost another child due to a congenital heart defect, and that the mother appeared to be depressed.
- ② The reporting source did not report that the father was a Tier I sex offender. The information is not contained in the abuse/neglect report, but rather is documented in case notes made by DFS staff who, upon receipt of the report, initiated an investigation first reviewing the parent's criminal history records.  
  
The father was convicted of Attempted Lewdness with a Minor when he was 18. He was sentenced for two to six years in prison and served four years. While in prison, he completed sex offender counseling. DFS staff spoke with father's probation officer, who confirmed the parameters of his client's parole and indicated he was not to be alone with children under the age of 18. The probation officer indicated the father's wife was aware of the terms and signed a document attesting to her knowledge. DFS staff informed the hospital staff of this information in order to ensure the child was not left alone with him while hospitalized.
- ③ Case record documentation dated December 23, 2009 indicates that subsequent to the child's admission to the hospital the child proceeded to gain weight. Early medical testing did not indicate any organic causes for failure to thrive. The child was, however, diagnosed with reflux.
- ④ Case record documentation indicates that the mother's therapist, during a telephone conversation with DFS staff, stated that the mother disclosed her one-year-old child passed in her bed while she got up to feed her newborn. When she returned from feeding the baby, the other child was deceased.
- ⑤ Upon interview, the father indicated he was diagnosed with Intermittent Explosive Disorder in second or third grade. He was prescribed medication while in high school, and admitted his juvenile criminal records were lengthy due to his many fights.  
  
Both parents admit to prior drug addition. The father indicated he last used methamphetamine seven years prior, when he was 18. He only used for a year, and stopped when arrested (described above). The mother indicated she used the drug in 2002 and 2003. She stopped using when she joined the military.
- ⑥ Case record documentation indicates that at the time of hospital discharge on December 27, 2009, the infant was doing well and had gained weight. The nurse notified staff that when speaking to the mother, she inquired about whether or not the hospital used the same scale to weigh the child. When the nurse attempted to update her on the child, the mother abruptly disconnected the call.
- ⑦ DFS staff placed both children in Protective Custody at the time the investigation was initiated. The older child was allowed to remain in the home, while the younger child remained placed in the hospital.  
  
The Protective Custody Hearing was held on December 28, 2009. At the hearing, the Court ordered the father to only have supervised contact with children. The younger child was allowed to be returned to the care of the parents with appropriate services in place, and the older child was allowed to remain in the home as well.

DFS arranged for every-other-day nursing visits and Early Childhood Services opened a case. DFS staff provided financial resources for daycare to ensure the older child was not left alone with the father.

Case record documentation does not indicate the DA's Office had concerns regarding the possibility of Munchausen's by Proxy.

③ A case note dated December 30, 2009 documents contact between DFS staff and the assigned nurse. The nurse indicated to staff that she had a "hunch" the mother was leaving the younger child with the father while she took the other child to daycare. She had no proof this was occurring.

⑨ On January 4, 2010, DFS staff visited the home and the family was ill. The older child requires repeat visits to medical providers to assist in getting well. On January 7, 2010, DFS staff was contacted by the nurse who indicated that the infant had RSV, was running a fever, and being referred to the ER. The child has lost 6 ounces. On January 11, 2010, the mother confirms the child's diagnosis of RSV.

On January 19, 2010, DFS staff visits the home and conferred with the nurse who was also there. The infant had gained weight since the previous week. While the mother had missed a couple of doctor appointments for the child, the child had seen the pediatrician earlier that day. The pediatrician provided several referrals and was concerned about the child's round, protruding stomach. An ultrasound was ordered for the abdomen and deemed a priority. On January 24, the results of the child's stomach ultrasound revealed no abnormalities, but due to the child's extended stomach, the physician referred the child to a gastroenterologist for evaluation for delayed gastric emptying.

Case record documentation indicates that the father was arrested on January 14, 2010. He was released on January 20, 2010.

On January 22, 2010, case record documentation indicates that DFS staff received a phone call from a non-profit volunteer. The description of information provided by the contact, as documented by the DA above, is a summary of the DFS staff case notes. Case record documentation indicates in totality, however, that one of the children had significant medical issues requiring legitimate medical intervention.

①① On January 27, 2010, DFS received a new report of abuse/neglect alleging sexual abuse against the father. The report was filed by State mental hospital staff that was providing treatment for the father. The reporting source indicated the mother disclosed the abuse to her, and that the mother had also contacted local law enforcement. The father was being treated for a recent suicide attempt. DFS forwarded the report to law enforcement.

