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MEMORANDUM

FROM: Jeanne M. Lambrew, Ph.D., Commissioner

SUBJECT: Maddox Williams

Pursuant to State and Federal law, in consultation with the Office of the Attorney General, the Department may disclose certain categories of child protective information when child abuse results in a child fatality. This memo provides information regarding the involvement of Maine's child protective services in the life of Maddox Williams, in line with Department practice in previous cases. Now that this criminal case has concluded with Jessica Trefethen's conviction and sentencing, there is no longer a risk that disclosure will jeopardize the criminal investigation or proceeding.

Child's Name: Maddox Williams

Child's Age at Time of Death: 3 years

Child's Caregiver(s) at Time of Death: Mother, Jessica Trefethen (formerly Jessica Williams); Father, Andrew Williams (incarcerated at the time of Maddox's death); Mother's Boyfriend, Jason Trefethen

History of Reports to Child Protective Services and Actions Taken in Response:

- January 2018 – The Department received a report from a health care provider following Maddox Williams' birth. His mother, Ms. Trefethen, had used prescribed methadone during her pregnancy, according to the referent. Maddox was born at 30 weeks and remained hospitalized following his birth. Medical staff also reported that the day after Maddox was born, his mother went to the parking garage of the hospital where she ingested a Tramadol from an old prescription. This report was referred to Public Health Nursing.
- February 2018 – The Department received a report from a health care provider expressing concern that Ms. Trefethen had abruptly left a doctor's appointment for Maddox and the referent was concerned that Ms. Trefethen might not follow through on medical care for Maddox as a result of being upset. This report was screened out.
- March 2018 – The Department received a report from law enforcement that Maddox's two-year-old sibling had ingested liquid methadone and the family had failed to seek medical treatment for 20 minutes. This child was administered Narcan in the ambulance and taken to the hospital. The Department sought and obtained a Preliminary Protection Order, which placed Maddox in his father's custody and Maddox's siblings in the Department's custody on the day following this

incident. The Department made findings of substantiated neglect against Ms. Trefethen and Mr. Trefethen as a result of this incident. A Jeopardy Order¹ as to Ms. Trefethen regarding Maddox (and his siblings) was entered by the Court on July 16, 2018, with Ms. Trefethen's agreement. Mr. Trefethen agreed to jeopardy as to Maddox's siblings on this same date. The Court made findings that jeopardy was based on domestic violence and untreated substance use issues. Maddox remained placed with his father.

- Mr. Trefethen's history of substance use was identified as an issue in the Jeopardy Order, and he was ordered to complete an Intensive Outpatient Program (IOP). He began the program in the summer of 2018, but did not complete it until April 10, 2019, due to his failure to produce negative drug screens and several missed sessions of the program. At discharge, the provider's recommendations included outpatient treatment and counseling.
 - Ms. Trefethen's history of substance use and mental health issues was identified in the Jeopardy Order. Ms. Trefethen's engagement in services was satisfactory according to her providers.
- June 2019 – The Department received a report during the open case after Ms. Trefethen gave birth to a new baby. This Department immediately sought and obtained custody of the baby due to Ms. Trefethen's substance use and the fact that jeopardy had not yet been alleviated as to the older children.
 - January 2020 – The case regarding Maddox was dismissed by the Court on January 21, 2020, with Maddox remaining with Mr. Williams pursuant to a Parental Rights and Responsibilities Order included in a Divorce Judgment between his parents that was entered in the Belfast District Court. The case regarding Maddox's siblings continued until they were reunified in April of 2020.

