



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 11/10/13
Date of Incident: 10/12/14
Date of Oral Report: 10/13/14

FAMILY NOT KNOWN TO:

Philadelphia County Department of Human Services

REPORT FINALIZED ON:
06/22/2015

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 had convened a review team in accordance with Act 33 of 2008 related to this report on November 17, 2014.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	11/10/13
[REDACTED]	Sibling	[REDACTED]/13
[REDACTED]	Half-Sibling	[REDACTED]/12
[REDACTED]	Mother	[REDACTED]/94
[REDACTED]	Mother's Paramour	[REDACTED]/90
* [REDACTED]	Father	[REDACTED]/92
* [REDACTED]	Father of Half-Sibling	Unknown

*Neither father resided with their child(ren) at the time of the incident. Since the report, the twins reside with their father and the half-sibling resides with her father.

Notification of Child Near Fatality:

On October 13, 2014, Philadelphia Department of Human Services (DHS) received a [REDACTED] report alleging that the victim child was brought to St. Christopher's hospital where she tested positive for tetrahydrocannabinol (THC) and opiates. No one saw the child ingest anything. The mother's paramour takes [REDACTED] and smokes marijuana and the maternal grandmother takes [REDACTED]. It was reported that the child was difficult to rouse. A report was registered for lack of supervision resulting in a physical condition naming the mother and the mother's paramour as they were the primary caretakers for the child.

Summary of DPW Child Near Fatality Review Activities:

For this review the Southeast Region Office (SERO) reviewed all records and case notes for the victim child during the investigation. Southeast Region Office reviewed Philadelphia County DHS' investigation/assessment and structured case notes. Interviews were completed with the investigative social worker as well as the social worker from the contracted in-home services

provider. Southeast Region Office attended the Act 33 Review Team meeting held on November 07, 2014.

Children and Youth Involvement prior to Incident:

The family had no prior history with any children and youth agency.

Circumstances of Child Near Fatality and Related Case Activity:

Philadelphia County DHS received the referral regarding the child on October 13, 2014 and immediately assigned the case to assess the victim child's safety. A safety assessment was completed and a safety threat was identified in that the caregivers could not explain the injuries to the victim child. A safety plan was developed that all three of the children would reside with the victim child's biological father until further investigation was conducted. The mother was permitted supervised visits with the children. The victim child [REDACTED] to her father's care on October 15, 2014. The father has since obtained custody of his two children. There are no developmental delays for the victim child. The half-sibling's father also obtained custody of his child on November 18, 2014 and she now resides in his home. Philadelphia County DHS made itself available for the custody hearings in support of Act 107 of 2013 which states the court can subpoena the county file when making decisions about custody when there is [REDACTED] involvement with county agencies. On November 4, 2014 Philadelphia County DHS began [REDACTED]. The case was closed with Philadelphia County DHS on November 24, 2014 as the family situation was stabilized. The family declined [REDACTED].

The Philadelphia County DHS social worker interviewed the mother, father, mother's paramour, paternal grandmother, medical staff and law enforcement. There were concerns noted regarding the inconsistent statements of the mother and the mother's paramour. On November 10, 2014, the Child Protective Services report was indicated on the mother and mother's paramour for a lack of supervision resulting in a physical condition. The criminal investigation continues.

Current Case Status:

There are no safety concerns for the children in their respective father's care. The victim child's father continues to follow through with all medical appointments. The mother was arrested on January 26, 2015 for Aggravated Assault, Simple Assault, Endangering the Welfare of Children, Recklessly Endangering Another Person, and Conspiracy and is being held at [REDACTED] Correctional facility. There is an arrest warrant for the mother's paramour. The police are searching for the mother's paramour as he soon after the incident packed all his belongings and moved out of the home. The mother's paramour's whereabouts continue to be unknown.

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

Strengths:

The agency noted the social worker did a thorough investigation and a commendable job with her assessment of possible domestic violence issues between the mother and her paramour.

Deficiencies:

Concerning was the fact that the police were not notified immediately about the incident. Police were informed on 11/4/14 when the date of incident was 10/13/14. Their investigation was significantly hindered by such late notification. The crime scene was compromised and a search for narcotics was not able to be done timely. DHS has addressed this issue by establishing new quality assurance requirements and adding this measure to their Child Stat reviews.

Recommendations for Change at the Local Level:

No recommendations for change identified.

Recommendations for Change at the State Level:

No recommendations for change identified.

Department Review of County Internal Report:

The Department has received and reviewed the report provided by Philadelphia County DHS dated February 4, 2015. The Department is in agreement with Philadelphia County DHS' findings.

Department of Public Welfare Findings:

County Strengths:

Philadelphia County DHS provided clear documentation in the case notes and investigation report. All relevant parties were interviewed. Philadelphia County DHS collaborated with other stakeholders throughout the investigation and was diligent in support of Act 107 of 2013. The Philadelphia County DHS social worker demonstrated skill in assessing for domestic violence issues.

County Weaknesses:

Delay in law enforcement notification hindered the Philadelphia County DHS investigation.

Statutory and Regulatory Areas of Non-Compliance:

No areas of non-compliance were identified.

Department of Public Welfare Recommendations:

Philadelphia County DHS continues with thorough investigations and should strive to enhance all social workers skill levels in the area of domestic violence.

