



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 09/24/2004
Date of Incident: 11/15/2014
Date of Report: 11/16/2014

FAMILY WAS KNOWN TO:

Philadelphia County Department of Human Services

REPORT FINALIZED ON:

09/29/2015

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, the Department, through OCYF, must conduct a review and provide a written report of all cases of suspected child abuse that result in a 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 fatality or near fatality is substantiated or when a status determination has not been made regarding the report within 30 days of the report to ChildLine. Philadelphia County convened a review team in accordance with Act 33 of 2008 related to this report. The county review team was convened on December 9, 2014.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	09/24/2004
[REDACTED]	Mother	[REDACTED] 1977
[REDACTED]	Father	[REDACTED] 1976
[REDACTED]	Sibling	[REDACTED] 2006

Notification of Child Near Fatality:

On November 16, 2014, Delaware County Children and Youth Services (CYS) received a Child Protective Services (CPS) report alleging that on November 15, 2014, ten year old victim child shot himself in the head with his father's gun. The police were called and the victim child was transported to Mercy Fitzgerald Hospital. The victim child was later transported to Children's Hospital of Philadelphia (CHOP). The victim child was in critical condition but expected to survive. The bullet went through the victim child's left mandible through the back of the head. [REDACTED]

[REDACTED]

Summary of OCYF Child Near Fatality Review Activities:

The Southeast Region Office of Children Youth and Families (SERO) obtained and reviewed all current and past case records, hospital records, interviews conducted by the county workers and police reports pertaining to the family. Interviews were conducted with Delaware County administrator, Philadelphia County Worker, Supervisor and Administrator, on November 18, 2014, November 24, 2014,

December 06, 2014, January 15, 2015, March 01, 2015, April 15, 2015 and May 07, 2015. SERO attended the Act 33 review on December 03, 2014.

Children and Youth Involvement prior to Incident:

On December 03, 2013, a General Protective Services report came in to Philadelphia DHS alleging that the victim child was engaging in sexual intercourse with his sister. It was noted that the victim child [REDACTED] due to acting out behavior. The report stated that the parents were not aware of the sexualized behavior of the children. The children were referred for a forensic interview and both denied the allegations and the case was closed.

Circumstances of Child Near Fatality and Related Case Activity:

On November 09, 2014, the victim child shot himself in the head. The victim child and his sister, [REDACTED], were left in the father's truck while his father worked on a friend's car at an auto body shop in [REDACTED], Pennsylvania. The father reported that on the day of the incident the mother dropped the children off at the shop because she had to go to work. The father reported that he did not expect the children so when they arrived he did not remember to put the gun in the tool box where he usually keeps the gun. The gun was in the glove compartment. The children were eating lunch and listening to the radio in the truck while the father worked. The victim child found the gun and shot himself. The victim child's sister was not injured. The father called 911 and the police transported the child to the hospital giving him CPR while the other officer drove the car. The father attributes the officer to saving his son's life.

The father has a permit to own a gun. The father picks his wife up from work late at night and got it for protection.

The police interviewed the parents and determined that this was a horrible accident. The father was not charged. The gun is usually locked in his tool box. The report was generated in Delaware County because the incident occurred there. The parents reside in [REDACTED]. On January 13, 2015 the case was indicated and received by ChildLine for lack of supervision. The report was transferred from Delaware County to Philadelphia County on February 01, 2015. The [REDACTED] Police Department conferred with the District Attorney's Office, and concurred that no charges would be filed against either parent as the incident was a tragic accident. The case was opened with [REDACTED] on December 08, 2015 while the child was still at CHOP.

Current Case Status:

The victim child returned home [REDACTED] on February 19, 2015. The victim child [REDACTED] continues to make significant progress. [REDACTED]

[REDACTED]

[REDACTED] The family was also referred [REDACTED]
[REDACTED] The case was closed [REDACTED]
[REDACTED] on May 01, 2015. [REDACTED]

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

Strengths:

Both counties collaborated well with the medical staff, the police and the [REDACTED] [REDACTED] to ensure that the victim child and the family needs are met.

The investigation was conducted in a thorough manner.

Deficiencies:

There are no issues of deficiencies.

Recommendations for changes at the state and local levels on monitoring and inspection of county agencies:

The team recommended that DHS confer with the Philadelphia Police Department to determine if free gun locks are available for DHS case managers to provide to the families who have legally-owned weapons.

Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse:

Department Review of County Internal Report:

The county Act 33 report was completed on February 03, 2015. SERO discussed the report with the county in March 2015 and is in agreement with the county findings.

Department of Human Services Findings:

County Strengths:

Delaware County Children and Youth and the Department of Human Services worked well together during the investigation.

County Weaknesses:

None Identified

Statutory and Regulatory Areas of Non-Compliance by the County Agency where
the
None Identified

Department of Human Services Recommendations:

The public should be better educated about gun safety. This should be a collaborative effort by schools, social service agencies, community groups (i.e. churches) and police.