



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

## REPORT ON THE NEAR FATALITY OF:



**Date of Birth: 3/22/10**  
**Date of Incident: 6/30/13**  
**Date of Oral Report: 6/30/13**

### FAMILY NOT KNOWN TO:

The Philadelphia Department of Human Services

**REPORT FINALIZED ON: 02/06/2014**

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.

(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 not convened a review team in accordance with Act 33 of 2008 related to this report, as the allegation was unfounded within 30 days of the report.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Child	3/22/10
[REDACTED]	Sibling	[REDACTED]/07
[REDACTED]	Sibling	[REDACTED]/13
[REDACTED]	Mother	[REDACTED]/86
[REDACTED]	Father	[REDACTED]/85
[REDACTED]	Father's Paramour	Unknown

\*Family members who do not live with the child full-time

**Notification of Child Near Fatality:**

On 6/30/13, [REDACTED] age 3, was sitting alone in his room playing, while his father, [REDACTED] and his father's paramour, [REDACTED], were folding clothes in another room. The window was open near [REDACTED] to cool the room and there was a screen in the window. His father reported that he was folding clothes when he heard a scream from the backyard. [REDACTED] went outside to check on it, [REDACTED] lying on the ground. The father stated that he panicked and picked [REDACTED] up and carried him into the house, not knowing what to do. A neighbor called 911. The father stated that he had heard that if someone has a head injury, others should try to keep the individual awake, so he kept talking to the child to keep him awake and alert. He also stated that he had no suspicion that anyone had caused the injury. The child was taken to St. Christopher's hospital, where he was [REDACTED], but he did have [REDACTED]. [REDACTED] Officer [REDACTED] of the Special Victims Unit found that the screen locks on the window that [REDACTED] fell out of were broken, though it was unknown if the locks were broken before the fall, or as a result of the fall. The report was called in to [REDACTED] on 6/30/13, and certified as a near-fatality at that time.

### **Summary of DPW Child Near Fatality Review Activities:**

The Southeast Regional Office of Children, Youth and Families obtained and reviewed all current case records pertaining to the [REDACTED] family. Interviews were conducted with DHS social work staff on 8/1/13 and 1/28/14.

### **Children and Youth Involvement prior to Incident:**

The family had no children and youth involvement prior to the incident.

### **Circumstances of Child Near Fatality and Related Case Activity:**

- On June 30, 2013, [REDACTED] was playing alone in his room, when his father and father's paramour heard a scream from outside. The father went outside check on it, and he found his son lying on the ground in the back yard.  
[REDACTED] He was taken to the hospital, where he was treated for a [REDACTED], a [REDACTED], and a [REDACTED].
- On June 30, DHS visited the father's home to assess safety, and no safety threats were found.
- On July 1, 2013, DHS [REDACTED] and his family in the hospital and conducted interviews with each parent.
- On July 3, 2013, [REDACTED] from St. Christopher's Hospital with [REDACTED], and an appointment with [REDACTED].
- On July 18, 2013, the CY-48 was completed, and the case was unfounded.

### **Current Case Status:**

- The child was returned home to his mother on 7/3/13, [REDACTED]. He had an appointment for standard [REDACTED] follow-up care to ensure that his injuries were healing appropriately.
- The case was unfounded, as the incident was found to be accidental. The father and his paramour were appropriately supervising the child at the time of the incident.
- DHS advised the family to move the child's bed and other furniture away from the window to decrease the likelihood that he would fall out of the window.
- The family was not accepted for services.
- The child was allowed to resume visits with the father as desired. The father visited the child at the mother's house soon after the child's return home.
- No criminal charges will be filed regarding this incident.

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

An Act 33 review was not convened because the case was unfounded within 30 days.

**Department of Public Welfare Findings:**

- County Strengths: The County responded in a timely and thorough manner.
- County Weaknesses: None noted.
- Statutory and Regulatory Areas of Non-Compliance: None

**Department of Public Welfare Recommendations:**

It is recommended that DPW and DHS disseminate information to help prevent children falling from open windows, which could include using information from the Kids Can't Fly organization, Stop at 4" to Stop Window Falls, or the Children's Hospital of Philadelphia Kohl's Injury Prevention Program.