

NAME OF AGENCY:	Santa Clara County Social Services Agency Department of Family and Children's Services	DATE	12/12/2022
STREET ADDRESS	373 West Julian Street	COUNTY	Santa Clara
CITY AND ZIP CODE	San Jose, California 95110	NAME OF SOCIAL WORKER	Jacqueline Liao
CASELOAD ID	ER91 Jacqueline Liao	TELEPHONE	(408) 501-6910

EMERGENCY RESPONSE REFERRAL INFORMATION

REFERRAL NAME:	Mars, Hanna	REFERRAL NUMBER:	0997-4411-9487-4148022
<input type="checkbox"/> NA	<input type="checkbox"/> EVALUATE OUT	<input checked="" type="checkbox"/> IMMEDIATE	<input type="checkbox"/> 3 DAY
<input type="checkbox"/> 5 DAY	<input type="checkbox"/> 10 DAY	<input type="checkbox"/> N/A SECONDARY REPORT	

SCREENER INFORMATION

NAME	Arroyo, Jennifer	TITLE	Social Worker II	DATE	12/12/2022	TIME	04:15pm
CASELOAD #	CN28 Jennifer Arroyo	PHONE NUMBER	(408) 501-6559	LOCATION	Julian Office		

ALERTS:

LAW ENFORCEMENT AGENCY

POLICE REPORT NUMBER

HOME ADDRESS

970 Corte Madera Apt 716 Sunnyvale, California 94085	PHONE NUMBER (424) 542-4870
ADDRESS COMMENTS FA Address and Phone #: 880 Willow St Apt#6, San Jose, CA, 95125, Phone #:424-542-9709.	

CURRENT LOCATION OF CHILD(REN)

It was reported that the child primarily resides at the common address with the mother.

VICTIM INFORMATION

NAME Maksym Mars				AKA (if applicable)			SOCIAL SECURITY #
DOB 11/23/2015	AGE 7	AGE CODE Year(s)	SEX M	ETHNICITY White - European*	LANGUAGE Russian	ICWA ELIGIBILITY Not Asked	

SCHOOL/DAYCARE NAME

SCHOOL/DAYCARE ADDRESS

ABUSE CATEGORY (See Screener Narrative Attached) General Neglect Physical Abuse	ALLEGED PERPETRATOR NAME Kostiantyn Mars Hanna Mars
CASE WORKER NAME (FOR OPEN CASE)	PHONE # (FOR OPEN CASE)
	CASELOAD #

OTHERS IN THE HOME

NAME Hanna Mars		AKA (if applicable)		SOCIAL SECURITY #
SEX F	DATE OF BIRTH/AGE 02/19/1989	LANGUAGE Russian	WORK PHONE	
ROLE Mother (Birth)		FOR/TO Maksym Mars		
CASE WORKER NAME		PHONE #	CASELOAD #	

OTHERS NOT IN THE HOME

NAME Kostiantyn Mars		AKA (if applicable)		SOCIAL SECURITY #
SEX M	DATE OF BIRTH/AGE 04/20/1987	LANGUAGE English	WORK PHONE	
ROLE Father (Birth)		FOR/TO Maksym Mars		
ADDRESS 880 Willow St Apt 6 San Jose, California 95125			PRIMARY PHONE (424) 542-9709	
CASE WORKER NAME		PHONE #	CASELOAD #	

COLLATERAL INFORMATION

NAME		
ROLE		FOR/TO
ADDRESS		PRIMARY PHONE
CONTACT DATE	CONTACT METHOD	DESCRIPTION

CROSS REPORT INFORMATION

AGENCY Sunnyvale Police Department	OFFICIAL CONTACTED	TITLE
ADDRESS Sunnyvale Police Department P. O. Box 3707 Sunnyvale, California 94088-3705	PHONE NUMBER	BADGE NO.
CROSS REPORTED BY Arroyo, Jennifer	DATE & TIME OF REPORT 12/12/2022	

REFERRAL HISTORY

REFERRAL ID	CLIENT NAME	REFERRAL ROLE	REFERRAL DATE
ALLEGATION TYPE	ALLEGATION DISPOSITION		

REPORTER INFORMATION

NAME	AGENCY OR ORGANIZATION	RELATIONSHIP
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<input type="checkbox"/> ANONYMOUS REPORTER	<input type="checkbox"/> MANDATED REPORTER	<input type="checkbox"/> FAMILY INFORMED
<input type="checkbox"/> APPLICATION FOR PETITION	<input type="checkbox"/> CONFIDENTIALITY WAIVED	<input type="checkbox"/> FEEDBACK REQUIRED

Referral Number: 0997-4411-9487-4148022
Referral Date 12/12/2022

SCREENER NARRATIVE

ALLEGATIONS (Who, What, Where, When, How, Who Else Knows, Why Now?) COLLECT AND RECORD INFORMATION ABOUT THE FOLLOWING RISK FACTORS:

1. **PRECIPITATING INCIDENT** (Severity, frequency; location and description of injury; history of abuse)
2. **CHILD CHARACTERISTICS** (Age, vulnerability, special circumstances; perpetrator's access; behavior, interaction with caretakers, sibling and peers)
3. **CARETAKER CHARACTERISTICS** (Capacity for child care; interaction with children, other caretakers; skill, knowledge; substance abuse, criminal behavior, mental health)
4. **FAMILY FACTORS** (Relationships, support systems; history of abuse; presence of parent substitute; environmental conditions; family strengths)
5. **DOMESTIC VIOLENCE/ABUSE FACTORS** (Safety risks; pattern of assaults on, threats to, and/or stalking of household members; forced social isolation or economic deprivation; weapons present in the home and used as a threat; prior law enforcement or emergency medical response(s); history of domestic violence/abuse; medical neglect; violation of restraining orders; mental health issues; other risk factors)

Referral Source: [REDACTED]

Family Composition/Composition of the Home: This is a non-intact European family, whose primary language is English and Russian (the mother). The family consists of the mother, Hanna Mars, the father, Kostiantyn Mars, and their child in common, Maksym (age 7). It was reported that the child primarily resides at the common address with the mother and that the father lives elsewhere in San Jose, CA. It was reported that the father has supervised professional visits with the child 3 times a week (dates unknown).