The Department received a new report one week after the Court dismissed the case involving Maddox. Law enforcement reported that Mr. Williams had been arrested after he was found burglarizing a home while under the influence of substances. Stolen items were found in Maddox's stroller and Maddox was in Mr. Williams' arms in one of the homes when law enforcement discovered him. Mr. Williams was found in possession of several substances. Law enforcement invoked interim care under 15 MRSA §3501 and called the Department for an immediate response. The Department sought and obtained a Preliminary Protection Order granting the Department custody of Maddox on the day the report was received. Maddox was initially placed with his paternal grandmother. Based on information from the court at the hearing for this petition on February 12, 2020, the Department reconsidered its position as to Ms. Trefethen and whether she presented an immediate risk of serious harm to Maddox. In accordance with guidance from the AAG, the Department withdrew its petition as to Ms. Trefethen. With Mr. Williams' petition still in place, this effectively granted custody of Maddox to Ms. Trefethen.

- The Department substantiated Mr. Williams for neglect based on this incident. The Court found Jeopardy as to Maddox regarding Mr. Williams on May 12, 2020, with Mr. Williams' agreement.
- The Department developed a Rehabilitation and Reunification Plan with Mr. Williams. Pursuant to that plan, Mr. Williams was to complete a substance use evaluation and level of care assessment, as well as a mental health evaluation. He was ordered to follow all treatment recommendations that resulted from the evaluations and assessment. As part of his treatment, he was also required to attend random drug screens. Mr. Williams engaged in the required services consistently and providers reported positive progress.

¹ More information on the court process is available here: <https://www.courts.maine.gov/courts/family/child-protection.html#:~:text=4,-,Jeopardy%20Hearing,date%20the%20Petition%20was%20filed.>

The Court found that Mr. Williams had alleviated jeopardy regarding Maddox on September 29, 2020, and entered an Amended Divorce Judgment in which the parents were awarded shared custody of Maddox. All parties and the Guardian ad Litem were in support of this resolution.

- December 2020 – The Department received a new report from law enforcement regarding Ms. Trefethen and Mr. Trefethen. Allegations included possible substance use in Mr. Trefethen’s home and a physical altercation between Ms. Trefethen and Mr. Trefethen.
 - During this investigation interviews were completed with Ms. Trefethen, Mr. Williams, and Mr. Trefethen.
 - The Department learned that there was an altercation between Ms. Trefethen and Mr. Trefethen, but the details were unclear. While both Mr. Trefethen and Ms. Trefethen admitted to verbal conflict, they offered conflicting accounts of whether it had become physical.
 - During his interview with the Department, Mr. Williams said he was unhappy that Ms. Trefethen was not allowing him to take Maddox as stipulated in their Amended Divorce Judgment. Mr. Williams reported that he planned to take Ms. Trefethen to Court in February, seeking to find her in contempt for failing to comply with their custody agreement.
 - Ms. Trefethen completed drug screens during this investigation and tested positive for THC and her prescribed methadone.
 - During the investigation, Ms. Trefethen and Mr. Trefethen refused to sign most releases presented to them by the Department and would not allow the children to be fully interviewed by the Department.
 - The Department contacted the children’s primary care provider, who indicated that the children were behind on their well child checkups but expressed no other concerns. The Department followed up with the parents on this and they reported that there had been some delays due to COVID.
 - The Department contacted Mr. Williams’ treatment providers, who reported that he was engaging in treatment, and they had no concerns.
 - The Department contacted law enforcement, who had nothing to report relating to Ms. Trefethen or Mr. Trefethen.
 - The Department contacted staff at the school where Maddox’s older sibling was a student. Staff reported that they were working to address the sibling’s attendance issues with remote learning.
 - Based on the information the Department was able to gather, there were insufficient grounds to make findings against Ms. Trefethen or Mr. Trefethen regarding any of the children’s safety and well-being, or to pursue court intervention to compel their engagement with the Department.