DFS initiated an investigation and on January 28, 2010, the child was forensically interviewed and disclosed the abuse. The children were placed in Protective Custody and removed from the home. At the Protective Custody Hearing the children were returned to the mother. The Court deemed the mother protective as she had contacted the appropriate law enforcement agencies, DFS, and filed for a Temporary Protection Order against the father. A no contact order was issued for the father.

①① On February 2, 2010, the younger child had surgery to fix a diagnosed floppy airway. The physician reported that the child has severe laryngomalacia that could be interfering with the feeding coordination. He reported that "Failure to Thrive may be associated to poor feeding with respiratory symptoms associated with gastroesophageal reflux disease and laryngomalacia and reactive airway disease." Despite the surgery, the child still aspirated on liquids and soft foods, and it was determined that a g-tube was required.

In February 24, 2010, the ECS worker expressed concern over the mother's parenting ability and ability to implement new skills learned in treatment at home. After consulting with ECS it was agreed to

increase the therapy in the home with the mother.

On March 19, 2010, the mother was not able to attend parenting class due to being in the hospital with her child who recently had surgery. The case note dated March 23, 2010, references the mother's minimal compliance with tasks **such as making appointments and completing welfare and SSI applications**. The case note also indicates that according to the safety assessments completed there were no safety threats, but high risk due to the younger child's medical concerns, the emotional state of the mother due to the death of a child, and the older child's behavioral issues. The case note documents that the mother was pregnant again.

On April 9, 2010, case record documentation indicates that the mother admits to visiting the father in jail. It also indicates that she was in the process of completing divorce paper work with the assistance of DFS staff.

On April 12, 2010, when the nurse visits the home the child's weight is 10 lbs. 4 oz (a decrease of 1 lb). Later case documentation, though, indicates that the child was also seen by the physician that same day and weighed 11 lbs. 4 oz.

① ② On April 13, 2010, the younger child was admitted to the hospital for choking. DFS staff spoke with the hospital social worker who indicated that according to hospital staff the mother and child were filthy and that the mother could not recite the child's feeding schedule. DFS staff later spoke with the nurse, and she indicated that both mother and child appeared fine, and that mother had recited the child's feeding schedule.

Case record documentation indicated the child gained weight while in the hospital, and did not demonstrate the issues purported by the mother. An evaluation with a forensic pediatrician was ordered by the child's primary physician.

On April 16, 2010, DFS received a new report of abuse/neglect alleging failure to thrive against the natural mother. The report is filed by hospital staff as a result of the child's most recent hospital admission.

On April 19, 2010, the mother's therapist submitted a progress note to DFS staff, indicating the mother "was not doing things maliciously to the children," but felt there was a sense of "fantasy and poor parenting."

① ③ At the Protective Custody Hearing, DFS reports that the mother did not fully understand how to utilize the feeding pump due to poor discharge planning by the hospital. The mother was, however, currently being educated on how to care for her child. DFS staff indicated that, if the child was returned to the mother, nursing staff would be in the home a minimum of 12 hours a week.

The mother had also moved in with a family friend who would assist her. The child's physician would continue to see the child weekly. The mother's attorney, supported the plan, but acknowledged that it has been difficult for the mother to prioritize her grief counseling and parenting classes due to dealing with her child's intensive medical needs. The Court orders that the younger child will be removed, but the older child will remain in the home. The Court instructs DFS staff to re-visit the reunification issue later.

① ④ As of July 2010, the mother had completed parenting classes. She re-engaged in grief counseling, and completed an assessment at Southern Nevada Adult Mental Health.

On September 8, 2010, DFS received a new abuse/neglect report alleging plausible risk of physical injury.



The report was filed by a local hospital, subsequent the birth of the mother's child. The child initially went home from the hospital with the mother, as the hospital did not call in the report until the child had already been released with the mother. Upon receiving the report, DFS staff began developing a safety plan that included arranging for bi-weekly nursing visits to the home to ensure the newborn remained well and gained weight. The mother's therapist supported the plan.

Case record documentation indicates that the DA's Office requested DFS staff place the child in Protective Custody and removed the child from the home; the DA indicated that no services could be put in place to ensure the child's safety. The child was removed from the home on September 9, 2010. The Protective Custody Hearing was scheduled on September 13, 2010, and continued due to the Court requesting additional information regarding the mother's care of the other child.