There was no information available regarding military history for the parents. There is no known history of Native American ancestry in the family.

Referring Party Details of Concern: There are concerns for the child, Maksym, as the father observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit, which may have been caused by the mother; there is also concerns about the father's ability and willingness to protect the child, as the father observed the 2-3 quarter sized red bruise on the child's left buttocks and did not intervene, which places the child's health and safety at risk.

Per R/P, the father stated that he observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit. Per R/P, the father stated that he was unable to ask the child how he (the child) had sustained the bruise, as the supervisor would have ended the supervised professional visit. When the R/P was asked if the father informed the supervisor that he had observed the bruise on the child's left buttocks, the R/P stated, "No." The R/P stated that the father observed the bruise while the child was using the restroom. When the R/P was asked if the child has ever disclosed being hit by the mother, the R/P stated, "No, the father stated that the child is shy and afraid of the mother." Per R/P, the father stated that he believes that the mother is hitting the child, as another bruise was observed on the child during a prior supervised professional visit (date unknown). Per R/P, the father stated that he believes that the child still has the bruise on his left buttocks.

Per R/P, the father stated that the mother has a temporary restraining order against the father. When the R/P was asked if the father stated why the mother has a temporary restraining order against the father, the R/P stated, "The father stated it's because the mother called him to request the child's passport as she wanted to take the child to the

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Ukraine and the father called law enforcement.” Per R/P, the father stated that the mother became upset and that she (the mother) filled a temporary restraining order against the father. Per R/P, the father stated that the mother threatened to kill the child. When the R/P was asked when the mother threatened to kill the child, the R/P stated, “Well the father stated that the mother did not threaten to kill the child with a knife or stab him but he believes that the mother trying to take the child to Ukraine where multiple children are being killed due to the war is her threatening to kill the child.”

Per R/P, the father stated that the mother slapped the child on the face. When the R/P asked if the father stated when the mother slapped the child on the face, the R/P stated, “This happened at the end of July but the mother did not slap the child she was trying to slap the child because the child punched her.” Per R/P, the father stated that he believes that the child is at risk while in the care of the mother.

Protective Factors: When asked, the R/P did not provide protective factors for the family at this time.

COVID-19 QUESTIONS: *(Pertains to all individuals living in the home or residence)*

1. Has anyone in the **home tested positive** for COVID-19 in the past 14 days or awaiting results of a COVID-19 test? **Unaware**
2. In the past 14 days has anyone in the household had any of the following symptoms:
 - Fever : ☐ YES ☐ NO: ☒ UNKNOWN
 - Cough : ☐ YES ☐ NO: ☒ UNKNOWN
 - Shortness of breath : ☐ YES ☐ NO: ☒ UNKNOWN
 - Chills : ☐ YES ☐ NO: ☒ UNKNOWN
 - Muscle Pain: ☐ YES ☐ NO: ☒ UNKNOWN
 - Headache : ☐ YES ☐ NO: ☒ UNKNOWN
 - Sore Throat : ☐ YES ☐ NO: ☒ UNKNOWN
 - Loss of Taste or Smell : ☐ YES ☐ NO: ☒ UNKNOWN
 - Diarrhea : ☐ YES ☐ NO: ☒ UNKNOWN
 - Nausea with vomiting : ☐ YES ☐ NO: ☒ UNKNOWN
3. Has anyone in the home had close contact with a person who tested positive for COVID-19 with a laboratory confirmed testing in the last 14 days? **Unaware**
1. Is anyone in the home under quarantine by the local public health department or a medical professional?
Unaware

CWS History:

Preliminary CPS Search History Result: ☐ YES ☒ NO

Previous Services Provided: ☒ NO or ☐ VFM ☐ VFR ☐ IS ☐ FM ☐ FR ☐ PPLA

Write if Open case or Open Referral please indicate who are the following: N/A

- **SW Name:** N/A
- **Social Work Supervisor:** N/A
- **SSPM:** N/A

Referral Number:	0997-4411-9487-4148022
Referral Date	12/12/2022

Date of most recent referral allegation and conclusion: N/A

Decision and Rationale: Refer to Emergency Response for an Immediate Response for further risk/safety assessment due to an allegation of Physical Abuse by the mother, as the father observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit, which the father believes was caused by the mother (i.e. Caregiver action that likely caused or will cause injury); and due to an allegation of General Neglect by the father, to assess his ability and willingness to protect the child, as the father observed the 2-3 quarter sized red bruise on the child's left buttocks and did not intervene (i.e. Child is currently unsupervised and in need of supervision. Caregiver does not attend to the child to the extent that need for care/protection goes unnoticed or unmet e.g., child being harmed by another person in the home/failure to protect; the caregiver is present, but the child can wander outdoors alone, play with dangerous objects, play on unprotected window ledge, or be exposed to other serious hazards; a child with some suicidal ideation is not closely monitored); and due to the young age of the child (7), which places the child's health and safety at risk. This referral was cross-reported to the Sunnyvale Police Department and to the District Attorney.

Abuse Category: Physical Abuse and General Neglect.

Worker Name and Number: Jennifer Arroyo, CN28.

