

Smith Case Scenario

Two children, Ann Jones, 7 years old and her brother, Michael Smith, 5 years old were picked up by the police walking on a busy street around 9:30 p.m. Police brought the children to the station when they found the children's father, Irvin Smith, drunk at home and did not locate the children's mother, Stephanie Smith, who had reportedly left the home on foot earlier in the evening.

A FACIS check determines that there have been no other referrals.

The maternal grandmother tells you she doesn't know exactly what happened the night the children were found by the police. The children told her they got scared at home and got lost walking to her house, which is 8 blocks away and across a busy major street. She tells you of several other recent occasions when the children have come to her home when they have been scared because of being left alone at their house. She also reports being worried for her daughter and grandchildren because Irvin drinks heavily and mistreats her daughter and grandchildren. She said her daughter has told her that Irvin frequently yells at her and has hit, pushed and choked her in front of the children. The children have told her that they are scared when their daddy is hitting and yelling at their mommy and are afraid she might die. She tells you she thinks her daughter and Irvin might be using drugs again as well as alcohol because their behaviors have changed a lot over the past 6 months or so and are a lot like they were a couple of years ago when they both were using speed. Her daughter has also lost a lot of weight and sometimes sleeps for hours and can't be woken up. She tells you she is very willing to have the children live with her and feels a little bit relieved because she has known for a while that something needs to be done so Stephanie and Irvin can take better care of the children.

The on-call worker had some concerns regarding the grandmother's statements. Specifically, these children had walked to the grandmother's home on "several occasions" previously. It is unclear what the grandmother did to ensure her grandchildren were safe. Grandma had significant knowledge of the continuous unsafe situation these children and their mother were in. Some of these include, the children have walked to the grandmother's home on "several other recent occasions....when they have been scared because of being left alone at their house." Grandmother also has knowledge of Irvin mistreating Stephanie and the children. This mistreatment includes Irvin hitting, pushing, and choking Stephanie in front of the children. The children have stated they are scared when they witness the "fighting."

Given the concerns about the grandmother's ability to adequately protect the children (the grandmother has known of this abuse for some time and the children have continually been placed in unsafe situations, with the grandmother's knowledge), the children were placed into shelter care until grandma's ability to adequately protect can be appropriately assessed.

PROTECTIVE ACTION: Children placed into shelter care. All contact between the parents and children are supervised by DHS.

Maternal Grandmother reports she received a frantic call from her daughter at about midnight the night the children were placed in her home. Her daughter told her she had gone out for a walk and that the children were in their bedrooms when she left. She said that when she returned she could not find them and Irvin could not say where they were

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because he was so drunk. The grandmother reluctantly tells you her daughter sounded very intoxicated when she called, her speech was slurred and she was talking a mile a minute. Later during the assessment the worker discovered the grandmother was in a domestic violent relationship with her deceased husband. She is currently talking with her church pastor about these issues and the worker assesses her understanding of domestic violence as one where she can ensure the safety of her grandchildren. The grandmother further understands the risk she placed her grandchildren in as they walked, unsupervised, to her home. The grandmother states she had talked with her daughter numerous times about not having the children walk to her home, but call her on the phone and the grandmother will come get the children. The mother repeatedly stated the children just need to "get out of the house" and that is why she continually advised them to walk to the grandmother's home vs. calling her.

During the assessment Ann tells you she left home with Michael to find their mother but when they couldn't find her decided to go to their grandmother's house. Ann said everything looked different at night and she became lost. She said her mother had told her that her grandmother would help if she or her brother ever needed it. Ann states her mommy and daddy were fighting at dinner when Michael spilled his milk and daddy called him a "very bad name." Ann says her mommy and daddy fight a lot and sometimes her daddy hits and chokes her mommy and she is afraid her mommy will get hurt or will die. Ann says her mom has made her promise to take her brother to their grandmother's house if they get scared or are in danger, and that was what she did last night. Ann says she thinks her mom and her and Michael should live with her grandma instead of Irvin because "Irvin is always mean to my mom and me." Ann describes trying to get Irvin to be mad at her instead of her mom and of trying to get between Irvin and her mom when Irvin is choking, hitting or pushing her.

During the assessment Michael tells you he is afraid when his mom and dad fight. He was fearful when he and his sister left the house that night and said they were walking to his grandmother's house. He didn't know where he was. Michael confirms the story that Ann told about him spilling the milk and his Dad becoming angry and calling him "a bad name." Michael describes an incident when he was trying to pull his dad off of his mom while his dad was holding her down and choking her. Michael described his mother having difficulty breathing and his worry that she would die.