This case remains open. The two youngest children are placed in out-of-home care, and the oldest child is placed with the mother. The permanency goal for all children is reunification.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	✓
Child Safety and Out-of-Home Care:	✓
Children Born To/Associated with Individuals Receiving DFS Services:	✓
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	✓
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

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**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

❶ On March 24, 2010, the DA’s Office was notified by a Metro Child Abuse Investigator that DFS was allowing contact by a mother, who was charged with murder of one of her children, with the surviving sibling of the murdered child.

In May 2009, the mother admitted to inflicting blunt force trauma to child’s abdomen resulting in death. The mother was subsequently charged with the Murder of child. Mother pleads no contest to the abuse and neglect petition. At the time of child’s death, he had previously been diagnosed with Failure to Thrive. Accordingly, the father was charged with neglect and failure to protect the children from the mother. On Nov. 30/09, the father plead no contest to the petition and it was agreed that a motion to waive reasonable efforts would not be filed for six months because DFS indicated that it wanted to work with the father to see if they could reunify with him.

❷ On February 14, 2010, the father bailed mother out of jail. The father expressed that he loves mother, he thinks she is a good mother and he wants her to reunify with the children as well, that he believed mother was a good cook and she took good care of the children’s nutritional needs, despite deceased child’s diagnosis for Failure to Thrive prior to his death. ❸ On February 16, the father brought the mother to his scheduled visitation so that she could see the children. DFS allowed the visit.

❹ On April 12, 2010, the District Attorney’s Office brought a motion for a no contact order, seeking to cease visitation with the mother. The Court ruled that the supervised visits should stop, but that DFS was to arrange therapeutic visits. In the court report for 5/20/10, the caseworker indicated that a referral for psycho-social services was submitted 4/14 and that therapeutic services “will probably start” 5/25. She also noted that “supervised visits” had taken place 4/27 and 5/11. The report also indicated that both parents ceased any and all participation in services on **3/5/10**. The District Attorney’s Office will consult with DFS to cease contact immediately.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	5-2009	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>05-2009 Report Date:</b> Female, 2 YOA Male, 1 YOA (deceased) Female, 2 months	
<b>Case Status as of Review:</b>	X	Open
		Closed
<b>Child Fatality, Child Abuse/Neglect Related:</b>	X	Yes
		No

**Summary Response:**

❶ This family came to the attention of DFS in May 2009, due to allegations of physical injury/death against the natural mother and father. The report was made by law enforcement regarding a child admitted to a local hospital for an illness/injury suspicious for abuse/neglect. Results of the autopsy revealed the child died from blunt force trauma to the abdomen, and there were old injuries to abdomen, indicating on-going abuse. The mother was criminally charged for the child’s death, and both the mother and father pled no contest to the child welfare petition.

Case record documentation does not contain any information regarding concerns presented from law enforcement to the DA's Office regarding parent/child visitation arrangements.

② Case record documentation indicates that DFS staff first became aware of the father's intent to bring the natural mother on visitations with the surviving sibling on February 2, 2010 when the father informed the foster mother and she reported the information to staff. DFS staff appropriately informed the foster mother that any such visitation would require DFS approval and must occur at a DFS facility with appropriate security. Case notes also indicate that he informed the foster mother that he has saved enough money to post bail for the child's mother.

③ Case record documentation indicates that the first time the children visited with the natural mother was on February 16, 2010. The children had not seen their mother since May 2009. The visit was held with the children's Early Childhood Services therapist, the father, and the mother. The therapist agreed to provide the family with couple counseling, parenting classes related to children with special needs, and to support therapeutic visits with the parents and children. The next visit was scheduled and held on March 9, 2010. Additional visitation was scheduled for March 23, April 6, May 4, May 18, and June 1, 2010.

④ On April 5, 2010 the Court heard motions to waive reasonable efforts and no contact on the family. The hearing was continued until April 12, 2010, but the Court ordered no further visitation with the children and parents until that concluded. The family's visitation for April 6 was cancelled as a result.

One week later the Court heard the arguments for the no contact between the parents and children. The Court "granted the motion in part" and ordered therapeutic visitation for the children and parents. The department requested two weeks to make arrangement for the visitation as the current therapist could no longer conduct the visitation. The Court ordered that visitation must take place within 2 weeks, even if it was not therapeutic. The DA's Office objected to the Court's ruling. The Court advised the DA that they could file another motion at a later date, if the visitation caused the children to regress.

The DA's Office agreed to dismiss the motion to waive reasonable efforts after the father's attorney argued that the DA's Office had previously made an agreement to allow the father six months to work his case plan.

