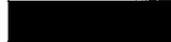




**pennsylvania**  
DEPARTMENT OF HUMAN SERVICES

**REPORT ON THE NEAR FATALITY OF:**



**Date of Birth: 9/21/2014**  
**Date of Incident: 10/14/2014**  
**Date of Oral Report: 10/21/2014**

**FAMILY KNOWN TO:**

Cumberland County Children & Youth Services

**REPORT FINALIZED ON:**

03/23/2015

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 Child Line 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 Child Line. Cumberland County has convened a review team in accordance with Act 33 of 2008 related to this report.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	9/21/2014
[REDACTED]	Mother	[REDACTED] 1999
* [REDACTED]	Father	[REDACTED] 1992
[REDACTED]	MGM	[REDACTED] 1978
[REDACTED]	Step Grandfather	[REDACTED] 1969
[REDACTED]	Aunt	[REDACTED] 2004
[REDACTED]	Aunt	[REDACTED] 1995

\*Non HHM

**Notification of Child Near Fatality:**

The date of incident was 10/14/2014. The date of oral report was 10/21/2014.

Father reports he was home and had just fed the child. Father laid the child down on her back to change her diaper. Father said he looked away and the dog jumped on the child. Father said child was screaming. Father picked child up and child's breathing sounded funny. Child threw up and there was some red in it. Child then stopped breathing

Father said her breathing stopped for a minute and then would start again for 20 minutes. Mother and maternal grandmother (MGM) got home. Mother said child was limp at that point and they called an ambulance. The ambulance came 15 minutes later and child was transported to the [REDACTED] hospital that day. [REDACTED] states the story does not match the injury. [REDACTED] stated there is a suspicion of non-accidental injury. [REDACTED] certified child to be in critical condition as a result of suspected physical abuse.

## Summary of DPW Child Near Fatality Review Activities

The Central Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to the [REDACTED] family. Follow up interviews were conducted with the Caseworker, the Supervisor on November 19, 2014 and February 3, 2015. The Regional office also participated in the County Internal Fatality Review Team meetings on November 10, 2014 where copies of the medical reports were presented.

### Children and Youth Involvement prior to Incident:

Cumberland County CYS had one prior report on this family. A General Protective Services (GPS) referral was opened for assessment from 4/4/14 until 4/28/14. The referral was given to the county from ChildLine as a Law Enforcement Only (LEO) but the county accepted it for a GPS assessment due to the concerns. Concerns in that referral included [REDACTED] being [REDACTED] to a 20 year old male ([REDACTED]) and that the mother of [REDACTED] knew of this and allowed it to continue. These concerns were invalidated by the county and the assessment was closed. The mother, [REDACTED], admitted that she kept the relationship secret from her mother, [REDACTED]. The father, [REDACTED], was not a household member or a caregiver, therefore it was not a Child Protective Services investigation for the county. The case was not opened for services at that time as [REDACTED] was having only supervised contact with [REDACTED]. That supervision was initiated by [REDACTED]' mother, [REDACTED]. Criminal Charges were filed against [REDACTED] including: Statutory Sexual Assault: 4-8 years older; Unlawful Contact with Minor-Sexual Offenses; and Corruption of Minors-Defendant Age 18 or Above were filed against [REDACTED]. He pled guilty to Statutory Sexual Assault: 4-8 years older and was sentenced to a minimum of 11 months 15 days to 23 months incarceration. A no contact order was issued between [REDACTED]. The other two charges were dismissed.

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

The date of the incident was 10/14/2014. The date of the oral report was 10/21/2014. Father reports he was home and had just fed the child. Father laid the child down on her back to change her diaper. Father said he looked away and the dog jumped on the child. Father said child was screaming. Father picked child up and child's breathing sounded funny. Child threw up and there was some red in it. Child then stopped breathing.

Father said her breathing stopped for a minute and then would start again for 20 minutes. Mother and MGM got home. Child's lips were purple and child's hands and feet were cold. Father said he couldn't call anyone because he didn't have a phone. Mother said child was [REDACTED] at that point and they called an ambulance. The ambulance came 15 minutes later and child was transported to [REDACTED] hospital that day.

Child was [REDACTED] and started having [REDACTED]. There was a concern about an infection. Child had an [REDACTED] done and child has [REDACTED] injury to her [REDACTED] between [REDACTED] and [REDACTED] states the story does not match the injury. [REDACTED] stated there is a suspicion of non-

accidental injury. [REDACTED] certified child to be in critical condition as a result of suspected physical abuse.

**Current Case Status:**

[REDACTED] remains in the care of her maternal grandmother, [REDACTED] is to remain in the home as well. [REDACTED] is not permitted to have contact with [REDACTED] or his daughter [REDACTED]. Criminal charges were filed against [REDACTED] for statutory sexual issues. The case was indicated by Cumberland County CYS on 12/17/2014 based on the medical evidence and the CPS investigation. The criteria for the Child Protective Services Law have been met.

On 1/20/2015 [REDACTED] pled guilty of simple assault and 1 count of endangering the welfare of children. He was sentenced to a period of 24 months supervised probation. [REDACTED] is currently incarcerated for other crimes. At Court the Judge set a no contact arrangement for [REDACTED] and [REDACTED] and [REDACTED] and [REDACTED]

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

- Strengths:  
Both [REDACTED] were provided literature and spoke with nurses about newborn care upon coming home. Cumberland County Children & Youth Services responded quickly to the situation and are actively working with both [REDACTED] to insure [REDACTED] is safe and well cared for.
- Deficiencies:  
None
- Recommendations for Change at the Local Level:  
There is some concern about the perceived regularity with which Cumberland County Children & Youth Services are dealing with a dad or boyfriend who when upon initial caring of the baby some trauma occurs.
- Recommendations for Change at the State Level:  
None

**Department Review of County Internal Report:**

The county report was received on November 19, 2014 while discussions with the county regarding the report and its contents took place. One factor in this case is the systemic issue of parenting particularly as it relates to [REDACTED] and [REDACTED]. When the child became willful the mother tried to parent her. The conflict between mother and daughter led [REDACTED] to run to her aunt's home where supervision was lacking. The Department concurs with the county report's findings and recommendations. Written feedback was provided to the county regarding their report on February 9, 2015.

**Department of Public Welfare Findings:**

- County Strengths:  
Cumberland County Children & Youth Services responded quickly to the situation and are actively working with both [REDACTED] and [REDACTED] to insure [REDACTED] is safe and well cared for.
- County Weaknesses:  
None
- Statutory and Regulatory Areas of Non-Compliance:  
None

**Department of Public Welfare Recommendations:**

Cumberland County Children, Youth and Family Services conducted a thorough and timely investigation in conjunction with the law enforcement officials. Safety assessments were completed. Referrals for services were completed and necessary services were coordinated for the family. It is recommended that these practices continue throughout the county.