



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE FATALITY OF:

Janessa Davis

Date of Birth: 3/10/10
Date of Death: 5/6/14
Date of Oral Report: 5/6/14

FAMILY NOT KNOWN TO:

Monroe County Children and Youth Services

REPORT FINALIZED ON:
2/18/2015

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 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. Monroe 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>
Janessa Davis [REDACTED]	Victim Child (VC) Great grandmother/ Primary Caregiver	3/10/10 [REDACTED]/57
[REDACTED]	Household Member	[REDACTED]/98
[REDACTED]	Household Member	[REDACTED]/01
[REDACTED]	Household Member Mother (MO)	[REDACTED]/01 [REDACTED]/92

Notification of Child Fatality:

On May, 6, 2014 [REDACTED] a report that stated that 4-year-old Janessa had died after being found unresponsive in her home. Janessa resided with her great grandmother through an informal arrangement made between the great grandmother and the child's mother. Janessa had resided with her great grandmother since she was 3 weeks old. It was reported that Janessa had been sick for 4 days preceding her death. She was coughing, had a runny nose and a fever. Reportedly on May 4, 2014 Janessa's mother visited with her and the great grandmother asked Janessa's mother to take the child to the hospital because the child had been sick. The great grandmother was unable to take Janessa to the hospital as she did not have formal custody paperwork that would allow her to secure medical treatment. Allegedly the Janessa's mother refused to take her to secure medical treatment. The great grandmother then borrowed two days' worth of [REDACTED] from a neighbor. On May 4, 2014 the great grandmother gave Janessa three dosages of the [REDACTED] and one dose on May 5, 2014. On May 6, 2014 the great grandmother found the child unresponsive and called 911. When the ambulance arrived Janessa was deceased. [REDACTED] a fatality report.

Summary of DPW Child Fatality Review Activities:

The Northeast Regional Office (NERO) investigation consisted of a review of the [REDACTED] file, interviews with Monroe County Children and Youth Services (MCCYS) staff, review of the VC's medical records, and participation in an internal agency meeting regarding the VC.

Children and Youth Involvement prior to Incident:

The family was not known to MCCYS prior to this incident.

Circumstances of Child Fatality and Related Case Activity:

Upon receipt of the [REDACTED] report, MCCYS and the [REDACTED] Police Department ([REDACTED] PD) visited with the great grandmother to begin [REDACTED] into Janessa's death. Other children in the home were assessed and no issues or problems were reported regarding their care. Given the unknown cause of Janessa's death, it was recommended the other children have medical assessment completed. Those exams subsequently occurred in the following days and no issues were reported.

On May 7, 2014 MCCYS was informed by [REDACTED] PD that there are symptoms present in VC that may be indicative of [REDACTED]. Janessa's eyes were red and swollen. She had a fever for four days. The [REDACTED] PD reported [REDACTED]. Bloodwork had to be done and tests were pending. Given the potential [REDACTED] [REDACTED] the family until May 15, 2014.

On May 19, 2014 MCCYS [REDACTED] and [REDACTED] PD interviewed [REDACTED] at her home. She reported that Janessa got sick on 5/1/14 with a cough and a runny nose. Janessa was given Children's Motrin. The next day, the child had a fever of 101 along with the cough and runny nose and was again given Children's Motrin along with Pediacare. The medication appeared to relieve the child's symptoms. On 5/3/14, Janessa was described as having a runny nose but was still playful. Her appetite was good. On 5/4/14 Janessa went to the park. Janessa slept fine during the days mentioned. [REDACTED] stated that on 5/5/14, Janessa had a little cough but no other symptoms. She was happy and playful. Janessa had a bath and went to bed around 9-9:30 PM. [REDACTED] stated that she woke up on 5/6/14 around 5AM to get the older children ready for school and that she glanced over and made sure that Janessa had blankets on. [REDACTED] didn't notice if Janessa was breathing or not. Once the other children went to school, [REDACTED] went back to bed. At around 9am, she received a call from her friend who was going to pick her up to do errands. [REDACTED] reported that she got up and took a shower and then came back to her room to get Janessa. That is when she discovered that Janessa wasn't breathing. [REDACTED] called 911. Janessa was described as being found on her belly and her head was facing the wall.