The court report presented at the May 20, 2010, Review Hearing does indicate that the parents stopped participating in services on March 5, 2010. Other case record documentation indicates that the reason for lack of parental service participation was their inability to pay. Case record documentation does not indicate DFS staff was aware of the parents' lack of service participation until late April; this delay may have occurred as a result of both parents residing and receiving services in California.

The mother and the father no longer visit with the children as an ICPC was approved with the paternal grandmother who resides in Arizona. The permanency goal of the children remains adoption. The termination of parental rights was completed on September 16th, 2010, due to failure of parents to comply with treatment plan. The natural mother was recently sentenced to jail time for the death of her child.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

**Relevant Systemic Issues:**

Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
<i>Choose Your Partner Carefully</i> Campaign:	
Community Partnerships and Managing Child Maltreatment:	
Court Continuances:	✓
DA/DFS Case Review:	
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	✓
Dispute Resolution Protocol:	
Information Integration/Availability:	✓
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	

DA Case ID:

**DA Case Description:** *Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.*

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❶ On March 2010, a foster parent with five (5) prior unsubstantiated reports, including an institutional report for sexual abuse - was alleged to have severely beaten two children. The report stated that foster parent physically abused two children who were currently in his brother's care. (The brother is also a foster parent for several abused and/or neglected children.) The report stated that both children disclosed being physically abused by foster parent who was allegedly "disciplining" the children for caretaker because caretaker was "tired of dealing with them."

Child disclosed that foster parent whipped him and another child. He also stated that foster parent had previously given child a black eye. When confronted with the fact that there was a prior allegation about foster parent giving child a black eye, child explained that victim recanted because foster parents told them that "what goes on in their homes stay in their homes." Foster Parents also told the children that they would make the other children beat them up if they reported abuse.

Child reported that a year prior foster parent had whipped him with an extension cord due to bad grades. Child showed his scars to the receiving team. Child had old scars on his shin and arms. The scars were observed to be looped, big and deep. Child also reported that foster parent had punched him in the face while wearing a ring 6 months prior. Child sustained a bruise on his face as a result of the abuse.

The reporting source indicated that child was extremely afraid when disclosing the abuse. Source reported that it seemed like child wanted to say more, but was too afraid. Child was previously scheduled to be placed at foster parent's home that night, but child was adamant he did not want to be placed there because he was afraid he would be attacked.

❷ An adoption had been scheduled for 3/10. However, the adoption was stayed pending the investigation of the above allegations and similar allegations being made by the same children against foster parent. One DSF caseworker investigated the allegations against one foster parent A different worker investigated the allegations against the other foster parent. The victim children were removed from one foster parent's care and a petition was filed and sustained against him on the allegations.

❸ In contrast, the investigator of the companion foster parent case did not document interviews with the victim children or any independent observation of the injuries to those children. Instead, the investigator only documented interviews of the children who were currently in his care. The interviews lasted approximately 10-15 minutes each and were conducted in the courthouse outside the courtroom where the adoption had been scheduled to take place. When those children denied that they had been abused, the case was closed unsubstantiated.

❹ The closure reflects that there was no disclosure of abuse by the children in the foster parent's care, that the foster parent did not admit to using physical discipline, that there was "no evidence of marks or bruises" and that all the collaterals in the case talk very highly of the foster parent.

❺ The DA's Office asked DFS to review this case.

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	03-2010	Unsubstantiated
	08-2009	Unsubstantiated
	03-2009 (2)	Unsubstantiated
	05-2008	Unsubstantiated
	04-2007	Unsubstantiated

