



REPORT ON THE NEAR FATALITY OF:



Date of Birth: 05/21/2013
Date of Incident: 09/13/14
Date of Oral Report: 09/14/2014

FAMILY NOT KNOWN TO:

Children and Youth Services

REPORT FINALIZED ON:

10/20/2015

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. Section 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 has convened a review team on August 11, 2014 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	05/21/2013
[REDACTED]	Mother	[REDACTED] 1992
[REDACTED]	Maternal Grandmother	[REDACTED] 1975
[REDACTED]	Father	[REDACTED] 1992
[REDACTED]	Paternal Grandmother	[REDACTED] 1976
[REDACTED]	Paternal Great Great Grandmother	[REDACTED] 1940
[REDACTED]	Sister	[REDACTED] 2012
[REDACTED]	Mother's Paramour	[REDACTED] 1988
[REDACTED]	Paternal Step-Grandfather	[REDACTED] 1978

Victim child and victim's sibling live with their Maternal Grandmother who lives down the street from the victim's mother.

Notification of Child Fatality:

The Philadelphia Department of Human Services received a report [REDACTED] [REDACTED] on September 14, 2014 at 2:44am. The victim child had arrived to St. Christopher Hospital for the reason that he was found unresponsive by his mother. The victim child gave the impression to have suffered from drug intoxication due to a lack of supervision. The victim child was also observed with physical injuries. The victim child was found by his mother, in the crib, around 7:30pm to be unresponsive. The mother was concerned and contacted 911. The victim child seemed to be lethargic with dilated pupils. The victim child's symptoms appeared to be the result of drug intoxication.

The hospital performed a urine screen and the results were positive for Heroin in the victim child's system. The mother laid claim to not knowing anything about drugs. While at the hospital, mother's paramour, disclosed to [REDACTED] physician that he is a Heroin abuser.

Summary of DPW Child Fatality Review Activities:

The Southeast Region Office of Children, Youth and Families obtained and reviewed current CPS investigative information including the CY-48 as well as written case documentation from the Philadelphia Department of Human Services. Included in the packet of information were medical records from St. Christopher Hospital for Children as well as investigative information,

[REDACTED] The Southeast Region Program Representative also reviewed information from the Act 33 meeting which was held on October 03, 2014 at 9:30am held at the District Attorney's Office where a comprehensive case presentation was completed.

Summary of Services to the Family:

The victim child and his sibling are currently residing with their paternal grandmother and their paternal step-grandfather. The paternal grandparents are receiving kinship care and case management services through [REDACTED] Philadelphia Department of Human Services. The victim child's medical care is up to date and has follow up care with Children's Hospital of Philadelphia. The victim child has been referred [REDACTED] The victim child's mother has cooperated [REDACTED] and attends weekly parenting classes. The victim child's father has liberal visitation with the children [REDACTED]

Children and Youth Involvement prior to the Incident:

The family had no prior history with Children and Youth Services.

Circumstances of the Fatality and Related Case Activity:

On September 14, 2014, the Department of Human Services received a Child Protective Services report alleging that a 16-month-old victim child was found by his mother unresponsive in his crib. When paramedics arrived at the home, they [REDACTED] and the victim child responded. The victim child was taken to St. Christopher's Hospital. A urine analysis was positive for Heroin. Further examination revealed that the victim child had lateral marks on his back and partially healed blisters on his forehead and thighs. According to the reporter, the victim child was also treated at St. Christopher's Hospital on August 31, 2014, for [REDACTED] and a diaper rash, and again on September 1, 2014, for [REDACTED] and

blisters on his inner thighs. The reporter stated that the victim child [REDACTED] [REDACTED]. The mother reported that the maternal grandmother was the primary caretaker for the victim child and the victim child's 2-year-old sister; however, the children were in the care of the mother on the day of the incident. The mother's paramour admitted to using Heroin but stated that he hides his drug use from the mother and the children. According to the police, the paramour had a criminal history that included six prior arrests related to drugs. The mother denied that she was aware of the paramour's history of drug use. Police executed a search warrant of the home and confiscated empty Heroin bags, small rubber bands used to tie the bags, and green bags used to package marijuana.

The report was assigned to a Hotline Social Work Services Manager (SWSM) for immediate investigation. The Hotline SWSM visited the victim child at St. Christopher's and observed his injuries. [REDACTED] reported that the victim child was supposed to [REDACTED]. She stated that the mark on the victim child's forehead could have been caused by [REDACTED] [REDACTED]. According to [REDACTED], the mother could not recall the last time the victim child had been [REDACTED]. The marks on the victim child's thighs and back were of an unknown origin. The Hotline SWSM also observed scrapes just above the victim child's upper lip.

