



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 10/30/13
Date of Incident: 3/21/15
Date of Report to ChildLine: 3/21/15
CWIS Referral ID: [REDACTED]

**FAMILY NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME
OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:**

Luzerne County Children and Youth

REPORT FINALIZED ON:
10/2/15

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:

Pursuant to the Child Protective Services Law, 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.

The Child Protective Services Law 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.

Luzerne County convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 4/14/15.

Family Constellation:

	Victim Child	10/30/13
	Mother	█/90
* █	Father of █	█/84
	Maternal Half Sibling	█/11
* █	Father of █	unknown
	Mother's Paramour	unknown
	Mother's Half Sister	█/91
	█ Paramour	█/91
	█ Son	█/10

* Denotes an individual that is not a household member or did not live in the home at the time of the incident, but is relevant to the report.

Summary of OCYF Child Near Fatality Review Activities:

The Northeast Regional Office of Children, Youth and Families (NERO) reviewed all records pertaining to the family. NERO staff participated in the Act 33 meeting that occurred on 4/14/15.

Children and Youth Involvement Prior to Incident:

The family was not known to Luzerne County Children and Youth; however, they did have involvement with Child Welfare in █. Although requested, Luzerne County Children and Youth has not received any information from █ as of the writing of this report.

Circumstances of Child Near Fatality and Related Case Activity:

On 3/21/15, law enforcement and EMS responded to the home for an unresponsive one year old child. The victim child was brought to Hazleton General Hospital where it was determined that she had [REDACTED]. She was flown to Lehigh Valley Hospital Cedar Crest. The adults in the home could not provide a plausible explanation for the injuries; mother stated that the victim child's three year old sibling caused the injuries to the victim child. Mother reported that the three year old sibling was very rough with the victim child and was observed numerous times, within the week prior to this, jumping on the victim child's stomach. The medical evidence does not support this explanation. The victim child was hospitalized until 3/27/15. During her hospitalization, it was learned that she also had [REDACTED]. There was no explanation offered by the adults in the household for these injuries. The victim child's three year old sibling and the victim child's four year old cousin, who also resided in the home, were interviewed [REDACTED]. The victim child's sibling disclosed ongoing physical abuse by his mother. The cousin disclosed that the victim child's sibling got hit regularly. The mother admitted to hitting the victim child's sibling hard when she is angry.

All of the adult household members took polygraphs except for the victim child's mother who refused.

[REDACTED] the victim child and her sibling; they are currently residing in a kinship home with their aunt and uncle. The victim child has recovered from her injuries and is doing well. Due to her current incarceration, the mother has been unable to engage in the recommended [REDACTED].

The victim child's father has been residing in [REDACTED] since October, 2014. He returned to PA when his daughter was injured and remained at the hospital for her entire admission. He is requesting custody of his daughter; however, he has housing and drug and alcohol issues that need to be addressed.

The Child Protective Services (CPS) investigation was completed by Luzerne County Children and Youth. On 5/18/15, the mother was INDICATED for causing Bodily Injury to her daughter. The mother was arrested on 5/21/15; charged with Aggravated Assault, Simple Assault, Endangering Welfare of Children and Recklessly Endangering Another Person. She is currently in prison awaiting trial.

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

- Strengths in compliance with statutes, regulations and services to children and families;

The county internal report indicated that the CPS staff responded to the report appropriately, interviewing all parties involved, there were no

regulatory deficiencies identified and the child's medical records were obtained.

- Deficiencies in compliance with statutes, regulations and services to children and families;

The county internal report indicated that the CPS staff encountered a great deal of difficulty obtaining the child protective service records from [REDACTED].

- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse;

The county internal report indicated that there was a need for more community education regarding child safety, early childhood education and early developmental assessments.

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

No recommendations were made.

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

The county internal report identified that there needs to be a protocol established addressing the length of time it takes to obtain records from other states' child protective service agencies.

Department Review of County Internal Report:

The report was received by the Northeast Regional Office on 7/31/15. It appears to be an accurate reflection of the Act 33 meeting that occurred on 4/14/15; however, it was not submitted to the Department within the required 90 days.

Department of Human Services Findings:

- County Strengths:

Act 33 team meetings are scheduled timely and held within the required timeframe.

A case summary, including household composition at the time of the incident, was completed prior to the Act 33 team meeting and was made available to team members.

- County Weaknesses:

Although the Act 33 team meeting was scheduled and held timely, the report was not submitted to the Department within the required 90 days.

Despite the agency's request, the agency was not able to obtain the child welfare records from [REDACTED].

- Statutory and Regulatory Areas of Non-Compliance by the County Agency.

The county Act 33 report was not submitted to the Department within the required 90 days.

Department of Human Services Recommendations:

It is recommended that the county agency establish an internal protocol including Director to Director requests to obtain information from other Child Welfare agencies; including those from out of state.

It is also recommended that case summaries and family trees/genograms continue to be made available in all cases to team members for their reference during the Act 33 team meetings.