<b>Age of Child(ren) Involved:</b>	<b><u>03-2010 Report Date:</u></b> Male, 17 YOA Male, 15 YOA Male, 9 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed
<b>Summary Response:</b>		
<b>❶</b>	<p>This family came to the attention of DFS on March 10, 2010 due to allegations of plausible risk of physical injury against an adoptive and licensed foster father. The adoptive/foster father had previous child welfare history, including five prior unsubstantiated investigations. The report was filed by DFS staff assigned to manage the out-of-home permanency case of one of the children previously placed in the home of this father's brother (who was also an adoptive and licensed foster parent)--this foster/adoptive father was under investigation for abuse related allegations.</p> <p>The information contained in the DA's description accurately reflects the information contained in the abuse/neglect report.</p>	
	<b>❷</b>	<p>The adoptive/foster father was scheduled to finalize another adoption the morning of March 11, 2010. Subsequent to the receipt of the abuse/neglect report, however, the adoption was postponed pending the outcome of the investigation.</p> <p>The investigations being conducted against both foster parents (brothers) were assigned to different investigators. Additionally, because both individuals were licensed foster parents, a licensing investigator was also assigned to review the cases in order to make a determination on any related violations of State licensing requirements that may have occurred.</p> <p>The investigation against the other adoptive/foster parent was Court substantiated; the children were removed from the home. In this case, the adoptive/foster father's adopted child presented with marks and bruises that occurred as a result of physical abuse.</p>
<b>❸</b>		<p>DFS initiated an investigation, and made contact with the caseworker, adopted/foster children and adoptive/foster father the morning of March 11 at the Family Court complex. The Adoption Hearing was scheduled to take place at that time, and the family was unaware it would be postponed until arriving at the Court building. The child protective services investigator assigned to the case met the family there.</p> <p>The investigator was able to discuss the case with another DFS staff person, the out-of-home permanency worker, assigned to the child who was pending adoption. This child was one of the alleged child victims identified in the abuse/neglect report. DFS staff indicated that the child had been placed in the home for more than a year and that there had not been any concerns about the care provided. Staff indicated the child had never disclosed abuse/neglect.</p> <p>An interview was also conducted with the child referenced in the report. He did not present with any marks or bruises and denied his foster father bruising or injuring him. The child disclosed he had been spanked or hit with a belt for punishment, but that most of the time he would only lose privileges.</p> <p>The older child referenced in the report was also interviewed. He, too, denied being abused/neglected in the home. He denied witnessing other children being abused. He indicated he was tired of DFS</p>

involvement in the household, and that other children would make up lies about his foster father just “to get out of foster care.” The child indicated a loss of privileges was the only form of punishment received. This child was again interviewed at school on March 24, 2010. He again denied any allegation of abuse/neglect.

Three of the adopted children were also interviewed. The first child was interviewed on March 11, 2010. He indicated that his father treated the children well, and that punishment consisted of a loss of privileges. On March 24, DFS staff again made contact with this child at school. The child was very reserved and only spoke when spoken to; he again denied allegations of being hit by his father. The second child was interviewed on March 24, 2010 at school. He, too, denied allegations of abuse. The third adopted child (currently 18-years-of-age) was also interviewed that same day at school. He denied being hit or hitting others in the home.

The alleged child victim’s therapist was contacted, and provided no concerns for the child’s well-being. He reported: “... interactions in sessions have been appropriate and their communication is good. [Child] appears to feel comfortable around [Father]....Both...have described rules, consequences and routines set in place in the home that are developmentally appropriate and have contributed to [Child’s] stabilization and improvement in overall functioning. [Father] appears to be a nurturing and supportive caregiver. I do not have concerns regarding [Father’s] parenting or fostering abilities.” DFS staff also spoke to the receptionist at the service provider’s office, who indicated observing only appropriate interactions between the father and children. DFS staff also contacted the children’s medical provider; well checks had been conducted on the children in January, 2010. The physician indicated the children had been examined “head to toe” and there were no indications of abuse/neglect.

When interviewed the foster/adoptive father denied the allegations and described himself as a nurturing and patient caregiver.

④ Due to an absence of physical evidence or disclosure of abuse, the investigation was unsubstantiated; the investigation closure summary documents this.

⑤ The DA’s Office did request DFS management review this case. The case was reviewed, and in absence of any credible evidence, the investigation was closed as unsubstantiated.

While the investigation was unsubstantiated, out of an abundance of caution, DFS did proceed with a revocation of the adoptive/foster father’s foster parent license. That revocation was appealed, but was upheld at a Fair Hearing. The child who was pending adoption was subsequently placed with a new foster family that is interested in adoption.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
Community Partnerships and Managing Child Maltreatment:	
<i>Choose Your Partner Carefully</i> Campaign:	
Court Continuances:	
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	