- March 2021 – The Department received a report from law enforcement regarding Mr. Williams. A local business had called law enforcement to report that Mr. Williams was in their establishment and appeared to be under the influence. Law enforcement responded, reviewed surveillance footage, and, based on what they saw, did not believe that he was safe to drive a vehicle. Law enforcement located Mr. Williams at home. Maddox and an older half-sibling were in the vehicle when law enforcement arrived. Law enforcement observed Mr. Williams to be stumbling, unable to dial his phone or determine who to contact, and unable to make a plan for the children’s safety. Mr. Williams reported to law enforcement he had taken prescribed medication (Suboxone and Xanax). Mr. Williams was arrested for OUI and violating conditions of release as a result of this incident. The Department substantiated Mr. Williams for threat of physical abuse and neglect to Maddox and his other child.

- Maddox was taken by law enforcement to the home of paternal relatives and his paternal aunt later picked him up. Maddox was observed by the Department at his aunt's home on March 7, 2021 and appeared happy and healthy. He was active, playing with the other children, and had no visible marks or bruises, except for a scratch on his hip (reportedly from a cat).
 - Ms. Trefethen was contacted by the Department on March 7, 2021, and reported she was not willing to participate in a safety assessment or allow the child welfare caseworker into her home. She reported she had recently been assessed by the Department and there were no findings and a Judge had already decided her children were safe in her care. The caseworker attempted to meet with Ms. Trefethen and asked her to participate in the assessment, but Ms. Trefethen replied that she was going to get her child from his aunt's house regardless. Ms. Trefethen retrieved Maddox on March 8, 2021.
 - Three days following the initial report, the Department was able to meet with Ms. Trefethen at her home after Ms. Trefethen agreed to participate in the assessment. The Department observed Maddox and his siblings during this visit. Mr. Trefethen was also present. Interviews were conducted and no concerns were noted. Both Ms. Trefethen and Mr. Trefethen engaged in interviews, but they refused to allow the Department to complete interviews with the children.
 - Ms. Trefethen reported that she had recently been held in contempt of court for not returning Maddox to Mr. Williams, but reported that she had not returned Maddox because she was concerned that Mr. Williams was possibly using substances. Ms. Trefethen reported that she had tried to obtain a Protection from Abuse (PFA) Order on behalf of Maddox but was denied. She reported that she had begun the process of modifying the Amended Divorce Judgment to ensure Maddox's safety in light of Mr. Williams' apparent substance use and pending criminal charges.
 - The Department opened a service case to monitor and support the family as Mr. Williams' criminal cases were adjudicated and as Ms. Trefethen and the mother of Mr. Williams' other child sought modifications to their respective family matter orders. Multiple attempts were made by the caseworker with Ms. Trefethen to have contact with Maddox and his siblings during the open service case. Ms. Trefethen would either fail to respond or not make herself available for the caseworker's visits. Ms. Trefethen and the caseworker continued to communicate and eventually scheduled a visit for June 24.
- April 2021 – During the service case, the Department received a new report from law enforcement. Ms. Trefethen had called 911 reporting that Mr. Trefethen shoved her and threatened to kill her. Maddox and his siblings were present in the home during this reported incident. Law enforcement observed red marks on Ms. Trefethen where she said she had been pushed. Law enforcement arrested Mr. Trefethen and charged him with domestic violence assault. The responding officer reported that the children were visibly upset, noting that the oldest child was crying and holding the younger children. The officer also reported that the home was very messy. Ms. Trefethen reportedly told the officer that Mr. Trefethen was using heroin. The Department made an indicated finding of emotional abuse against Mr. Trefethen as a result of this incident.
 - Ms. Trefethen refused to allow the Department to interview the children but did allow the caseworker to observe them. This observation, on April 9, 2021, was the last day the Department saw Maddox, who was sleeping during the observation. The caseworker did not observe any marks or bruises and Maddox appeared comfortable. Ms. Trefethen refused to allow the caseworker to go to her mother's home to observe or speak with one of the older children.

