

STATE OF MINNESOTA
COUNTY OF NORTHLAND

DISTRICT COURT
12TH JUDICIAL DISTRICT
CASE TYPE: JUVENILE PROTECTION
COURT FILE NUMBER: 99-JV-18-123

In the Matter of the Welfare of the Children of:

Maria Reid, Sean Thompson, and Isaac Jackson

**PETITION FOR
CHILD IN NEED OF PROTECTION OR
SERVICES**

Petitioner, Northland County Social Services, by and through the undersigned agent James Watson, a licensed child protection worker, states and alleges the following:

Parties and Participants

1. The names, addresses, races, ages, and dates of birth of the parties and participants to this proceeding are:

	Name	Date of Birth	Age	Race	Address	Status
Petitioner	Northland County Social Services	NA	NA	NA	Northland County Social Services, 5458 Pine Tree Lane, Cedar City, Northland County, MN	Party
Child	Jeremy Reid	3 days ago	3 days	Black	Hospital 1 – see Conf. Info Form 11.4	Participant
Child	Samuel Thompson	06/04/2008	10 years	White	Relative 1 – see 725 Forest Street, Cedar City, Northland County, MN	Participant
Mother (custodial parent)	Maria Reid	08/13/1990	28 years	White	725 Forest Street, Cedar City, Northland County, MN	Party
Alleged Father of Jeremy (noncustodial parent)	Isaac Jackson	01/13/1989	29 years	Black	146 Evergreen Lane, Cedar City, Northland County, MN	Participant
Presumed Father of Samuel (custodial parent)	Sean Thompson	04/18/1988	30 years	White	842 Valley Road, Prairie City, Southern County, MN	Party
Guardian ad litem	To be appointed	NA	NA	NA	P.O. Box 693, Cedar City, Northland County, MN	Party

Paternity and Custody

2. Maria Reid is the mother of Jeremy Reid. She was not married to Jeremy's father when the child was conceived or when he was born and, pursuant to Minn. Stat. § 257.541, subd. 1, she is the sole custodian of the child.
 - 2.01 Isaac Jackson is Jeremy Reid's alleged father.
 - 2.02 Mr. Jackson has not signed a recognition of parentage, his name is not on Jeremy's birth record, and he has not been adjudicated as Jeremy's father.
 - 2.03 Ms. Reid and Mr. Jackson both live in Northland County approximately 15 miles apart.
3. Maria Reid is the mother of Samuel Thompson. She was married to Sean Thompson when Samuel was born and, pursuant to Minn. Stat. § 257.55, subd. 1(a), Mr. Thompson is Samuel's presumed father.
 - 3.01 The couple divorced in May 2015 and, pursuant to their divorce decree, the parents share joint legal and joint physical custody of Samuel.
 - 3.02 Ms. Reid resides in Northland County and Mr. Thompson resides in Southern County, approximately 125 miles from Ms. Reid and Samuel.
 - 3.03 In an effort to maintain stability for Samuel, Ms. Reid has physical custody of Samuel during the school year from September through May and Mr. Thompson has physical custody of Samuel during the summer from June through August.
 - 3.04 When Mr. Thompson is not traveling out of state for his construction work, the parents exercise alternate weekend parenting time when Samuel is in the physical custody of the other parent.

Indian Child Welfare Act (ICWA)

4. Based on information now known, the children are not Indian children and the protections and procedures of the Indian Child Welfare Act (25 U.S.C. § 1901 – 1963) and the Minnesota Indian Family Preservation Act (Minn. Stat. § 260.751 – 260.835) do not apply.
 - 4.01 Petitioner has inquired of the children's parents and, based on that inquiry, there is no known tribal heritage or affiliation in the lineage of the children's maternal or paternal families.
 - 4.02 The children are not domiciled on and do not reside on an Indian reservation.
 - 4.03 The children are not wards of tribal court.

Statutory Grounds

5. Based upon the factual grounds stated below, the children are in need of protection or services within the following subparagraphs of Minnesota Statutes § 260C.007, subd. 6, because the children are:
 - (3) without necessary food, clothing, shelter, education, or other required care for the children's physical or mental health or morals because the children's parent, guardian, or custodian is unable or unwilling to provide that care;
 - (8) without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of the child's parent, guardian, or other custodian; and
 - (9) ones whose behavior, condition, or environment, is such as to be injurious or dangerous to the child or others. An injurious or dangerous environment may include, but is not limited to, the exposure of a child to criminal activity in the child's home.