Referral Number: 0997-4411-9487-4148022

Referral Date 12/12/2022

INVESTIGATION NARRATIVE

I. Presenting Problem: Inserted from Screener Narrative

Referral Source: [REDACTED]

Family Composition/Composition of the Home: This is a non-intact European family, whose primary language is English and Russian (the mother). The family consists of the mother, Hanna Mars, the father, Kostiantyn Mars, and their child in common, Maksym (age 7). It was reported that the child primarily resides at the common address with the mother and that the father lives elsewhere in San Jose, CA. It was reported that the father has supervised professional visits with the child 3 times a week (dates unknown).

There was no information available regarding military history for the parents. There is no known history of Native American ancestry in the family.

Referring Party Details of Concern: There are concerns for the child, Maksym, as the father observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit, which may have been caused by the mother; there is also concerns about the father's ability and willingness to protect the child, as the father observed the 2-3 quarter sized red bruise on the child's left buttocks and did not intervene, which places the child's health and safety at risk.

Per R/P, the father stated that he observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit. Per R/P, the father stated that he was unable to ask the child how he (the child) had sustained the bruise, as the supervisor would have ended the supervised professional visit. When the R/P was asked if the father informed the supervisor that he had observed the bruise on the child's left buttocks, the R/P stated, "No." The R/P stated that the father observed the bruise while the child was using the restroom. When the R/P was asked if the child has ever disclosed being hit by the mother, the R/P stated, "No, the father stated that the child is shy and afraid of the mother." Per R/P, the father stated that he believes that the mother is hitting the child, as another bruise was observed on the child during a prior supervised professional visit (date unknown). Per R/P, the father stated that he believes that the child still has the bruise on his left buttocks.

Per R/P, the father stated that the mother has a temporary restraining order against the father. When the R/P was asked if the father stated why the mother has a temporary restraining order against the father, the R/P stated, "The father stated it's because the mother called him to request the child's passport as she wanted to take the child to the Ukraine and the father called law enforcement." Per R/P, the father stated that the mother became upset and that she (the mother) filled a temporary restraining order against the father. Per R/P, the father stated that the mother threatened to kill the child. When the R/P was asked when the mother threatened to kill the child, the R/P stated, "Well the father stated that the mother did not threaten to kill the child with a knife or stab him but he believes that the mother trying to take the child to Ukraine where multiple children are being killed due to the war is her threatening to kill the child."

Per R/P, the father stated that the mother slapped the child on the face. When the R/P asked if the father stated when the mother slapped the child on the face, the R/P stated, "This happened at the end of July but the mother did not slap the child she was trying to slap the child because the child punched her." Per R/P, the father stated that he believes that the child is at risk while in the care of the mother.

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Protective Factors: When asked, the R/P did not provide protective factors for the family at this time.

COVID-19 QUESTIONS: *(Pertains to all individuals living in the home or residence)*

1. Has anyone in the **home tested positive** for COVID-19 in the past 14 days or awaiting results of a COVID-19 test? **Unaware**
2. In the past 14 days has anyone in the household had any of the following symptoms:
 - Fever : ☐ YES ☐ NO: ☒ UNKNOWN
 - Cough : ☐ YES ☐ NO: ☒ UNKNOWN
 - Shortness of breath : ☐ YES ☐ NO: ☒ UNKNOWN
 - Chills : ☐ YES ☐ NO: ☒ UNKNOWN
 - Muscle Pain: ☐ YES ☐ NO: ☒ UNKNOWN
 - Headache : ☐ YES ☐ NO: ☒ UNKNOWN
 - Sore Throat : ☐ YES ☐ NO: ☒ UNKNOWN
 - Loss of Taste or Smell : ☐ YES ☐ NO: ☒ UNKNOWN
 - Diarrhea : ☐ YES ☐ NO: ☒ UNKNOWN
 - Nausea with vomiting : ☐ YES ☐ NO: ☒ UNKNOWN
3. Has anyone in the home had close contact with a person who tested positive for COVID-19 with a laboratory confirmed testing in the last 14 days? **Unaware**
4. Is anyone in the home under quarantine by the local public health department or a medical professional? **Unaware**

CWS History:

Preliminary CPS Search History Result: ☐ YES ☒ NO

Previous Services Provided: ☒ NO or ☐ VFM ☐ VFR ☐ IS ☐ FM ☐ FR ☐ PPLA

Write if Open case or Open Referral please indicate who are the following: N/A

- **SW Name:** N/A
- **Social Work Supervisor:** N/A
- **SSPM:** N/A

Date of most recent referral allegation and conclusion: N/A

Decision and Rationale: Refer to Emergency Response for an Immediate Response for further risk/safety assessment due to an allegation of Physical Abuse by the mother, as the father observed a 2-3 quarter sized red bruise on the child's left buttocks on 12/10/22 during a supervised professional visit, which the father believes was caused by the mother (i.e. Caregiver action that likely caused or will cause injury); and due to an allegation of General Neglect by the father, to assess his ability and willingness to protect the child, as the father observed the 2-3 quarter sized red bruise on the child's left buttocks and did not intervene (i.e. Child is currently unsupervised and in need of supervision. Caregiver does not attend to the child to the extent that need for care/protection goes unnoticed or unmet e.g., child being harmed by another person in the home/failure to protect; the caregiver is present, but the child can wander outdoors alone, play with dangerous objects, play on unprotected window ledge, or be exposed to other serious hazards; a child with some suicidal ideation is not

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closely monitored); and due to the young age of the child (7), which places the child's health and safety at risk. This referral was cross-reported to the Sunnyvale Police Department and to the District Attorney.

Abuse Category: Physical Abuse and General Neglect.

Worker Name and Number: Jennifer Arroyo, CN28.

II. Other Problems:

A search of CWS/CMS reveals no prior investigated referrals for this family.

