



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE FATALITY OF:

Bryson Shoemaker

Date of Birth: 10/14/2013

Date of Death: 5/5/2015

Date of Report to ChildLine: 5/5/2015

CWIS Referral ID: [REDACTED]

FAMILY KNOWN TO COUNTY CHILD WELFARE AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

**Lycoming County Children and Youth Services
Clinton County Children and Youth Services**

REPORT FINALIZED ON:

07/24/2015

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. Lycoming County Children and Youth Services (LCCYS) convened a review team in accordance with Act 33 of 2008 related to this report. Clinton County Children and Youth participated in the meeting as well. The joint county review team meeting was convened on 05/26/2015.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
Bryson Shoemaker	Victim Child	10/14/2013
[REDACTED]	Mother	[REDACTED] 1990
[REDACTED]	Mother's Paramour	[REDACTED] 1995
[REDACTED]	Household Member	[REDACTED] 1992
[REDACTED]	Household Member	[REDACTED] 1987
[REDACTED]	Household Member	[REDACTED] 2015
[REDACTED]	Household Member	[REDACTED] 2013
[REDACTED]	Household Member	[REDACTED] 2009
[REDACTED]*	Father	[REDACTED] 1990

* [REDACTED] is not a household member, but is relevant to the report as the victim child's biological father.

Summary of OCYF Child Fatality Review Activities:

The Central Region Office of Children, Youth and Families (CROCYF) obtained and reviewed all case records pertaining to the family, which included medical records, [REDACTED], and the Agency casework dictation that outlined contact with the family. Follow up interviews were conducted with the Caseworker, Supervisor, and Case Management Services Director on 05/18/2015 and 06/26/2015. The regional office also participated in the County Internal Fatality Review Team meeting on 05/26/2015 where details of medical reports, [REDACTED], and case history were presented.

Children and Youth Involvement prior to Incident:

On 07/07/2014, a [REDACTED] referral was assessed by LCCYS. The mother's home was reportedly cluttered; lice and roach infested, and contained animal feces. The child was reportedly sleeping in a pack-n-play that was falling apart. The home was observed to be somewhat cluttered but there were no health or safety concerns noted during the visit. The child was in a pack-n-play to sleep but its condition was safe for the child and his size at the time. The case was closed due to the allegations being invalid.

On 01/22/2015, a [REDACTED] referral was received by LCCYS. The allegations consisted of reports that the mother never feeds the child and she calls him fat. The home also reportedly had roaches and was dirty. Attempts were made to reach the family at the Lycoming county address. It was learned that the family had relocated to Clinton County and a referral was made to Clinton County Children and Youth Services (CCCYS). CCCYS visited the home, ample amounts of food were found and the child was observed to be dirty from eating. The child appeared to be of a healthy weight, developmentally on track, and the housing conditions were found to be appropriate. CCCYS utilized the [REDACTED] Assessment Scale, an evidence-based assessment tool to assess a variety of family needs but the need for additional services was not warranted. The home was without oil for heat and the family was utilizing the stove as heat until oil was delivered. The family was provided with education on safe heating methods and provided with smoke and carbon monoxide detectors. Involvement with the family was closed [REDACTED] on 02/12/2015.

Circumstances of Child Fatality and Related Case Activity:

On 05/05/2015, Lycoming County Children and Youth received a referral [REDACTED] regarding Bryson Shoemaker. According to the referral, the child was with the [REDACTED] who was playing with the child, throwing the child in the air, and WWE wrestling with him. The mother was at work at the time of the incident. The paramour dropped Bryson and the child fell and hit the back of his head and became unresponsive on 05/05/2015. The child was initially taken to Jersey Shore Hospital [REDACTED] and sent by helicopter to Geisinger Medical Center. Bryson had [REDACTED]. The physician reported that based on [REDACTED], it was not an acute injury, but had a chronic component to it. The child was taken to [REDACTED]. The child was taken to [REDACTED]. Bryson Shoemaker was pronounced dead at 10:02 pm. The coroner determined the cause of death as homicide.

The mother's paramour was detained by the Pennsylvania State Police (PSP) and charged with involuntary manslaughter, aggravated assault, and reckless endangerment. He was to be relinquished to [REDACTED] Prison pending bail.

PSP advised LCCYS that the mother did not have any additional children, however, there were three additional children residing in the home. The Agency interviewed the sister of the mother's paramour and her paramour [REDACTED]. They reported that they were roommates of the mother and her paramour and had three children living in the home. The two families had resided together for approximately one month. These parents presented as well bonded with the children and appeared able to provide for the safety and care of their children. The children were observed to be clean and adequately nourished. The family would temporarily return to the shared residence and were able to assure the safety of the children, as their uncle would remain incarcerated. A subsequent visit to the home on 05/06/2015 validated level of care and supervision of the other household children. [REDACTED] sister and her paramour did not witness the incident and denied any prior concerns about the care or treatment of the victim child. The sister's paramour was home at the time of the incident and was in the shower. The unresponsive child was brought to his attention as he made a brief attempt to resuscitate the victim child. The sister's paramour immediately transported Bryson and the mother's paramour to Jersey Shore Emergency Room. Bryson's mother did not return to the residence but was staying with family.