Factual Grounds

6. The following facts constitute grounds to believe the children are in need of protection or services:

- 6.01 Three days ago, Ms. Reid gave birth to a son, Jeremy Reid. Ms. Reid and Jeremy both tested positive for opioids and marijuana at the time of the birth. Jeremy was born prematurely at eight months and weighed 5 lb., 8 oz.
- 6.02 Three days ago, shortly after Jeremy's birth, Northland County Social Services Agency received a report of "neglect – prenatal exposure to a controlled substance" related to Ms. Reid and Jeremy. The agency opened a child protection investigation to address the allegations.
- 6.03 Petitioner went to the hospital to observe the newborn and talk with the medical personnel. Jeremy is in the NICU and is on oxygen as he is having trouble breathing. In the hours and days since his birth, Jeremy continues to experience signs of withdrawal, including irritability, jitteriness, tremors, rapid heartbeat, and difficulty feeding and sleeping. The hospital staff began a withdrawal protocol shortly after Jeremy's birth. Jeremy will be in the hospital for at least two weeks due to his special needs.
- 6.04 While at the hospital, Petitioner also met with Ms. Reid on the day of Jeremy's birth. Ms. Reid reported that she arrived at the hospital at about 10:30 am because she was having pain in her belly. Earlier in the morning she thought the pain was the result of constipation due to her pregnancy, but the pain wouldn't go away so she went to the hospital. Prior to going to the hospital, she took a Percocet to help relieve the pain. Ms. Reid has a prescription for Percocet as a result of a chronic pain resulting from a shoulder injury in September 2017.
- 6.05 Upon arrival at the hospital and during the intake process the nurse noticed that Ms. Reid seemed lethargic and had meconium fluid on her thighs. Upon further

examination, the nurse saw that the baby was crowning and Ms. Reid was about to give birth. Ms. Reid was rushed to the emergency room and delivered her son, Jeremy, 45 minutes later.

- 6.06 Ms. Reid admitted to using opioids and marijuana over the last few years, including "a few times" during her pregnancies with both Samuel and Jeremy. She also said she struggles with a history of depression and addiction issues, but had been "mostly sober" during much of her pregnancy with Jeremy. She stated she had used Percocet and marijuana before she found out she was pregnant with Jeremy. She was able to stop for several months after learning about the pregnancy. In the last few months of her pregnancy she had a relapse. She said she used three or four times during the last few months of her pregnancy. Ms. Reid said she had received some prenatal care, "probably three doctor's appointments." Ms. Reid has never received treatment for her drug use.
- 6.07 Prior to going to the hospital, Ms. Reid dropped off her older son, Samuel, at the home of her mother, Lucille. Samuel is still with his grandmother pending the results of the Emergency Protective Care (EPC) Hearing.
- 6.08 Ms. Reid was discharged from the hospital yesterday. She rents a small two-bedroom home in Cedar City. Her mother, Lucille, lives a few miles away and sometimes provides care for Samuel when Ms. Reid is not feeling well or is at work and day care is not available. Lucille works full time as an administrative assistant at a local bank. Lucille is 54 years old, divorced, and has no prior criminal or child protection history.

Prior Child Protection Involvement

7. Ms. Reid has had prior Child Protection involvement as follows:

- 7.01 On June 5, 2008, Northland County Social Services investigated a report that Ms. Reid had tested positive for marijuana at the time she gave birth on June 4 to her first child, Samuel. A family assessment case was opened after it was learned that Ms. Reid had used marijuana several times during her pregnancy. Ms. Reid agreed to a chemical health assessment and to follow all recommendations, and Northland County closed the case.
- 7.02 On August 12, 2015, Northland County investigated a report of neglect of Samuel (then age 7) who was found playing in a park several blocks from his home. The investigation established lack of supervision by Ms. Reid as she and several acquaintances were at the home drinking alcohol and smoking marijuana when someone reportedly asked where Samuel was, but Ms. Reid didn't know where he was. Neighbors found Samuel at the park alone and brought him back home. Ms. Reid denied being neglectful, but admitted this was the second time Samuel had gone to the park alone without permission. Mr. Reid reported that she has spanked

Samuel's bottom, but that didn't do any good as Samuel "can be a brat" and doesn't always listen to Ms. Reid. Ms. Reid accepted services through a community agency and met with that social worker three times. On August 30, 2015, Ms. Reid completed a mental health assessment and was diagnosed with Post Traumatic Stress Disorder and Major Depressive Disorder. The mental health assessment recommended she participate in individual therapy. On September 6, 2015, Ms. Reid completed a chemical health assessment. It was learned that Ms. Reid has been prescribed Percocet for several years due to chronic shoulder pain. Ms. Reid set up several therapy appointments and an appointment with her primary care physician and Northland County closed the case.

Criminal History

8. Ms. Reid has no criminal history.
9. Mr. Jackson has the following criminal convictions:
 - 9.01 Criminal sexual conduct in the 4th degree under Minn. Stat. 609.345, subd. 1(f), 4/19/1999, court file 99-CR-99-0456 (the complainant is at least 16 and the actor is more than 48 months older than the complainant).
 - a. When he was 19 years old, Mr. Jackson had sexual contact with his then girlfriend who was 16 years old.
 - b. Mr. Jackson was required to register on the Minnesota Predatory Offender Registry.
 - c. Mr. Jackson participated in a sex offender evaluation and the assessor labeled him as "low risk" to reoffend. The assessor also noted that Mr. Jackson showed no remorse for having had sexual contact with a 16 year-old stating "she made the first move."
 - 9.02 Mr. Jackson has no other criminal record.
10. Mr. Thompson has the following criminal convictions:
 - 10.01 Domestic Assault 5th Degree under Minn. Stat. 609.224, subd. 1, 09/17/2013, court file 99-CR-13-725
 - 10.02 Mr. Thompson has no other criminal record.
11. Isaac Jackson, Alleged Father of Jeremy Reid
11.01 Mr. Jackson is the alleged father of Jeremy Reid.
 - 11.01 Mr. Jackson completed a Bachelor of Arts degree from Mankato State University in 2011.