III. Findings:

This social worker investigated an Immediate Response (IR) referral with allegation of Physical Abuse to the child, Maksym Mars (age 7) by the mother, and allegation of General Neglect to Maksym by the father. This is a non-intact family of Eastern-European heritage (Ukraine). The child and the mother's primary language is Russian/Ukrainian. The father is bilingual in English/Russian. Family court is currently involved due to custody issues. The mother has temporary full custody of the child, and the father has professionally supervised visitation. The mother signed the primary language form and the family was provided a Your Rights brochure and Information for Families pamphlet. The mother provided verbal and written consent for this social worker to interview the child.

In addition to the concerns in the Screener's Narrative, this social worker briefly assessed for and found no evidence of the following risk factors: Sexual Abuse, Emotional Abuse, Mental Health, Caretaker Absence/Incapacity, and Substance-Use.

Telephone Contact with the Father, Kostiantyn Mars:

On 12/12/22, SW made telephone contact with the father, Kostiantyn Mars. SW introduced the role and purpose of contact. The allegations and concerns were reviewed with the father. The father disclosed 2 days ago on 12/10/22; he saw a "reddish bruise" the size of 2-3 quarters on the back of the child's left thigh during a professionally supervised visit with the child at his home. The father disclosed he saw the bruise when the child was using the bathroom. The father stated he took a picture of the bruise, but was not allowed to ask the child what caused the bruise, or if the child felt safe with the mother. The father stated he suspects the bruise was caused by physical abuse to the child by the mother.

The father stated he thinks the mother caused the bruise by punishing the child. The father stated he has these thoughts because towards the end of July 2022, he saw the mother slap the child on the face, and reported the child was trying to punch the mother. The father reported in June 2022, he saw the mother try to pull the child by the hands to get him to physically go with her, and the child was crying and resistant. The father stated the mother is "very emotional" and has had a psychologist since at least 2020. The father stated the mother might have a "mental disorder." The father stated the mother has said she wants to take the child to Ukraine, which concerns him due to the Ukraine war and leads him to believe the mother is threatening to kill the child.

The father stated he has professionally supervised visitation three times a week with the child, on Tuesdays and Thursdays from 3:30pm - 5:30pm, and on Saturdays, from 3:00pm to 5:00pm. The father stated the visits are supervised by the agency, Caring Supervised Visits and Exchange Services. The father stated he has been in a relationship with the mother for approximately 7.5 years. The father reported the mother filed a temporary

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restraining order against him because she alleged domestic violence by him, and alleged that he prohibited her from getting a green card. The father described the mother's allegations as "lies." The father stated the family is due back in court in January 2023 to finalize the divorce and custody agreement. The father denied any concerns related to sexual abuse or substance abuse, and reported he disciplines the child by talking to him. The father provided his email address, constantine.mars@gmail.com. The father texted this SW a photograph he took of the bruise on 12/10/22 [photograph in file].

Interview of the Mother, Hanna Mars:

On 12/12/22, SW interviewed the mother, Hanna Mars, during an unannounced home visit to the address provided in the referral. Upon arrival, the mother invited SW inside the home. The home was clean and organized, with functioning utilities, and no visible safety hazards. The mother reported she can understand some English, but stated her primary language is Ukrainian and Russian. The mother agreed to speak with this SW using a telephone Russian language interpreter [Voiance, Max #063059]. The allegations and concerns were reviewed with the mother. The mother stated she feels the father is reporting these allegations because she filed a restraining order against him and he currently has supervised visitation with the child. SW informed the mother that the reporting party is confidential by law, and she understood.

Regarding the alleged red bruise that was observed to the back of the child's left thigh, the mother confirmed the child does have a bruise in that area but denied that it was due to physical abuse. The mother stated on 12/8/22, she and the child were playing Minecraft together in the living room. The mother stated her laptop computer was sitting on the coffee table, and she was in the process of charging it. The mother stated the laptop charging cord extended between the coffee table and the wall outlet. The mother stated the child tried to physically jump through the area between the sofa and the coffee table, but accidentally hit the laptop charging cord when he jumped, which caused him to hit the back of his left thigh on the corner of the coffee table. The mother described the incident as accidental.

Regarding additional allegations, the mother denied that she slapped the child on the face in July 2022. The mother also denied pulling the child by the hands towards her in June 2022. The mother stated the father has slapped the child on the hands in August 2022 when the child said he did not want to go to school. The mother stated the father has also held and pulled the child by the arm when he was resistant in going to school. The mother stated she does not believe the child was injured due to the father's actions.

Further, the mother denied that she is planning to take the child to Ukraine. The mother stated that most of her family is in Ukraine, but there is a war going on in that country and she has no plans to take the child there. However, the mother stated that even though she has told the father she has no plans to bring the child to Ukraine, he continues to accuse her that she will do so. A global assessment was completed. The mother denied that she or the father have any diagnosed mental health concerns. The mother stated she has a Ukrainian-speaking psychologist whom she talks to weekly. The mother stated the child does not have therapy and reported she does not think he needs one at this time. The mother stated she disciplines the child by taking his phone away. The mother stated the child has never witnessed any physical domestic violence between herself and the father. The mother stated the father would control her financially, and control her using the green card. The mother denied any other safety concerns at this time.

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Interview of the Child, Maksym Mars (age 7):

On 12/12/22, SW interviewed the child, Maksym Mars (age 7). The child appeared healthy, clean, and was appropriately dressed. SW interviewed the child using a Russian language telephone interpreter [Voiance, Max #063059]. SW tested the child's understanding of a truth and a lie using a pen, and the child understood the difference and agreed to tell the truth. The child stated he is in 1st grade at Vargas Elementary School. The child stated he feels safe with the mother. When asked if he feels safe with the father, the child stated he does not know. When asked if he has a bruise on the back of his left thigh, the child stated, "I don't know." When asked what happens when he gets in trouble, the child stated the mother will take away his phone. The child denied the mother has ever hit him, stating, "She never does that." When asked if the father hits him, the child stated, "He slaps me on the butt." The child stated the father has only slapped him on the butt, and does not slap him anywhere else on his body. The child denied the mother has ever slapped him on the face or hurt him anywhere on his body.