DA Case ID:	<b>DA Case Description:</b> <i>Numbers inserted correlate to department summary response. Language used in this section remains as submitted by the District Attorney.</i>
82	<p>❶ The facts of that case are: Petition of sexual abuse of teenager by stepfather filed in May 2008. Failure to protect by mother was monitored by the court and later dismissed. Case against stepfather was adjudicated in civil and criminal court. Mother demonstrates protective capacity as to the children as reported to the Court by DFS. Father is on probation and actively involved in his sex offense counseling but has 1 - 1 1/2 years left to complete. Family wishes to remain an intact family. The permanency plan is reunification.</p> <p>The victim has completed victim counseling. She is 18 years old and appeared in court requesting termination of wardship as to her on January 26, 2010, which the court granted. Sibling was previously terminated upon reaching the age of majority. There are two children, ages nine and ten, still remaining in the family home.</p> <p>There is currently a chaperone agreement in place that allows the father in the home during the day. Overnights are not permitted yet.</p> <p>❷ DFS recommended case closure arguing the natural mother is protective and the petition as it relates to her is dismissed. DFS represented to the court on 10/27/2009 that there are no safety concerns, the mother is protective, there are no more services to offer this family and that Parole and Probation can monitor.</p> <p>The DA argued that this is an intact family with the plan of reunification. The perpetrator has not been reunified nor completed his case plan, thus it is premature to close the case. Parole and Probation cannot be relied upon to monitor the family and ensure the safety of the minor children living in the home as the probation officer reported to the DDA that he only goes to the home once every other month, or so. Probation officer also indicated that he only knows if the chaperone agreement is being violated if someone reports it to him. ❸ Ultimately, in March 2010, DFS agreed to keep the case open for the worker to properly document the mother's protective capacity.</p>

**DFS RESPONSE:**

<b>UNITY Case #:</b>		
<b>Date(s) of Report(s) (Highlighted Report(s) Specific to DA Description):</b>	04-2008	Court Substantiated
<b>Age of Child(ren) Involved:</b>	<b>04-2008 Report:</b> Male, 17 YOA Female, 16 YOA Male, 9 YOA Female, 7 YOA	
<b>Case Status as of Review:</b>		Open
	X	Closed

**Summary Response:**

❶ This family came to the attention of DFS in April 2008, due to allegations of sexual abuse and physical abuse against the step-father. The report was filed by law enforcement who responded to a complaint of a teen runaway. The child was eventually located by law enforcement, but disclosed being sexually fondled by her step-father two years previously. She also disclosed being physically abused by her step-father the month prior.

DFS conducted an investigation; the investigation was Court substantiated. The father was also criminally charged for the abuse, later convicted, and received probation. The children were not removed from the home, as the mother remained protective of them, and the father moved out of the residence. The mother completed non-offending parenting class and ensured the child received the appropriate services, including counseling. The step-father completed a psychosexual assessment, and was recommended to attend one year of counseling.

Both the child victim and her sibling had wardship terminated by the Court, due to aging out. There were two younger children who remained wards of the Court at the time the child victim's wardship was terminated.

There was a chaperone agreement put in place for the child victim and her younger sibling in August 2009. The agreement remained in effect for the remainder of DFS service provision.

② At the Review Hearing held on January 26, 2010, DFS staff recommended case closure. The Court indicated that additional information was needed to assess the mother's protective capacities and asked DFS staff to gather the information and the hearing was continued. Case record documentation indicated the DA's Office had concerns about case closure as the step-father had never completed a polygraph.

On February 2, 2010, the DA's Office asked for a continuance as a disagreement with DFS recommendations remained. The Court granted a second, two-week continuance. The DA's Office initiated the Dispute Resolution Protocol. A meeting was held between the DA and DFS management and it was agreed that the younger children would participate in sex abuse prevention education. Shortly thereafter, the children completed the required prevention classes.

③ On July 6, 2010, the Court terminated wardship of the two remaining children and the case was closed. Case record documentation indicates the DA's Office strongly objected to the closure as the step-father had not yet completed his counseling. The DA refused to sign the Termination Order due to the objection to closure, and the Court allowed the DA to sign the order only asserting that the order was worded correctly.

This case remains closed, and there have been no additional reports received on this family for 2 years, 5 months.

**Relevant Statute:**

N/A

**Personnel Issues/Outcomes:**

N/A

<b>Relevant Systemic Issues:</b>	
Case Record Documentation:	
Child Safety and Out-of-Home Care:	
Children Born To/Associated with Individuals Receiving DFS Services:	
Community Partnerships and Managing Child Maltreatment:	
<i>Choose Your Partner Carefully</i> Campaign:	
Court Continuances:	✓
DA/DFS Case Review:	✓
Data and Management Reporting:	
DFS Attorney Representation/Waiver of Reasonable Efforts:	
Dispute Resolution Protocol:	✓
Information Integration/Availability:	
Mental Health Services Availability/Provision:	
Parents with Existing Warrants/Case Closure:	
Policy and Procedure Implementation:	
Proper Notice of Service:	
Staff Education/Training:	
Supervisory Expectations:	