The Hotline SWSM interviewed the mother [REDACTED] where she was also being questioned by the police. The mother reported that because she cannot handle their behaviors, the victim child and sibling both reside with the maternal grandmother. On the day of the incident, the maternal grandmother had errands to run so she dropped the children off at the mother's home at approximately 10 am. The mother stated that she started feeding the children lunch at noon, and that her paramour finished feeding the children while she went to another room. The mother stated that she kept checking on the children and that she could hear them laughing and having a good time with her paramour. The children played for the next several hours. At approximately 4:30 pm, the mother laid the children down for a nap. She stated that prior to going to take a nap herself, she "removed all dangerous items from the room," which, when asked, she identified as a roll of toilet paper and added that she shut the window. When she returned to the room at 7:30 pm to check on the children, the victim child was unresponsive.

The mother reported that she was unable to explain how [REDACTED] had ingested Heroin. She denied that she had been previously aware of her paramour's drug use. She also denied knowing about the bruises on the victim child's back. She stated that the mark above the victim child's lip was due to his lips being very dry and the mark to his forehead was [REDACTED]. Regarding the injuries to the victim child's thighs, the mother reported that the victim child sustained the injuries while he was with his father. She stated that the victim child had been taken to the hospital [REDACTED] and she had been using [REDACTED] on the victim child's thighs.

The maternal grandmother agreed to allow the Hotline SWSM to visit her home and assess the victim child's sibling's safety. The sibling did not appear to have any physical injuries. The Hotline SWSM informed the family that the sibling needed to be taken to the hospital for examination.

On September 15, 2014, the report was reassigned to an Intake SWSM. The maternal grandmother reported that she began caring for the children when the mother moved from her home to the paramour's home. They live on the same street as the maternal grandmother and the mother reportedly visited with the children on a daily basis. The maternal grandmother reported that she did not like it when the children went to the mother's home and added that she usually does not ask the mother to watch the children. The children's maternal uncles, who reside in the maternal grandmother's home, usually watch the children in the maternal grandmother's absence, but they were not home on the day of the incident. As a result, the maternal grandmother stated that she asked the mother to watch the children in her home. However, the mother picked up the children at 9 am and took them back to her house. At approximately 4 pm, the MGM returned home and sent the mother a text message inquiring about the children. The mother stated that the children were asleep and that she would return them to the maternal grandmother when they woke up. At approximately 6 pm, the mother came running to the maternal grandmother's home. She was upset so the maternal grandmother ran to the mother's house where she observed the victim child to be unresponsive.

The mother restated her account of events leading up to the victim child's hospitalization. She continued to deny that she was aware of any drug use occurring in the home. The mother appeared to be apprehensive when answering questions about her paramour and the Heroin. The mother ceased cooperation with the investigation following this interview. The paramour did not comply with the Intake SWSM's attempts to interview him.

[REDACTED]

The children were placed in foster care through [REDACTED]

[REDACTED]

The children's biological father was not aware of the victim child's hospitalization until the maternal grandmother contacted him when the children were placed. Although involved in the children's lives, the father is unable to provide care for the children at this time. The paternal grandparents offered to provide care for the children. They cooperated with the assessment process and on September 29, 2014, the children moved to the paternal grandparent's home. The Child Protective Services report was

indicated on October 23, 2014. [REDACTED] Police Department continues to investigate the incident.

History of family's involvement with DHS:

The family had no prior history with DHS.

Current Case Status:

At the time of the report, the family did not have an open case with DHS and was not receiving services.

On September 23, 2014, [REDACTED] assumed case management services for the family.

The victim child and sibling began receiving kinship care service [REDACTED] on September 29, 2014. The children remain in the care of their paternal grandparents.

[REDACTED]

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

The Philadelphia County Office of Children and Youth conducted and completed an appropriate Child Protective Services investigation within 30 days fulfilling all regulatory requirements of the CPSL and Chapter 3490. There are no recommendations or weaknesses at this time.

Strengths in compliance with statutes, regulations and services to children and families, including cooperation between law enforcement and county agencies during investigations of suspected child abuse investigations:

The Team felt that a competent Child Protective Services investigation was completed by the Philadelphia Department of Human Services worker which included numerous contacts with the family, medical information from the Children's Hospital of Philadelphia and a police investigation conducted by the [REDACTED] Police Department.

The Team felt that case documentation was thorough and that the caseworker informed and consulted with her supervisor and administrator at appropriate intervals during the Child Protective Services investigation.

County Weaknesses:

No weaknesses were identified.

Statutory and Regulatory Areas of Non-Compliance by the County Agency where the fatality or near fatality occurred and where the child and family resided within the 16 months preceding the near fatality:

Areas of non-compliance were not identified

Department of Human Services Recommendations:

There were no recommendations.

The Philadelphia County Office of Children and Youth conducted and completed an appropriate Child Protective Services investigation within 30 days fulfilling all regulatory requirements of the CPSL and Chapter 3490

There are no recommendations or weaknesses at this time.