The child stated, "My dad would say my mom wants to take me to Ukraine, but my mom isn't going to do that." When asked if anyone smokes at home, the child stated he does not know. The child stated he is never left home alone. The child stated he has never seen his parents hit or push each other. At this point in the interview, SW invited the mother into the room and asked her to show SW the bruise on the back of the child's thigh. The mother removed the child's pants, and SW observed a red bruise to the back of his left thigh. SW took a photograph of the bruise with the mother's consent [photograph in file]. When asked what happened to cause the bruise, the child stated, "I tripped on the cord, it hurt." The mother and child then led this SW to the living room to show the location of where the incident occurred. The child stated he tried to jump through the area between the coffee table and the couch, tripped on the laptop charging cord, and hit the back of his thigh on the corner of the coffee table. SW took a photograph of the cord, laptop, and coffee table [photograph in file]. A global assessment was completed and no other safety concerns were identified at this time.

Telephone Contact with Professional Provider, Dylan Smith:

On 12/12/22, SW spoke with the Professional Provider from the agency "Caring Supervised Visits and Exchange Services," Mr. Dylan Smith [(831) 718-0064]. Mr. Smith stated he was the worker who professionally supervised the father's child custody visit on 12/10/22. Mr. Smith stated he was outside the bathroom and did not see the bruise to the child's thigh when the father took a photo of the bruise.

IV. Family Strengths:

The home environment was clean and free of safety hazards. The child's basic needs are being met. Both parents were cooperative.

V. Risk to the Children:

According to SDM, the risk of abuse and neglect to the children is Low. There are no prior referrals associated with this family. The child has reported feeling safe in the care of the mother and denied any safety concerns. Both parents appear protective of the child. No other safety concerns were identified at this time.

VI. Conclusion:

The allegation of Physical Abuse to the Child, Maksym Mars (age 7) by the mother is Unfounded. The allegation of General Neglect to Maksym by the father is also Unfounded. There is no evidence of abuse or neglect to Maksym as the injury appears accidental. At the time of assessment, Maksym reported feeling safe in the care of the mother. Maksym was observed to have a red bruise the size of a quarter on the back of his left

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thigh. Maksym disclosed he sustained the injury by accidentally tripping on a laptop cord and falling on the corner of the coffee table. Further, Maksym denied the mother disciplines him physically, and denied that she slapped him on the face. When interviewed, the mother denied the allegations and confirmed Maksym had accidentally injured himself when tripping over a laptop cord on 12/8/22, and falling against the corner of the coffee table. When interviewed, the father expressed concerns the mother may have caused Maksym's bruise, but there is no evidence to support the father's concerns at this time. Family court is currently involved due to custody issues and there is an upcoming court hearing in January 2023. Based on the above, this referral is recommended to be closed.

Submitted by,

Jacqueline Liao, MSW
Emergency Response Social Worker III, ER91
(408) 315-2428
1/9/2023

Reviewed and approved for closure by Andrée Patrón, SWS ER9A
1/10/2023

DELIVERED SERVICE LOG
All Contacts, Services & Visits**FROM:** 12/12/2022 **TO:** 1/10/2023**FOR:** Maksym Mars

Contact Date: 12/12/2022 **On Behalf Of:** Maksym Mars
Contact Purpose: Investigate Referral **Staff Person:** Jacqueline Liao
Participant(s):
Method: Telephone **Location:** **Status:** Completed

Telephone Contact with Professional Provider, Dylan Smith:

On 12/12/22, SW spoke with the Professional Provider from the agency "Caring Supervised Visits and Exchange Services," Mr. Dylan Smith [(831) 718-0064]. Mr. Smith stated he was the worker who professionally supervised the father's child custody visit on 12/10/22. Mr. Smith stated he was outside the bathroom and did not see the bruise to the child's thigh when the father took a photo of the bruise.

J. Liao, ER91

Contact Date: 12/12/2022 **On Behalf Of:** Maksym Mars
Contact Purpose: Investigate Referral **Staff Person:** Jacqueline Liao
Participant(s): Maksym Mars
Method: In-Person **Location:** Home **Status:** Completed

Interview of the Child, Maksym Mars (age 7):

On 12/12/22, SW interviewed the child, Maksym Mars (age 7). The child appeared healthy, clean, and was appropriately dressed. SW interviewed the child using a Russian language telephone interpreter [Voiance, Max #063059]. SW tested the child's understanding of a truth and a lie using a pen, and the child understood the difference and agreed to tell the truth. The child stated he is in 1st grade at Vargas Elementary School. The child stated he feels safe with the mother. When asked if he feels safe with the father, the child stated he does not know. When asked if he has a bruise on the back of his left thigh, the child stated, "I don't know." When asked what happens when he gets in trouble, the child stated the mother will take away his phone. The child denied the mother has ever hit him, stating, "She never does that." When asked if the father hits him, the child stated, "He slaps me on the butt." The child stated the father has only slapped him on the butt, and does not slap him anywhere else on his body. The child denied the mother has ever slapped him on the face or hurt him anywhere on his body.