Irvin Smith - Father of Michael Smith, Stepfather of Ann Jones

Irvin says he had a very bad day at work yesterday. He had an argument with his boss and had a few drinks on his way home. When he got home he had a few more beers to relax. Stephanie "jumped all over him" for drinking and having an argument with his boss. He says she never seems to support him. Irvin admits at dinner when Michael spilled his milk "again" he lost his temper. He admits he should not have called him a 'little bastard', but says, "Michael knows that I love him." Irvin said when Michael began to cry Irvin gave him a swat on his butt and told him to shut up. Stephanie "jumped in where she didn't belong" and told the children to go to their bedrooms and then turned on him. She said that "I drank too much and that she was tired of my temper. She knows just what to say to make me mad." He said if any one was tired of his life it was him and that things were going to change. He said that if she had not tricked him into marriage by getting pregnant he would be happier. His wife told him he could leave the house if that was how he felt. Irvin says he wouldn't be going anywhere without his son. Stephanie has told him to leave before but this is his home and he has no intentions of leaving her or the children. Irvin says he doesn't think his drinking is a

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problem for him, but sure thinks it is for Stephanie. He said he doesn't like it when she is drunk around the kids, which is getting to be every day. Irvin thinks if Stephanie would just be more understanding and supportive he wouldn't get so upset. Irvin says his wife is using meth again and admits they used to use together a couple of years ago so he knows the signs. He adamantly denies he is currently using or that he has a problem with alcohol. Irvin reports that he and Stephanie go out to party almost every weekend. He states that the children never wake up after they go to bed, so he and Stephanie don't get a babysitter since their friends live nearby and it would only take a minute for them to get home if they needed to. Irvin stated that Ann can be a "good little mommie" when she is left alone with Michael and they have never had a problem when leaving the kids alone. Irvin reports he has had to occasionally physically restrain Stephanie when she is "acting crazy." Irvin says, after arguing with Stephanie at dinner, she took her coat and walked out. Irvin said he lay down on the couch and fell asleep and woke up when Stephanie came home a couple of hours later and asked accusingly where the children were. Irvin told her, "How would I know, I was sleeping?" And she left the house again, he guesses to find them. The police came a while later while Stephanie was still gone and told him they had the kids. They said that they would not leave them with me, but they didn't tell me why and "they should have let the kids stay with me because it was Stephanie that left them alone, she knew I was sleeping." Irvin said he has told Stephanie a million times she was going to lose the children someday. Irvin says what happened that night was Ann's fault for leaving the house and taking Michael, and his wife's fault for walking out instead of staying and talking. Irvin said that he will forgive Ann and Stephanie because he loves them and that everything would be fine once the children come home and 'we can all forget this.' Irvin emphatically states he is not willing to voluntarily be away from either his wife or his children even if it means "you people have to do what you have to do." Despite being told that the children reported being scared, Irvin adamantly denies that his children have ever been scared by fighting or any other of his behaviors or when they were left alone.

Stephanie Smith- Mother of Ann Jones and Michael Smith

Stephanie is clearly extremely upset that her children were picked up by the police and that CPS requested and received temporary custody. She tells you she was relieved to know the children are were safe, be believes they should be able to come home not that everything has calmed down. Stephanie wants the children to be placed with her mother if they can't come home. Stephanie says she is embarrassed and scared. Stephanie insists this is all a misunderstanding and her children need to come home. Stephanie says that after coming back from taking a walk and finding her children missing, she left again and searched the neighborhood before she called the police and child welfare. Stephanie denies that she was drunk when she returned from her "walk" the night the children came into care. Stephanie said a social worker told her that the children were found wondering on a major street, but Stephanie insists they were just fine and were doing what she has told them to do if they're scared, go to their grandmother's house. Stephanie said her husband came home from work angry and told her he had an argument with his boss and stopped for a few drinks. When he got home, he continued to drink. She asked him to slow down on his drinking and requested details of the argument, and he accused her of being unsupportive and began calling her names. At dinner he slammed his hand on the table, yelled at Michael and spanked him for spilling his milk. He then yelled vulgar names at her and the children. Stephanie sent the children to their bedrooms and left the house so things could calm down.

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Stephanie says that her husband believes it is all her fault and has repeatedly told her that only a bad mother would have left her children that night. Stephanie said she left because her argument with Irvin was "getting out of hand" and the children were safely in their rooms and she thought they would just go to sleep. Stephanie admits that Irvin was very intoxicated, but didn't think the children would be unsafe if she left for a little while.

