

## 30-day CIRT review report

**Case Name:** Romero-Cram  
**Case Number:** EV18915

**Date of Sensitive Issue:** 6-13-05  
**Date CIRT Launched:** 6-22-05

### I. Introduction

Oregon Department of Human Services adopted the Critical Incident Response Team (CIRT) protocol on November 1, 2004. This protocol was developed for the following purposes:

- To specify the Department of Human Services, Child Welfare procedures that will be used when a critical incident occurs;
- To increase the Department's accountability to the public;
- To ensure timely responses by the Department with respect to any critical incident in Child Welfare; and
- To increase the Department's ability to recommend necessary changes to statutes, administrative rules, policies and procedures, practices, training and personnel matters.

The following is a 30-day report as required by the protocol, which includes initial findings, preliminary recommendations and next steps. During the next 30-day period, DHS will continue a comprehensive review of these preliminary findings and assess the degree to which these findings have statewide implications. The CIRT team will then assign specific tasks, identify time frames and desired outcomes.

**II. CIRT Reason:** Four-year old Adrianna Romero-Cram died on 6-13-05 due to inflicted injuries. The child, who was in DHS custody, had been placed in Mexico with paternal relatives with the goal of adoption. The aunt and uncle, who had been her caregivers for just less than a year, have been arrested and incarcerated by the Mexican authorities.

### III. CIRT Response and Case Status Update:

**a. Criminal:** A criminal investigation is under way in the state of Veracruz, Mexico. Relative care providers have been arrested. No additional information is available at this time.

**b. Child Welfare:** Child Welfare continues to work cooperatively with the Mexican authorities. This child had been freed for adoption and placed through the Mexican Consulate with relatives in Mexico. There are no

surviving siblings. The Mexican Consulate and the Washington County Child Welfare Office have had contact with the child's birth mother and maternal grandmother. Contact has also been made with the child's birth father.

#### **IV. CIRT Review Process:**

- a. Case Review Process:** A case record review was completed on June 29-30. Program staff with expertise in cultural competence, permanency planning, adoption and international placement of children completed the review. The process included review of all documents related to: the child protective services intervention; use of family decision meetings; services provided to parents; identification and suitability determination of relative resources; and placement history. The review gave specific focus to DHS policy and procedure and local branch practice in regard to placement of children in another country.
- b. Staff Interview Process:** CAF administration and human resources staff are completing interviews with line staff, supervisors and representatives from the Mexican Consulate. This process has not been completed.
- c. Media:** The Mexican Consulate has been identified as the lead in all media contacts and Patricia Feeny is the lead DHS media contact. DHS, the consulate and the authorities in Mexico are collaborating in this matter. Due to the ongoing criminal investigation, no information is to be released at this time.

#### **V. Initial Findings and Preliminary Recommendations:**

A chronological analysis of this case indicates that the worker's decisions regarding protective services removal and placement were timely and appropriate. Services to the birth parents to prevent removal and to make it possible for the child to safely return home were reasonable, appropriate to identified needs, and culturally sensitive. Findings that require follow up and additional action are as follows:

- a. Finding:** Review of this family's case record indicates that the diligent search and suitability determination is well documented as it relates to maternal relatives. The case record does not contain documentation

- regarding a search for paternal relatives and does not mention relatives in Mexico prior to the contact with the Mexican Consulate in July 2003.
- b. Finding:** The agency intervened for the protection of this child in September 2001. The child was born in the United States but may have had dual citizenship. DHS records contain no documentation of contact with the Mexican Consulate until July 8, 2003.
- c. Finding:** In October 2003, DHS received from Desarrollo Integral de la Familia (DIF) a two-page document with information about the relative placement demographics, dwelling and resources. The court authorized the placement in December 2003 and Adrianna was placed in Mexico on 7-18-04. There is no case documentation as to how the relatives were selected or whether any committee process took place in determining the suitability of the family. DHS received an adoption home study on 4-5-05 that was completed by DIF. The home study cited no difficulty with the placement. There is no case documentation outlining the responsibility of DIF to supervise the placement of the child.

### **Recommendations and Action Steps:**

- a. Policy:** CAF Program staff will review all administrative rules, policy, and Oregon Revised Statute related to international placement of children and placement of children in “non-paid” relative placements.
- CAF Program will review administrative rules related to providing notice to and working with foreign consulates when a child with dual citizenship is taken into custody by the state and make any necessary changes to clarify the responsibilities of child welfare caseworkers in this regard.
  - CAF Foster Care Program will review the administrative rules related to the requirements of caseworkers placing children in “non-pay” relative placement and make any necessary changes to clarify that a home study and the certification process must be completed prior to placement.
  - CAF Program will complete development of administrative rules and procedures that will direct the child welfare caseworkers on international placement of children. Clarification will be provided regarding placement and supervision expectations of other countries to assure child safety in international placements.

**b. Training:** CAF Program staff will work with Field administration and the Child Welfare Partnership to reinforce or to develop statewide training plans in the following areas:

- Requirements of the Vienna Convention, Oregon law and CAF administrative rules regarding notification of foreign consulates when a child who is a foreign national or a child with dual nationality is placed in the custody of the department.
- The time frames and expectations regarding diligent relative searches and the requirements when making relative placements.

**c. Practice:** The CAF program office is in the process of developing a procedure manual for caseworkers and supervisors. All of the policy and training issues identified above will be clearly articulated in the procedure manual to reinforce consistent practice.