The child stated, "My dad would say my mom wants to take me to Ukraine, but my mom isn't going to do that." When asked if anyone smokes at home, the child stated he does not know. The child stated he is never left home alone. The child stated he has never seen his parents hit or push each other. At this point in the interview, SW invited the mother into the room and asked her to show SW the bruise on the back of the child's thigh. The mother removed the child's pants, and SW observed a red bruise to the back of his left thigh. SW took a photograph of the bruise with the mother's consent [photograph in file]. When asked what happened to cause the bruise, the child stated, "I tripped on the cord, it hurt." The mother and child then led this SW to the living room to show the location of where the incident

occurred. The child stated he tried to jump through the area between the coffee table and the couch, tripped on the laptop charging cord, and hit the back of his thigh on the corner of the coffee table. SW took a photograph of the cord, laptop, and coffee table [photograph in file]. A global assessment was completed and no other safety concerns were identified at this time.

J. Liao, ER91

Contact Date: 12/12/2022 **On Behalf Of:** Maksym Mars
Contact Purpose: Investigate Referral **Staff Person:** Jacqueline Liao
Participant(s): Hanna Mars
Method: In-Person **Location:** Home **Status:** Completed

Interview of the Mother, Hanna Mars:

On 12/12/22, SW interviewed the mother, Hanna Mars, during an unannounced home visit to the address provided in the referral. Upon arrival, the mother invited SW inside the home. The home was clean and organized, with functioning utilities, and no visible safety hazards. The mother reported she can understand some English, but stated her primary language is Ukrainian and Russian. The mother agreed to speak with this SW using a telephone Russian language interpreter [Voiance, Max #063059]. The allegations and concerns were reviewed with the mother. The mother stated she feels the father is reporting these allegations because she filed a restraining order against him and he currently has supervised visitation with the child. SW informed the mother that the reporting party is confidential by law, and she understood.

Regarding the alleged red bruise that was observed to the back of the child's left thigh, the mother confirmed the child does have a bruise in that area but denied that it was due to physical abuse. The mother stated on 12/8/22, she and the child were playing Minecraft together in the living room. The mother stated her laptop computer was sitting on the coffee table, and she was in the process of charging it. The mother stated the laptop charging cord extended between coffee table and the wall outlet. The mother stated the child tried to physically jump through the area between the sofa and the coffee table, but accidentally hit the laptop charging cord when he jumped, which caused him to hit the back of his left thigh on the corner of the coffee table. The mother described the incident as accidental.

Regarding additional allegations, the mother denied that she slapped the child on the face in July 2022. The mother also denied pulling the child by the hands towards her in June 2022. The mother stated the father has slapped the child on the hands in August 2022 when the child said he did not want to go to school. The mother stated the father has also held and pulled the child by the arm when he was resistant in going to school. The mother stated she does not believe the child was injured due to the father's actions.

Further, the mother denied that she is planning to take the child to Ukraine. The mother stated that most of her family is in Ukraine, but there is a war going on in that country and she has no plans to take the child there. However, the mother stated that even though she has told the father she has no plans to bring the child to Ukraine, he continues to accuse her that she will do so. A global assessment was completed. The mother denied that she or the father have any diagnosed mental health concerns. The mother stated she has a Ukrainian-speaking psychologist whom she talks to weekly. The mother stated the child does not have therapy and reported she does not think he needs one at this time. The mother stated she disciplines the child by taking his phone away. The mother stated the child has never witnessed

any physical domestic violence between herself and the father. The mother stated the father would control her financially, and control her using the green card. The mother denied any other safety concerns at this time.

J. Liao, ER91

Contact Date: 12/12/2022 **On Behalf Of:** Maksym Mars
Contact Purpose: Investigate Referral **Staff Person:** Jacqueline Liao
Participant(s): Kostiantyn Mars
Method: Telephone **Location:** **Status:** Completed

Telephone Contact with the Father, Kostiantyn Mars:

On 12/12/22, SW made telephone contact with the father, Kostiantyn Mars. SW introduced the role and purpose of contact. The allegations and concerns were reviewed with the father. The father disclosed 2 days ago on 12/10/22; he saw a "reddish bruise" the size of 2-3 quarters on the back of the child's left thigh during a professionally supervised visit with the child at his home. The father disclosed he saw the bruise when the child was using the bathroom. The father stated he took a picture of the bruise, but was not allowed to ask the child what caused the bruise, or if the child felt safe with the mother. The father stated he suspects the bruise was caused by physical abuse to the child by the mother.

The father stated he thinks the mother caused the bruise by punishing the child. The father stated he has these thoughts because towards the end of July 2022, he saw the mother slap the child on the face, and reported the child was trying to punch the mother. The father reported in June 2022, he saw the mother try to pull the child by the hands to get him to physically go with her, and the child was crying and resistant. The father stated the mother is "very emotional" and has had a psychologist since at least 2020. The father stated the mother might have a "mental disorder." The father stated the mother has said she wants to take the child to Ukraine, which concerns him due to the Ukraine war and leads him to believe the mother is threatening to kill the child.

The father stated he has professionally supervised visitation three times a week with the child, on Tuesdays and Thursdays from 3:30pm - 5:30pm, and on Saturdays, from 3:00pm to 5:00pm. The father stated the visits are supervised by the agency, Caring Supervised Visits and Exchange Services. The father stated he has been in a relationship with the mother for approximately 7.5 years. The father reported the mother filed a temporary restraining order against him because she alleged domestic violence by him, and alleged that he prohibited her from getting a green card. The father described the mother's allegations as "lies." The father stated the family is due back in court in January 2023 to finalize the divorce and custody agreement. The father denied any concerns related to sexual abuse or substance abuse, and reported he disciplines the child by talking to him. The father provided his email address, constantine.mars@gmail.com. The father texted this SW a photograph of the bruise that he took on 12/10/22 [photograph in file].

