



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:

[REDACTED]

BORN: 12/25/07

DATE OF INCIDENT: 4/7/12

DATE OF ORAL REPORT: 4/7/12

FAMILY KNOWN TO:

The family was not known to any children and youth agency prior to this report

REPORT FINALIZED ON: 6-19-13

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. 6349 (b))

Reason for Review:

Senate Bill 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Philadelphia County has convened a review team in accordance with Act 33 of 2008 related to this report, on 5/4/12.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
██████████	Child	12/25/07
██████████	Mother	██████/88
██████████	Father (Incarcerated)	Adult

Notification of Child Near Fatality:

On 4/7/12, the Philadelphia Department of Human Services received a call ██████████ concerning a child victim, ██████████, age 4. Earlier on 4/7/12, ██████████ found his mother's handgun under her pillow on her bed. The child shot himself with the gun. The child victim suffered injuries to his diaphragm, stomach, and kidneys. The child was in critical condition at St. Christopher's Hospital. The Mother, ██████████, stated that she was downstairs at the time of the incident, and that she thought the child was downstairs as well. She heard the gunshot, and rushed upstairs to her bedroom. She did not realize that he had been shot until she lifted his shirt.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families obtained and reviewed all case records pertaining to ██████████ and his mother, ██████████. Follow-up interviews were conducted with the Caseworker, ██████████, on 4/9/12, 4/16/12, and 5/4/12, and Detective ██████████ from the Special Victims Unit, on 4/19/12. The regional office also participated in the Act 33 fatality meeting on 5/4/12.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

The Family was not known to any Children and Youth Agency Prior to this report.

Circumstances of Child Near Fatality and Related Case Activity:

On April 6, 2012, [REDACTED] mother was "familiarizing herself with her gun," when she fell asleep in bed, and put the gun under her pillow.

On April 7, 2012, [REDACTED] picked up her son [REDACTED] at daycare on her way home from work. As soon as they were home, [REDACTED] went to his mother's room. His mother was downstairs when she heard the gunshot. She ran upstairs, lifted his shirt, and saw that he had been shot. She carried him outside, calling for her neighbors to help. A police officer who was in the area stopped, and drove Ms. [REDACTED] to St. Christopher's Hospital, where the child was found to be in critical condition. The child victim suffered injuries to his diaphragm, stomach, and kidneys. [REDACTED]

[REDACTED] The child is also in [REDACTED].

On May 3, 2012, [REDACTED] was [REDACTED] to his mother's care.

On May 4, 2012, the report [REDACTED] for the mother, "as child sustained serious injury and impairment as a result of mother's failure to keep deadly weapon out of child's reach."

Detective [REDACTED] of the Special Victims' Unit stated to DPW that "everything appears to be accidental," and that "the child shot himself." The detective explained that the gun is a single-action gun, and that the trigger pull would amount to 3 to 4 pounds. He stated that [REDACTED] "never picked the gun up," as the bullet appeared to have passed through 3 layers of sheets and a thin layer of mattress, which were analyzed by the Philadelphia Police Department. Detective [REDACTED] stated that the child seemed to have pulled the trigger without moving the gun at all.

Current Case Status:

- The victim child was [REDACTED] to his mother's care on 5/3/12, with no medications and no medical equipment. The child is expected to make a full recovery with no long term health issues from the gun shot incident.
- Ms. [REDACTED] has turned her gun over to the police, and she has asked that the police not return her gun to her. She has stated that she does not want to purchase another gun in the future. She currently does not have any guns in her possession.
- The family is not court-involved, as [REDACTED] mother, has been entirely cooperative with In-Home Protective Services (IHPS).
- The Family Service Plan goals for Ms. [REDACTED] are to complete a parenting class, attend individual and family therapy, cooperate with IHPS.
- Per Detective [REDACTED] there will not be any criminal charges, as the mother's actions were irresponsible, but her actions did not constitute a crime.

County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child Near Fatality Report:

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- Strengths: Team members felt that the DHS social worker did an excellent job in her investigation of the case, as well as communicating with the Special Victims Unit, and documenting everything about the case in her notes.
- Deficiencies: None
- Recommendations for Change at the Local Level: None
- Recommendations for Change at the State Level: None

Department Review of County Internal Report:

The Department has received and reviewed the report provided by the county. This case revolves around a tragic incident involving a gun. The county's report did not discuss possible actions to be taken to keep children safer from gun violence, as these actions are not in the purview of the child welfare system.

Department of Public Welfare Findings:

- County Strengths: All team members appear to have worked well together.
- County Weaknesses: None
- Statutory and Regulatory Areas of Non-Compliance: None

Department of Public Welfare Recommendations:

It is recommended that the Commonwealth of Pennsylvania enact legislation to promote gun safety in families with young children through the gun manufacturers.