

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

AMENDED REPORT APRIL 16, 2010

Report Release Date: March 29, 2010

**Review of the Death of Naomi Whitecrow
of Blaine and Logan Counties**

Dates and Outcomes of Investigations and Actions Taken by the Oklahoma Department of Human Services, Actions Taken by the District Attorney; and Dates and Summary of Judicial Proceedings and Rulings of the Court

General Information

On February 4, 2009, the Office of Juvenile System Oversight (OJSO) was alerted to the death of Naomi Whitecrow, a two-year-old child who died on January 20, 2009. Naomi was in the Oklahoma Department of Human Services (OKDHS) custody and was placed in the Amy Holder foster home in Logan County at the time of her death. On January 15, 2010, Amy Holder was charged with criminal felony child abuse by the Logan County District Attorney's office. A request for a public release report was received by the OJSO on January 26, 2010.

Authorization

Title 10A, Section 1-6-105, B, D and E, of the Oklahoma Statutes, states:

B. When a person responsible for a child has been charged by information or indictment with committing a crime resulting in the death or near death of the child, there shall be a presumption that the best interest of the public is served by public disclosure of certain information concerning:

1. The circumstances of the investigation of the death or near death of the child; and
2. Any other investigations concerning that child, or other children while living in the same household, within:
 - a. three (3) years of the death or near-death, and
 - b. one (1) year after the death or near-death.

D. 1. At any time subsequent to seven (7) days after the date the person responsible for the child has been criminally charged, the Oklahoma Commission

on Children and Youth shall, upon request, release certain information to the public within sixty (60) days of the request as follows:

a. a confirmation shall be provided by the Commission as to whether a report of suspected child abuse or neglect has been made concerning the alleged victim or other children while living in the same household and whether an investigation has begun,

b. confirmation shall be provided by the Commission as to whether previous reports of suspected child abuse or neglect have been made and the dates thereof, a summary of those previous reports, the dates and outcome of any investigations or actions taken by the Department [OKDHS] and the Commission in response to any previous report of child abuse or neglect, and the specific recommendation made to the district attorney and any subsequent action taken by the district attorney,

c. the dates of any judicial proceedings prior to the death or near death of the child,

d. recommendations submitted by the Department [OKDHS] and the Commission shall be provided in writing including recommendations made at the hearing as they relate to custody or placement of a child, and

e. the rulings of the court.

2. Specific recommendations made by the Commission described in any progress reports of a pending case submitted to the court may be disclosed by the Commission.

E. Any disclosure of information pursuant to this section shall not identify or provide an identifying description of any complainant or reporter of child abuse or neglect, and shall not identify the name of the child victim's siblings or other children living in the same household, the parent or other person responsible for the child, or any other member of the household, other than the person criminally charged.

Identifiers:

Child's Name: Naomi Whitecrow
Date of Birth: 12-9-2006
Date of Death: 1-20-2009

Alleged Perpetrator: Amy Holder

The Oklahoma Commission on Children did not become aware of this case until after the child's death.

**Summary of Actions Taken by the Oklahoma Department of Human Services;
Actions Taken by the District Attorney; Judicial Proceedings; and Rulings of the
Court:**

Placement of Naomi Whitecrow into OKDHS Custody (February 20, 2008)

Naomi Whitecrow was placed into OKDHS custody on February 20, 2008, by the Blaine County Court. The Blaine County Court recognized that Naomi was eligible for tribal enrollment.

Subsequently, Naomi was placed in three separate OKDHS foster home placements (including the Amy Holder foster home).

OKDHS Placement of Naomi into Foster Home 1 (February 20, 2008)

Naomi was placed into a foster home in Blaine County. DHS records reflect that Naomi was removed from this foster home in order to be placed with her sibling.

OKDHS Placement of Naomi into Foster Home 2 (February 21, 2008)

Naomi and her sibling were placed together in a foster home in Garfield County.

OKDHS Foster Parent Application (March 14, 2008)

Amy Holder applied to Logan County DHS Child Welfare on March 14, 2008, to become an OKDHS-approved foster home. Her home was approved as an OKDHS foster home on July 7, 2008.

Adjudication Hearing Blaine County Court (April 9, 2009)

The Blaine County Court adjudicated Naomi and her sibling as a deprived child and that their best interests would be met by continued placement with OKDHS. No relatives had been identified at this point for placement, as well as there was no tribal foster home available for placement.

Dispositional Hearing Blaine County Court (May 14, 2008)

A dispositional hearing was held on behalf of Naomi and her sibling. The Blaine County Court adopted a treatment plan for the biological parents to complete. There continued to be no tribal homes available for placement, as well as no relatives identified.

OKDHS Placement of Naomi into Trial Reunification with Parent (July 23, 2008)

Naomi and her sibling were placed into trial reunification with their biological parent by Blaine County DHS.

Failed Trial Reunification (September 12, 2008)

OKDHS removed Naomi and her sibling from trial reunification with their biological parent.

OKDHS Placement of Naomi into the Amy Holder Foster Home (September 12, 2008)

Naomi was placed into the Amy Holder foster home in Logan County. Her sibling was placed into another foster home. OKDHS records reflect that Amy Holder declined placement of Naomi's sibling due to his younger age and whether she could initially handle two young children. Naomi remained in Amy Holder's care until her death on January 20, 2009.

Court Review Blaine County Court (November 12, 2008)

Naomi's case was reviewed for a six month court review. Amy Holder raised concerns to the Court about a second trial reunification which had been planned for the children and their parent. OKDHS recommended a delay in trial reunification with the biological parent. Trial reunification was delayed at this time.

First Report Alleging Abuse/Neglect Received by the OKDHS (January 20, 2009)

The OKDHS received a report on January 20, 2009, alleging that two-year-old Naomi Whitecrow was found dead at the Amy Holder foster home; no explanation was provided as to the manner or cause of her death.

The OKDHS accepted the report as a Priority One investigation. It was initially assigned to an investigator in Logan County Child Welfare. According to OKDHS records, a Logan County Child Welfare investigator made contact with Amy Holder at her home on January 20, 2009, and January 29, 2009.

Additionally, OKDHS records documented that the investigation was reassigned to an Oklahoma County Child Welfare investigator on March 12, 2009. The Oklahoma County Child Welfare investigator made contact in person with Amy Holder on March 6, 2009; March 11, 2009; and April 6, 2009. Approximately thirty-five collateral witnesses were interviewed by the OKDHS regarding Naomi's death.

The OKDHS made an overall finding of Confirmed-Court Intervention Requested as to Amy Holder regarding the allegation of Abuse-Death of Naomi Whitecrow. Additionally, the OKDHS made a finding of Confirmed-Court Intervention Requested as to Amy Holder regarding Failure to Obtain Medical Attention. This investigation was officially closed by the OKDHS on March 1, 2010.

Second Report Alleging Abuse/Neglect Received by the OKDHS (March 6, 2009)

The OKDHS received a second report on the Holder household concerning Holder's biological children who were present at the time of Naomi's death.

The OKDHS accepted the report as a Priority Two investigation. The Oklahoma County Child Welfare investigator initiated the investigation on March 6, 2009. Other contacts were made with Amy Holder on March 11, 2009, and April 6, 2009. Approximately, eight collateral witnesses were interviewed during this investigation. The OKDHS made a finding of Services Recommended and closed the investigation on June 30, 2009.