



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 06-02-2009

Date of Incident: 8-17-2013 to 8-18-2013

Date of Oral Report: 08-21-2013

FAMILY NOT KNOWN TO:

Allegheny County Office of Children Youth and Families

REPORT FINALIZED ON:

08/10/2015

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. Allegheny 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	06/02/2009
[REDACTED]	mother	[REDACTED] 1982
* [REDACTED]	father	[REDACTED] 1979
[REDACTED]	mother's paramour	[REDACTED] 1988
* [REDACTED]	father's paramour	[REDACTED] 1986
* [REDACTED]	half-sibling	[REDACTED] 2008
* [REDACTED]	maternal grandmother	[REDACTED] 1954
* [REDACTED]	maternal grandfather	[REDACTED] 1952

*denotes person was not a household member

Notification of Child (Near) Fatality:

On August 21, 2013, the agency received a Child Protective Services (CPS) report stating that the child was admitted to Children's Hospital of Pittsburgh on 08/19/2013 due to stomach pain and throwing up. The child was found to have a [REDACTED] without a history of trauma. The child was in critical condition and this was a very large injury. It is unknown if the child would survive. There are accidental ways that this can happen, but physical abuse cannot be excluded. The case was registered as a near fatality with an unknown perpetrator being named at the time of the report.

Summary of DPW Child (Near) Fatality Review Activities:

The Western Region Office of Children, Youth and Families (Department) obtained and reviewed all current case records pertaining to the [REDACTED] family. The regional office also participated in the County Internal Fatality Review Team meetings on October 17, 2013 in which the caseworker provided details regarding the investigation; medical personnel presented the medical findings of the case; and law enforcement presented an update regarding the criminal investigation.

Children and Youth Involvement prior to Incident:

There was no prior involvement with Allegheny County Office of Children, Youth and Families, or any other county children and youth agency.

Circumstances of Child (Near) Fatality and Related Case Activity:

After the report was received Allegheny County Office of Children, Youth and Families (ACOCYF) responded to Children's Hospital of Pittsburgh to interview the mother who reported having no knowledge of how the child obtained the injury. She reported that the child's father was very involved in his life. She provided a detailed account of the child's whereabouts, beginning with Friday 08/15/2013 at which time the child was visiting his father. He returned to his mother the afternoon of 08/16/2013. On 08/18/2013, she reported to have checked on the child at 10:30 am as he was not yet awake. She found vomit in his bed, and the child was complaining of pain in his stomach. At this point, the mother attributed the illness to a virus and treated it as such. The morning of 08/19/2013, she reported the child's condition had worsened and that he was becoming lethargic. She contacted the Primary Care Physician (PCP) who advised her to take the child to Children's Hospital of Pittsburgh.

According to the medical professionals, the child was deemed a previously healthy 4 year old who was admitted to Children's Hospital of Pittsburgh on 08/19/2013 with [REDACTED] that was the result of trauma. [REDACTED] and considered to be life-threatening. [REDACTED]

[REDACTED] he could have died within 24-48 hours. [REDACTED], the child's stomach was hard. [REDACTED]

[REDACTED] The physicians determined that it would have taken a tremendous amount of force to cause [REDACTED]. The child did not have any external bruising. [REDACTED]

[REDACTED] causes immediate, though often vague symptoms; however, the trauma would have caused tremendous pain which would have resulted in an involuntary scream; and that the child would not have been able to eat after the incident.

The mother reported that the last time the child ate was 08/17/2013 late in the evening. The mother provided inconsistent information to ACOCYF and the medical personnel regarding whether or not her paramour was in the home at the time of the incident. The paramour denied that he resided in the mother's home. The paramour stated he recently relocated to [REDACTED] from [REDACTED]. The address that he provided is an empty lot. He refused to sign for the agency to complete a criminal background check; however, through an internet search the agency found that he has a history of assault in [REDACTED]; and that he has lived in [REDACTED] and [REDACTED] while playing college and arena football. It was shortly after this interview that the paramour left [REDACTED] and his location is currently unknown.

On 09/09/2013, the child had a forensic interview and voiced fear of the mother's paramour and that the paramour punched him when he was in his bed and demonstrated this with a closed fist. The child remained hospitalized until 09/11/2013 at which time [REDACTED] the child's safety could not be assured due to the fact the statements the mother made did not rule out her involvement or knowledge of how the child sustained the injury. The agency placed the child with his maternal grandparent. The parents were both in agreement with this placement. [REDACTED]

[REDACTED] It was also recommended that the mother [REDACTED] as she reported to being [REDACTED]

On 10/28/2013, ACOCYF submitted the CY 48 as Indicated based on medical evidence and CPS investigation. The mother and her paramour were considered the perpetrators. On 11/21/2013, ACOCYF filed a supplemental report to the original petition which stated that the mother complied with all of the child's medical follow-up appointments; consistently attended [REDACTED]; and, ensured that the child [REDACTED]. She is also participating in [REDACTED]. The child is also attending [REDACTED] preschool. [REDACTED] The mother has had no contact with her paramour and ensures that he has no contact with her son.

Current Case Status:

[REDACTED] His father continues to visit with the child and the child spends a lot of time with his maternal grandparents. On 9/22/2013, charges of aggravated assault and endangering the welfare of children were filed against the mother's paramour. A warrant was issued and remains outstanding as his whereabouts are unknown. Allegheny County Office of Children Youth and Families closed the family's case on 12/23/2013.

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

- Strengths: The agency responded immediately to the report and conducted a thorough and timely investigation. The medical professionals complimented the caseworker on her professional demeanor and comprehensive assessment during a difficult investigation.
- Deficiencies: No deficiencies were noted.
- Recommendations for Change at the Local Level: The review team recommended adherence to the joint investigative protocol related to interviewing children who are

subjects of abuse reports (i.e., limiting independent child interviews when law enforcement and children, youth and families are conducting joint investigations.

- Recommendations for Change at the State Level: The above recommendation was also made for change at the state level.

Department Review of County Internal Report:

The Department received the agency internal report December 2013

Department of Public Welfare Findings:

- County Strengths: The Department concurs with the agency strengths as the caseworker was diligent in interviewing all parties, and also completing follow-up interviews in an effort to clarify inconsistent information. The caseworker also obtained and reviewed all of the child's medical records and gathered detailed information from the medical professionals. The Department also identifies strength in the assessment process which assisted the agency in ensuring the collaboration with the mother in ensuring that appropriate therapeutic intervention occurred. The agency maintained on-going communication with the involved agencies.
- County Weaknesses: There were no weaknesses identified.
- Statutory and Regulatory Areas of Non-Compliance: There were no statutory or regulatory areas of non-compliance identified.

Department of Public Welfare Recommendations:

The Department has no specific recommendations at this time.