- The Department attempted to contact Mr. Trefethen, including by mail and phone, to meet with him. Mr. Trefethen did return the phone calls but did not make himself available to meet with the Department.
 - Based on the information the Department was able to gather, there were insufficient grounds to pursue court intervention to compel Ms. Trefethen's engagement with the Department.
- June 2021 – The Department received a report on June 20, 2021, from medical personnel who reported that Ms. Trefethen had presented at the hospital with Maddox, indicating that he had been kicked in the stomach by a sibling and pushed or pulled to the ground by a dog. Ms. Trefethen reportedly told medical personnel that following these incidents Maddox walked into the home complaining of stomach pain and saying he was thirsty. Ms. Trefethen reported that she did not like how he looked and that is when she decided to bring him to the hospital. Ms. Trefethen reported that when she arrived at the hospital Maddox stopped breathing and was unresponsive in the parking lot. The medical personnel reported that they found Ms. Trefethen's account strange, as Maddox was pale, cold, and his pupils were dilated and not reactive to light. Medical staff observed bruising all over Maddox's body, including swelling on part of his head. Maddox's abdomen was tense, indicating abdominal trauma. Maddox was in full cardiac arrest and could not be revived. Ms. Trefethen left the hospital approximately 10 minutes after Maddox was pronounced dead.
 - The Department conducted an investigation in coordination with law enforcement, including interviewing family members and other collateral contacts.
 - Law enforcement had interviewed the other children prior to the caseworker's arrival. The siblings did not provide information consistent with Ms. Trefethen's report to medical personnel at the hospital.
 - Mr. Trefethen was interviewed and reported he did not see the incident described by Ms. Trefethen or anything else of concern.
 - Mr. Williams had been incarcerated for over nine weeks and had no recent contact with Maddox.
 - The Department completed a background check on Ms. Trefethen's mother. She had no criminal history except for a 1982 conviction for negotiating a worthless instrument and a 1998 conviction for harassment by telephone. She had no adverse driving history and was not on the sex offender or the child abuse registry. A walk-through of her home was completed, and it was found to be safe and appropriate. Mr. Trefethen signed a safety plan placing the children in the care of Ms. Trefethen's mother for the night. Ms. Trefethen was not available to engage in the safety planning process as she could not be located by law enforcement.
 - On June 21, 2021, the Department gathered information from hospital personnel and Maine State Police. Initial findings during Maddox's autopsy indicated that Maddox had died of multiple blunt-force, non-accidental trauma. Based on this information the Department sought a preliminary protection order from the Courts and custody of Maddox's siblings was granted to the Department. All three children were placed in resource (foster) homes. The Department also coordinated with the Spurwink Center for Safe & Healthy Families (formerly the Child Abuse Program) and the local hospital to complete comprehensive physical examinations of each sibling.
 - It was later learned that Maine State Police had obtained photos (from surveillance cameras outside the home) of Ms. Trefethen at her mother's home on the night of June 20, 2021, and the morning of June 21, 2021. Based on the timestamp on these images, it was clear that Ms. Trefethen's mother had allowed Ms. Trefethen to be present in the home with the children who were there pursuant to the safety plan. The safety plan

- specified that Ms. Trefethen's mother was not to allow contact with Ms. Trefethen until Ms. Trefethen could be assessed by the Department. It further specified that if Ms. Trefethen attempted to make contact with the children, Ms. Trefethen's mother would notify DHHS and law enforcement. Ms. Trefethen's mother later told police that Ms. Trefethen had been at her home.
- Maine State Police located blood in several locations in Ms. Trefethen's home during a search.
 - Ms. Trefethen was arrested on June 23, 2021, and was charged with depraved indifference murder.
 - Based on its investigation, the Department made the following findings:
 - Substantiated neglect by Ms. Trefethen's mother to all the children
 - Substantiated physical abuse, emotional abuse, and neglect by Ms. Trefethen to all the children
 - Substantiated neglect and emotional abuse by Mr. Trefethen to all the children
 - Substantiated physical abuse by Mr. Trefethen to Maddox.