Subsequent contact [REDACTED] indicated that the mother's paramour's recount of the incident was not consistent. It was initially reported that the child was thrown into the air and he was not caught. Later retellings indicated that the paramour was doing WWE wrestling moves, attempting to slam Bryson on the bed but missed and slammed the child onto the hard wood floors. [REDACTED] physician determined the Bryson's death to be a non-accidental trauma. This determination was made as the medical findings do not coincide with the explanation of the injuries. Bryson suffered severe [REDACTED] injuries which were [REDACTED] and a result of a significant level of force. The coroner deemed the cause of death to be homicide with additional autopsy finding of internal bruising/bleeding in child's mid-section, particularly the liver and pancreas. The level of injury reveals the injuries could not have occurred in a playful manner.

Bryson's mother was interviewed on 05/12/2015. The mother reported being in a relationship with her paramour since 11/2014. She denied any domestic violence or significant contact with her paramour. Their relationship was mutually supportive and he would act as the primary caretaker of Bryson when the mother was working. On the date of incident, the mother left for work at 3:30 p.m. and was not able to access her cell phone during her shift. She was not aware of the situation until she received a call on her work phone from her paramour indicating the child was in the hospital because he "dropped the baby." At the emergency room, the mother's paramour disclosed that he "tossed the baby up in the air but did not catch him." He did not make any statements about wrestling. The mother did not believe her paramour would ever intentionally harm her child. The mother was offered supportive services and was able to [REDACTED]. The agency reached out to Bryson's father but he did not reciprocate contact.

The mother's paramour was interviewed by LCCYS on 06/11/2015 at [REDACTED] Prison. He reported that after the mother left for work he was play wrestling with the victim child. He described several wrestling moves in which the child was thrown onto the bed; however, at one point, the mother's paramour was distracted by something on television and missed the bed. The child hit his head on the floor and became unresponsive. The child went limp and the caretaker attempted to perform CPR to the best of his ability. They received a ride to the hospital from his sister's paramour. [REDACTED] denied any intention to hurt the child but acknowledged that his actions caused the victim child's injuries.

The investigation was concluded on 06/19/2015 [REDACTED]

[REDACTED] The mother's paramour remains incarcerated and is awaiting his preliminary hearing. The case was closed with LCCYS as there are no other children in the family unit. The mother is residing with the maternal grandmother and her paramour's sister's family is considered a separate household. The mother was seeking [REDACTED] and she declined any additional supportive services from LCCYS.

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

- Strengths in compliance with statutes, regulations and services to children and families; The Fatality Review team did not make any notations in this area.
- Deficiencies in compliance with statutes, regulations and services to children and families; The Fatality Review team did not identify any concerns in regards to this area.
- 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 Fatality Review team recommended the consideration for additional assessment tools to evaluate family needs beyond risk and safety. It was also recommended that multiple home visits be considered even when a referral is invalid at initial assessment. It was also suggested that general parent education include a component regarding having a full awareness of the background and capability of those you select to care for your children.
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and The Fatality Review team did not make any recommendations in this area.
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse. The Fatality Review team did not make any recommendations in this area.

Department Review of County Internal Report:

The Lycoming County Internal Fatality Review Team held an Act 33 meeting on 05/26/2015 where medical information and case history were presented. Clinton County Children and Youth was also represented and presented their case history with the family in conjunction with LCCYS. The County report was received by the Region on 06/17/2015. On 07/07/2015, CROCYP notified the LCCYS Director of Case Management Services, via letter that the report on Bryson Shoemaker was reviewed and the regional office concurred with the findings of the report of the Act 33 review team. It was recommended to LCCYS to expand upon strengths, deficiencies and specific recommendations portions of their report to provide a clear and broad perspective of the local group in the assessment of the fatality.

Department of Human Services Findings:

- County Strengths:
 - LCCYS worked in collaboration with the state and state law enforcement Agencies as well as with attending medical providers to conduct a thorough investigation.
 - LCCYS and CCCYS held a joint ACT33 Meeting allowing for all CYS involvement to be available to the review team.
 - LCCYS worked with the family in a respectful and professional manner in the wake of the child's death.
 - LCCYS met time frames and other regulatory requirements within the investigatory process.
 - CCCYS utilized an evidence-based assessment tool (NCFAS) to assess a variety of family needs during prior short term involvement with the family.

- County Weaknesses: and
 - No weaknesses were identified.

- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
 - No areas of non-compliance were noted.

Department of Human Services Recommendations:

- LCCYS should continue to work in collaboration with partnering community agencies to gauge a comprehensive assessment and seamless investigation.
- LCCYS is encouraged to consider the benefits of the implementation of a comprehensive evidence based in-home assessment tool that caseworkers could utilize to gauge families overall strengths and needs during the initial phase of case assessment. Such tools aide in the development of a complete family profile, support the decision making process, and help identify action steps for service delivery.

- Assessments where allegations are deemed invalid on a single home visit should clearly and thoroughly document the evidence to support the lack of validity of each identified concern.
- Case review with a supervisor should clearly document concurrency with the case determination.