- 11.02 Mr. Jackson works full time as an accountant for a small Cedar City accounting firm and has held that position for the last four years.
- 11.03 Mr. Jackson told petitioner he is excited to be a first time father and plans to be actively engaged in his son's life. He expressed concern about Jeremy's current medical condition.
- 11.04 Mr. Jackson wants to be a placement option for his son, Jeremy.
- 11.05 Mr. Jackson lives alone in a one-bedroom apartment about 15 miles from Ms. Reid.
- 11.06 Mr. Jackson and Ms. Reid met at a local bar and they have been dating for more than two years. They have broken up and gotten back together on several occasions. These break ups have coincided with Ms. Reid's drug use. Mr. Jackson does not use drugs and refuses to be with Ms. Reid when she is using. Mr. Jackson was aware that Ms. Reid was pregnant and on several occasions expressed to Ms. Reid his concerns about her use of drugs during the pregnancy.
- 11.07 Mr. Jackson's parents live about 200 miles away in Fargo, North Dakota.
- 11.08 Mr. Jackson has a sister and brother-in-law who also live in Cedar City, about 12 miles from his home.

Sean Thompson, Presumed Father of Samuel Thompson

12. Mr. Thompson is the father of Samuel Thompson.
 - 12.01 Mr. Thompson lives in Prairie City, about 125 miles from Ms. Reid and his son, Samuel.
 - 12.02 Mr. Thompson works for a construction company and he regularly travels to other states for weeks at a time as part of his construction work.
 - 12.03 Mr. Thompson's parents reside in a different county, about 30 minutes from the home of Ms. Reid. They are active in the life of their grandson, Samuel.

Reasonable Efforts to Prevent Placement

13. Northland County Social Services considered or made the following services, but these services did not adequately address the safety of the children in light of the circumstances and the risk to the children's health and welfare:
 - 13.01 Discussed with Jeremy's physicians whether the newborn could be discharged from the hospital either to his parents or foster care and learned the child cannot be discharged for at least two weeks due to his medical condition.

13.02 Spoke with Ms. Reid, and her mother Lucille, and Mr. Thompson regarding Samuel's ongoing care and reached agreement to maintain Samuel in the care of his grandmother pending a court hearing.

WHEREFORE, based upon the foregoing, Petitioner requests the following:

1. A finding that this petition establishes *prima facie* evidence to believe that a juvenile protection matter exists as defined under Juv. Prot. Rule 2.01 and that Jeremey Reid and Samuel Thompson are children as defined in Minn. Stat. § 260C.007, subd. 4, and are the subjects of the petition.
2. A finding that continuation of the children in the custody of their parents is contrary to the children's welfare and out of home placement is in the best interests of the children.
3. A finding that the children are in surroundings or conditions that endanger their health, safety, or welfare requiring responsibility for the child's care and custody to be immediately assumed by the responsible social services agency.
4. A finding that the children's health, safety, or welfare would be immediately endangered if the children are released to the care of their parents.
5. A finding that Northland Social Services Agency has made reasonable efforts to prevent removal of the children from their parents and there are no services or efforts available that could allow the child to safely return or remain in the home at this time.
6. An order removing the children from the care of their parents and placing them under the protective care of Northland County Social Services Agency for placement in foster care pursuant to Juv. Prot. Rule 30.10.
7. An order directing Ms. Reid to complete a chemical health assessment, a mental health assessment, and a parenting capacity assessment.
8. An order directing Mr. Jackson and Mr. Thompson to each complete a parenting capacity assessment.
9. A finding that one or more statutory grounds set forth in this petition have been proved and adjudicating the children to be in need of protection or services pursuant to Juv. Prot. Rule 40.01.
10. Once the children are adjudicated as in need of protection or services, a disposition order of care, custody, and control to Northland County Social Services Agency for placement in foster care pursuant to Minn. Stat. § 260C.201, subd. 1.

Petitioner's Certification

Petitioner, by and through its undersigned agent, hereby verifies that the above allegations are true to the best of the Petitioner's information and belief.

State of Minnesota)
) SS
County of Northland)

I declare under penalty of perjury that everything I have stated in this petition is true and correct to the best of my information and belief.

James Watson

James Watson
Northland County Social Services

County Attorney's Certification

This Petition has been read and approved by the undersigned who certifies that to the best of the undersigned's knowledge reasonable grounds exist to support the allegations in this petition.

Paul Prokop

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Subscribed and sworn to before me this
7th day of September, 2018

Lois Randal
Notary Public