J. Liao, ER91

NAME OF AGENCY:	Santa Clara County Social Services Agency Department of Family and Children's Services	DATE	12/06/2023
STREET ADDRESS	373 West Julian Street	COUNTY	Santa Clara
CITY AND ZIP CODE	San Jose, California 95110	NAME OF SOCIAL WORKER	Enedina Serrano
CASELOAD ID	ER52 Enedina Serrano	TELEPHONE	(408) 501-6675

EMERGENCY RESPONSE REFERRAL INFORMATION

REFERRAL NAME:	Mars, Hanna	REFERRAL NUMBER:	1714-9818-4997-9153935
<input checked="" type="checkbox"/> EVALUATE OUT	<input type="checkbox"/> IMMEDIATE	<input type="checkbox"/> 3 DAY	<input type="checkbox"/> 5 DAY
<input type="checkbox"/> 10 DAY	<input type="checkbox"/> N/A SECONDARY REPORT		

SCREENER INFORMATION

NAME	Winn, Christina	TITLE	Social Worker II	DATE	12/04/2023	TIME	12:07pm
CASELOAD #	CN25 Christina Winn	PHONE NUMBER	(408) 501-6559	LOCATION	Julian Office		

ALERTS:

LAW ENFORCEMENT AGENCY

POLICE REPORT NUMBER

HOME ADDRESS

1201 Sycamore Ter Bldg 145 Sunnyvale, California 94086	PHONE NUMBER (424) 542-4870
ADDRESS COMMENTS [NOTE] This is the mother's address and phone#. CN25.	

CURRENT LOCATION OF CHILD(REN)

[NOTE] The child resides with the mother at the common address. The mother has full custody of the child. As of 11/29-11/30 both parent's have a restraining order against each other. CN25.

VICTIM INFORMATION

NAME Maksym Mars				AKA (if applicable)		SOCIAL SECURITY #	
DOB 11/23/2015	AGE 8	AGE CODE Year(s)	SEX M	ETHNICITY White - European*	LANGUAGE Russian	ICWA ELIGIBILITY Not Asked	
SCHOOL/DAYCARE NAME							

SCHOOL/DAYCARE ADDRESS

ABUSE CATEGORY (See Screener Narrative Attached) Emotional Abuse Emotional Abuse Physical Abuse	ALLEGED PERPETRATOR NAME Hanna Mars Kostiantyn Mars Hanna Mars
CASE WORKER NAME (FOR OPEN CASE)	PHONE # (FOR OPEN CASE)
CASELOAD #	

OTHERS IN THE HOME

NAME Hanna Mars		AKA (if applicable)		SOCIAL SECURITY #
SEX F	DATE OF BIRTH/AGE 02/19/1989	LANGUAGE Russian	WORK PHONE	
ROLE Mother (Birth)		FOR/TO Maksym Mars		
CASE WORKER NAME		PHONE #	CASELOAD #	

OTHERS NOT IN THE HOME

NAME Kostiantyn Mars		AKA (if applicable)		SOCIAL SECURITY #
SEX M	DATE OF BIRTH/AGE 04/20/1987	LANGUAGE English	WORK PHONE	
ROLE Father (Birth)		FOR/TO Maksym Mars		
ADDRESS 880 Willow St Apt 6 San Jose, California 95125-2336			PRIMARY PHONE (424) 542-9709	
CASE WORKER NAME		PHONE #	CASELOAD #	

COLLATERAL INFORMATION

NAME		
ROLE		FOR/TO
ADDRESS		PRIMARY PHONE
CONTACT DATE	CONTACT METHOD	DESCRIPTION

CROSS REPORT INFORMATION

AGENCY Sunnyvale Police Department	OFFICIAL CONTACTED	TITLE	
ADDRESS Sunnyvale Police Department P. O. Box 3707 Sunnyvale, California 94088-3705		PHONE NUMBER	BADGE NO.
CROSS REPORTED BY Winn, Christina		DATE & TIME OF REPORT 12/05/2023	

REFERRAL HISTORY

REFERRAL ID 0997-4411-9487-4148022	CLIENT NAME Maksym Mars	REFERRAL ROLE Victim	REFERRAL DATE 12/12/2022
ALLEGATION TYPE General Neglect Physical Abuse		ALLEGATION DISPOSITION Unfounded Unfounded	

REFERRAL HISTORY

REFERRAL ID 0997-4411-9487-4148022	CLIENT NAME Hanna Mars	REFERRAL ROLE Perpetrator	REFERRAL DATE 12/12/2022
ALLEGATION TYPE Physical Abuse		ALLEGATION DISPOSITION Unfounded	

REFERRAL HISTORY

REFERRAL ID 0997-4411-9487-4148022	CLIENT NAME Kostiantyn Mars	REFERRAL ROLE Perpetrator	REFERRAL DATE 12/12/2022
ALLEGATION TYPE General Neglect		ALLEGATION DISPOSITION Unfounded	

REPORTER INFORMATION

NAME	AGENCY OR ORGANIZATION	RELATIONSHIP

<input type="checkbox"/> ANONYMOUS REPORTER	<input type="checkbox"/> MANDATED REPORTER	<input type="checkbox"/> FAMILY INFORMED
<input type="checkbox"/> APPLICATION FOR PETITION	<input type="checkbox"/> CONFIDENTIALITY WAIVED	<input type="checkbox"/> FEEDBACK REQUIRED

Referral Number: 1714-9818-4997-9153935
Referral Date 12/04/2023

SCREENER NARRATIVE

ALLEGATIONS (Who, What, Where, When, How, Who Else Knows, Why Now?) COLLECT AND RECORD INFORMATION ABOUT THE FOLLOWING RISK FACTORS:

