



# Texas Department of Family and Protective Services

Commissioner  
H. L. Whitman, Jr.

## A Review of Department of Family and Protective Services Involvement Child Fatality

On August 9, 2015, during an open Child Protective Services (CPS) investigation, two year old Ay'Dan Strange was found unresponsive. CPS has a history of investigations and Family Based Safety Services with the mother and father of Ay'Dan Strange.

The Office of Child Safety completed a review of all current and past CPS involvement concerning Ay'Dan Strange. This report presents the Office of Child Safety's findings, summary of CPS involvement and actions taken, assessment of strengths in casework practice, and areas for improvement that merit further examination.

### Family Composition

Region 3- Dallas County

Name or Relationship to Ay'Dan Strange	Age at time of incident
Ay'Dan Strange	2 years
Mother	21 years
Father	24 years

### Summary of CPS History on Family of Ay'Dan Strange

- On May 2, 2014, CPS received a report alleging abuse and neglect of Ay'Dan Strange. This investigation was closed on June 26, 2014, as unable to determine for neglectful supervision by the father and was transferred to Family Based Safety Services (FBSS) where it remained open until October 27, 2014.
- On July 10, 2015, CPS received a report alleging physical abuse of Ay'Dan Strange.
- On August 9, 2015, during an open investigation, CPS received a report regarding the death of Ay'Dan Strange. The report alleged neglectful supervision of Ay'Dan by his father.

### Detailed Account of CPS History on Family of Ay'Dan Strange

On **May 2, 2014**, CPS received a report alleging neglectful supervision of Ay'Dan Strange by his father. The report states Ay'Dan had a brain stent which required Ay'Dan to need specialized care. There were concerns that the mother and father were using marijuana and were not feeding or providing proper care to Ay'Dan. During the investigation, the father admitted to a history of marijuana use and signed a document acknowledging his drug use. The father appeared knowledgeable about his son's medical condition and his required care. The father reported Ay'Dan primarily resided with his mother; however, there were multiple therapists that worked with Ay'Dan at the father's residence. Due to the father's drug use, the father agreed to a safety plan where he would not to be unsupervised with his son and would participate in Family Based Safety Services (FBSS).

The mother reported residing in the home with the maternal grandfather and the maternal aunt. The mother denied any abuse or neglect of her child and denied any current substance abuse. The mother also appeared knowledgeable regarding her son's medical conditions and needs. The mother reported "popping" Ay'Dan as a form of discipline and reports Ay'Dan is old enough to know right from wrong. Both parents admit to physical discipline of Ay'Dan although he was only one year old and had unrealistic expectations of what Ay'Dan's behaviors should be or his ability to understand the consequences to his behaviors. The mother expressed a desire to move in with the father and to raise their son in the same household. The mother agreed to and signed the safety plan previously signed by the father stating the father would not have any unsupervised contact and the parents would participate in FBSS. This safety plan was ambiguous and did not outline who was supposed to be supervising the father's contact with the child. The maternal grandfather reported that the father was not allowed to visit his home without him being present. The paternal grandmother also expressed a concern for the father's ability to care for the child and reported the father was violating the safety plan by not being supervised while visiting with Ay'Dan.

The investigation concluded on June 26, 2014, with the case being transferred to Family Based Safety Services to provide ongoing services to the family. The allegation of neglectful supervision was closed as unable to determine due to the father admitting to marijuana use but the agency not being able to determine if the drug use was occurring while in the presence of the child.

#### **OCS Assessment:**

- According to CPS handbook policy 2241, all alleged victims must be seen within the established guidelines depending on the intake priority. This was a priority two intake which gave the caseworker 72 hours to make contact. There were no efforts made to make contact with Ay'Dan until May 14, 2014, which was 9 days after the contact was due per policy guidelines.
- Criminal history checks were not completed on all household members in each residence.
- The mother was not given a drug test even though the intake report indicates she may be smoking marijuana.
- The investigator did not contact any professional collaterals. None of the doctors or therapists were contacted even though the primary concern of the report was the child's medical conditions and if the parents were properly caring for Ay'Dan. The father and mother reported the child having several therapists visiting Ay'Dan in the home; however, no attempt was made to contact any of them.
- The safety plan was vague and did not address all the child's safety issues. There was no discussion as to who would be supervising the father's contact. Mother was not confronted about the violation of safety plan. There was no follow up after the caseworker had been informed the father violated safety plan or ongoing assessment if the child was still safe in the parent's care during the investigation.

The Family Based Safety Services case was opened from **June 26, 2014**, through **October 27, 2014**. The family plan of service was completed and the parents were asked to complete substance abuse counseling, individual counseling, and parenting classes and to participate in a Family Group Conference. The parents successfully completed substance abuse education and parenting classes. The parents did not complete individual counseling. The parents submitted to oral swab drug tests at the beginning of the case and tested negative. According to the

documentation, the parents successfully completed their services and the risk in the home was reduced which resulted in the case being closed.