When told that the children have reported being scared by the fighting and when left alone, Stephanie reports that her daughter, Ann, asked her about daddy's temper just last week and she told Ann that it is best for her and Michael to just stay out of his way when he is in a bad mood. Stephanie reassured Ann that she should never be scared because her mommy would always keep her safe. When Ann asked who would keep her safe if Stephanie were not able, she told her that her grandmother would.

Stephanie said Irvin occasionally drinks too much and becomes verbally abusive to her and the children, but she repeatedly states he has never seriously hurt the children or her physically. She admits he has shoved her little bit and slapped her a couple of times, and once even choked her, but she insists it has never been serious enough to leave big marks or require medical attention and Stephanie says she thinks she is as at fault as he is when things get physical because she knows what gets him mad. She said in the past when Irvin has become a little aggressive, he has eventually fallen asleep and he never seems to remember what happens the next day. Stephanie repeatedly says that Irvin is a very good provider and is good to you and your children and they will be just fine if the family is just allowed to all be back at home to "work it out." Stephanie states she thinks all of their problems started when DHS got involved and she is unwilling to voluntarily be away from her husband or children, even temporarily, and if DHS thinks the children can't just come back home with her and her husband, we "are crazy" because everything can be worked out within the family "just like it has all these years."

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SMITH CASE SCENARIO, continued

Child Safety Meeting:

- Separate Child Safety Meetings were held for each parent due to the presence of domestic violence.
- Neither parent was willing to consider any type of plan other than the children being returned to both of them in the family home and DHS “going away.”
- It was determined that an in-home safety plan was not possible at this time due to the lack of ability/willingness by the parents to cooperate with an in-home safety plan.
- Stephanie’s mother, Mrs. Jones, had applied the week before the Child Safety Meeting to be certified to care for her grandchildren. The certifier had begun the expedited Child-Specific Certificate process prior to the Child Safety Meeting.
- The out-of-home ongoing safety plan was developed.
- The transition of the family from the CPS worker to the ongoing worker occurred at the Child Safety Meeting.

Protective Capacity Assessment (PCA)

PCA with Stephanie:

- Over a number of meetings in the several weeks following the Child Safety Meeting, the caseworker was able to assist Stephanie in making quite a bit of progress toward partnering with the caseworker and beginning to understand and address the conditions that led to lack of safety for her children.
- Stephanie moved from vehemently denying the family had any problems, denying that her substance use was interfering with her parenting, seriously minimizing Irvin’s violent and controlling behaviors, and angrily blaming the CPS worker for all of the family’s problems, to expressing some understanding that the children being alone on a busy road after dark, being left home alone, and being scared when Irvin is violent might not be the way she wants things to be for her children.
- Stephanie continued to insist that substance use was not a problem for her, but she agreed that if she was unable to moderate her substance use on her own that she would be willing to reevaluate that position.
- Through discussions with Stephanie, Irvin, and Mrs. Jones, the caseworker was able to identify Stephanie’s enhanced and diminished

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protective capacities that were directly related to the identified safety threats.

- The caseworker was able to explain the concepts of enhanced/diminished protective capacities to Stephanie in a way that allowed Stephanie to agree that making some changes might be helpful in keeping her children safer.
- After reaching some agreement with Stephanie on what needed to change to increase child safety, the caseworker and Stephanie discussed what services, actions and activities might be helpful to her and her children.
- In discussion with the caseworker, Stephanie decided on what she was ready and willing to begin working on right now.

PCA with Irvin:

- Despite the best efforts of the caseworker, Irvin remained unable/unwilling to even begin examining how his choices and behaviors were leading to lack of child safety.
- Irvin continued to insist throughout the PCA that he was not to blame and that all of the family's problems were caused by the CPS worker "blowing everything out of proportion."
- Despite Irvin's current lack of insight, the caseworker identified Irvin's enhanced and diminished protective capacities through conversations with Irvin, Stephanie and Mrs. Jones and explained them to Irvin in the ongoing attempt to help him understand how his feelings, beliefs and behaviors are creating lack of safety for his children.
- The caseworker advised Irvin of the Expected Outcomes of the case and offered him suggestions about various ways he might go about increasing his ability to keep his children safe.
- Irvin ultimately agreed to do an intake screening with the local batterer's intervention program, to learn more about domestic violence so he could "prove" to the caseworker that he didn't abuse his wife and didn't need any services.