1. **PRECIPITATING INCIDENT** (Severity, frequency; location and description of injury; history of abuse)
2. **CHILD CHARACTERISTICS** (Age, vulnerability, special circumstances; perpetrator's access; behavior, interaction with caretakers, sibling and peers)
3. **CARETAKER CHARACTERISTICS** (Capacity for child care; interaction with children, other caretakers; skill, knowledge; substance abuse, criminal behavior, mental health)
4. **FAMILY FACTORS** (Relationships, support systems; history of abuse; presence of parent substitute; environmental conditions; family strengths)
5. **DOMESTIC VIOLENCE/ABUSE FACTORS** (Safety risks; pattern of assaults on, threats to, and/or stalking of household members; forced social isolation or economic deprivation; weapons present in the home and used as a threat; prior law enforcement or emergency medical response(s); history of domestic violence/abuse; medical neglect; violation of restraining orders; mental health issues; other risk factors)

Referral Source:

Family Composition/Composition of the Home: According to the RP, this is a non-intact, Ukrainian and English and Russian speaking family. The family consists of the mother, Heather Jensen, the father, Kostiantyn Mars, and their child, Maksym (age 8). The child resides with the mother at the common address.

According to the RP, the parents have been going through a divorce since 09/19/2022, and the mother has had temporary full custody of the child since 09/15/2022; further, it was reported that the mother has a restraining order against the father and the father has a restraining order against the mother since 11/29/23 or 11/30/23.

When asked, the RP denied knowledge of information to indicate military service for the parents.

When asked, the RP denied knowledge of information of Native American ancestry for the family.

Referring Party Details of Concern: There is concern for the child, Maksym, as on 11/23/23, the father went to visit the child unannounced at the mother's home, which resulted in the mother pulling the child by the right arm above the elbow to go back in the house, which places the child's health and safety at risk.

It was reported that the child was able to get out of the grip of the mother by pulling himself away; further, the mother and father had a verbal argument about the father not being able to see the child due to court orders. It was reported that the father left the home after the mother "slammed" the door in front of the father.

Further, as on 11/24/23, the father returned to the mother's house to check on the child. It was reported that the mother told the father he had to leave, which lead to mother and father calling law enforcement on each other and the mother and father filing a restraining order on each other, which was granted on either 11/28/23 or 11/29/23. The Sunnyvale Police Department Case #EV233280052.

When asked, the RP stated that the father went to the home on 11/23/23 because of a past incident that occurred in December 2022 about the child receiving bruises from the mother (Referral ID #0997-4411-9487-4148022). It was reported that due to the incident dated in December 2022, the father wanted to conduct a wellness check. Further, it

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was reported that the father called law enforcement to conduct a wellness check before arriving to the home; however, the father was unsure what the outcome of the call was.

According to the RP, the father will have contact with the child during Christmas or the beginning of January. It was reported that the mother is trying to get the child's passport so that the mother and child can go back to Ukraine.

Protective Factors: There were no reported protective factors at this time.

COVID-19 QUESTIONS: *(Pertains to all individuals living in the home or residence)*

- Has anyone in the **home tested positive** for COVID-19 in the past 14 days or awaiting results of a COVID-19 test? **Unaware**
- In the past 14 days has anyone in the household had any of the following symptoms:
 - Fever : ☐ YES ☐ NO: ☒ UNKNOWN
 - Cough : ☐ YES ☐ NO: ☒ UNKNOWN
 - Shortness of breath : ☐ YES ☐ NO: ☒ UNKNOWN
 - Chills : ☐ YES ☐ NO: ☒ UNKNOWN
 - Muscle Pain: ☐ YES ☐ NO: ☒ UNKNOWN
 - Headache : ☐ YES ☐ NO: ☒ UNKNOWN
 - Sore Throat : ☐ YES ☐ NO: ☒ UNKNOWN
 - Loss of Taste or Smell : ☐ YES ☐ NO: ☒ UNKNOWN
 - Diarrhea : ☐ YES ☐ NO: ☒ UNKNOWN
 - Nausea with vomiting : ☐ YES ☐ NO: ☒ UNKNOWN
- Has anyone in the home had close contact with a person who tested positive for COVID-19 with a laboratory confirmed testing in the last 14 days? **Unaware**
- Is anyone in the home under quarantine by the local public health department or a medical professional? **Unaware**

CWS History:

Preliminary CPS Search History Result: ☒ YES ☐ NO

Previous Services Provided: ☒ NO or ☐ VFM ☐ VFR ☐ IS ☐ FM ☐ FR ☐ PPLA

Write if Open case or Open Referral please indicate who are the following: N/A

SW Name: N/A

Social Work Supervisor: N/A

SSPM: N/A

Date of most recent referral allegation and Conclusion: 12/12/2022 - General Neglect and Physical Abuse - Unfounded

Decision and Rationale: Refer to Emergency Response for a 10-day follow up to assess the risk and safety of the child, Maksym, due to alleged physical abuse on the mother and alleged emotional abuse on the parents (i.e.,

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caregiver action that likely caused or will cause injury and caregiver actions have led or are likely to lead to child's severe anxiety, depression, withdrawal, or aggressive behavior toward self or others), and due to the young age of the child (8), which places the child at increasing risk. This will be cross-reported to the Sunnyvale Police Department and District Attorney's Office.

Abuse Category: Physical Abuse and Emotional Abuse

Worker Name and Number: Christina Winn, CN25

Addendum:

The SDM was marked physical abuse category, and checked for caregiver action that likely caused or will cause injury (other than very minor unless child is under 1 year old). It was also marked for emotional abuse, but does not meet the definition. However, there was no injury to the child. The RP is the father again, Last year he made a report in December (they had court scheduled for that following January) and child denied his allegations at that time. A corrected SDM results in a non-response. Per consult with WOOC ER SSPMII this referral will be evaluated out.

Angel Kelly SWS ER5A