**OCS Assessment:**

- The initial contact was made timely by the FBSS caseworker.
- Regular face to face contact was made with the child timely, each month, per policy guidelines.
- A monthly narrative was completed each month, per policy guidelines.
- The parents did not complete individual counseling as recommended. However, documentation is limited as to whether or not it was still needed considering the other services already completed.
- A family group conference was never conducted, even though requested by the family and required per policy at time of the case.
- The parents were not given a final drug urinalyses or hair follicle testing to ensure there was no substance abuse prior to case closure.

On **July 10, 2015**, CPS received a report alleging physical abuse of Ay'Dan Strange. The report alleged that Ay'Dan was observed with a bruise above the left eye. The bruise was described as being half the size of a quarter. There were also concerns of the parents having unrealistic expectations of Ay'Dan and not taking into consideration that Ay'Dan had a disability. There were concerns that the parents were still using physical discipline on Ay'Dan by slapping him on the hand. When the investigator made contact with Ay'Dan on July 16, 2015, Ay'Dan was observed to have a purple bruise on his left eyelid. The father reported Ay'Dan getting the bruise while visiting at his grandmother's home and denied knowing exactly how the injury occurred. The father reported he "thought" the child may have fallen while playing with cousins at the grandmother's residence. The father reported the injury occurring two months prior, which is not consistent with the bruise still being present. During the father's interview, the father pointed out he felt that CPS was contacted because of his aggressiveness towards Ay'Dan. The father described an incident in which he "grabbed" Ay'Dan and pulled him close to his face to tell him to stop hitting people. The mother was interviewed and also reported Ay'Dan receiving his injury at his grandmother's house. The mother admitted to using physical discipline on Ay'Dan and to "tapping" the child on his cheek after he was hitting his physical therapist.

The investigator contacted one of the child's in-home medical caseworkers to determine if she had any concerns. The caseworker advised she visits Ay'Dan twice a month and she has not noticed any bruises. The investigation found that the parents used physical discipline as a form of redirecting his attention. The investigator also contacted the grandmother who confirmed Ay'Dan fell and hit a glass coffee table while at her home the previous month which caused a bruise to his eye. There were no specific questions asked as to which eye was hurt or if she has seen the bruise fade at all since her last contact in order to try and determine if the bruise currently on Ay'Dan was still the same bruise from the incident at the grandmother's residence. The supervisor directed the investigator to have the parents submit to a drug test and contact additional collaterals.

On **July 16, 2015**, during the open investigation, an additional report was received alleging neglectful supervision of Ay'Dan Strange by his father. The report indicated that Ay'Dan was found unresponsive. The autopsy revealed Ay'Dan had a paper towel lodged in his throat. The final autopsy results are pending toxicology and any other information gathered. This investigation was completed and the allegations of neglectful supervision and physical abuse were found reason to believe.

**OCS Assessment:**

- According to CPS handbook policy 2230, all reports designated as a "priority one" with allegations of physical or sexual abuse must be coordinated with law enforcement for a joint investigation. There was no attempt to contact or coordinate a joint investigation.
- The investigator did not have the family take Ay'dan for a medical evaluation or have the Forensic Assessment Center Network (FACN) review the bruising observed on Ay'Dan's left eye and corroborate the timeframe/explanation provided.
- The investigator did not discuss the case with the supervisor until fourteen days after she made contact with the family. No safety plan was put into place during the investigation although there was an injury to a vital body part.

**Overall Case Review Findings and Recommendations**

Child Protective Services (CPS) had been involved with this family during two investigations and a Family Based Safety Services (FBSS) case. The agency offered the parents services to address concerns of parenting, realistic child development, and substance abuse. Inappropriate physical discipline for the age and development of Ay'dan had been a concern since 2014. After reviewing the CPS history and the most recent allegations of physical abuse, prior to Ay'Dan's death, it was evident the parents continued to use physical discipline and demonstrate unrealistic expectations of Ay'Dan, even after they had successfully completed parenting classes.

During the review of a child fatality, certain areas of improvement may be identified including individual training needs, statewide trainings, policy revisions, updates to best practice guidance, and/or revisions to state statutes.

Child Protective Services is currently implementing a full practice model with specific practice guides on how to best engage and assess parents and caregivers. Part of this work includes having parents identify and discuss specific changes and actions needed to address child safety and the parent's ability to meet the needs of the child. Examples of this include staff asking parents or caregivers during their visits to discuss specific things they are learning as a result of any services they are receiving, changes they are or will be making as a result of learning these new skills, and how have they plan ensure the safety and well-being of their children in the future. New tools for assessing safety at the start of an investigation as well as throughout the involvement with the family are now statewide.

The Office of Child Safety recommends the following:

- Staff should observe parents demonstrating and discuss what they have learned from services and document the parent's demonstrations of new parenting skills, prior to closing any case.
- When a child is seen with an injury to a vital body area, and explanations for the injury are inconsistent with the injury, the caseworker should utilize child abuse pediatricians or the Forensic Assessment Center Network (FACN) to review the injury and ensure that the parent's statement is consistent with the injury and that no further medical treatment or follow-up is needed.
- When parents or children are engaged in services—including those provided outside of CPS direction--staff should contact the individual who is providing a service and/or treatment to the parents or child to obtain relevant and detailed information about the progress made in the service.