██████████ reported that Janessa got very sick, but didn't have any allergies or breathing problems. One day Janessa reportedly complained that her throat was hurting. ██████████ stated that she obtained ██████████ from her neighbor and gave Janessa one dose on Saturday (5/3/14) and 2 doses on Sunday (5/4/14). Janessa was not sick a lot in the past. Her ██████████ did not feel that Janessa was sick enough to be seen by a doctor. She stated that if Janessa was worse, she would have taken her to the doctor. Reportedly Janessa was not throwing up or having diarrhea. She was going to the bathroom normally. There were no noted changes in Janessa's diet. Janessa did not have any rashes or spots on her.

On May 20, 2014 MCCYS held a staffing. The coroner reported that Janessa had a cold, laryngitis, tonsillitis and strep throat. Janessa's tonsils and throat were so swollen that it may have obstructed her airway. The results of the ██████████ were still pending as there is 14 day incubation period.

On May 20, 2014 the ██████████ PD contacted MCCYS. The toxicology results showed that Janessa died from an overdose of ██████████. The lethal limit for an adult is 500ng per ml and she had 900ng per ml. The ██████████ PD obtained a search warrant to search the ██████████ home. In response to the recent case information, MCCYS assessed safety of the other children in the home and determined that placement was warranted. Those children were placed into foster care.

On May 21, 2014 ██████████ PD reported to the agency that ██████████ stated that she ██████████ that she gets off of the street. She reported that she left bottles in her purse and maybe one of the caps was off a little. The Detective also reported that ██████████ was also found in the home.

██████████ occurred on May 23, 2014. All the children described Janessa being sick the days preceding her death. The description of her symptoms and overall demeanor were similar to what was described by ██████████ at the time of the child's death.

MCCYS caseworker and the ██████████ PD Detective ██████████ on June 10, 2014. At that time, additional information was reported by ██████████ that she has a ██████████ because she does not have a physician. She stated that has been self-medicating. She had ██████████ in the past due to ██████████. She had to take it 3 times a day. She also admitted to obtaining ██████████ off of the streets. She admits to smoking marijuana 2-3 times per week. She denies smoking marijuana around the children.

██████████ was asked how she thought Janessa ██████████. She stated that Janessa found a powdery substance in their back yard last week and perhaps she ingested that substance. ██████████ stated that the substance was in a plastic bag and she flushed it down the toilet.

The Detective stated that [REDACTED] a time released medication, but there was no [REDACTED] in Janessa's stomach. He asked [REDACTED] if she crushed pills and gave them to Janessa. She denies crushing up pills and giving them to the child. She further stated that she did not notice that Janessa threw up until she got up the 2nd time as Janessa had covers on her. When she went to wake Janessa up she saw the vomit. It was then that she found Janessa wouldn't wake up. [REDACTED] stated that she took Janessa to the bathroom and started splashing water on her face. Janessa's eyes were closed. [REDACTED] called 911. She said that she couldn't tell whether or not Janessa was breathing and she doesn't know CPR. [REDACTED] reported that she was shocked when she found out the results of the toxicology test.

On June 11, 2014 the Act 33 meeting was held.

On June 23, 2014 MCCYS caseworker and [REDACTED] PD Detective met with Janessa's mother. The mother reported that she saw Janessa everyday leading up to her death. She stated that she visited the home Monday night after she got off of work and that Janessa didn't seem sick and was not complaining about anything. Janessa's mother stated that she found out everything during the testimony at court. She wanted to know how much [REDACTED] Janessa had taken. She denied knowing that [REDACTED]

On June 27, 2014 the report was [REDACTED] resulting in the death of VC.

On December 29, 2014 [REDACTED] was criminally charged with:

- Involuntary Manslaughter,
- Drug Delivery Resulting in Death,
- Recklessly Endangering Another Person,
- Endangering Welfare of Children-Parent/Guardian/Other Commits Offense,
- The acquisition or obtaining of possession of a controlled substance by misrepresentation,
- Intent to Possess a Controlled Substance By Person Not Registered,
- Purchase/Receipt of Controlled Substance by Unauthorized Persons,
- Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver.

Current Case Status:

[REDACTED] The agency remains involved providing services to the family [REDACTED]

- The [REDACTED] has been arrested and criminally charged. She is awaiting a criminal trial.

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

- Strengths:
The agency was in compliance with all statutory and regulatory laws.
The agency collaborated with the [REDACTED] Police Department.
- Deficiencies:
No Deficiencies were found
- Recommendations for Change at the Local Level:
No Recommendations were made
- Recommendations for Change at the State Level:
No Recommendations were made

Department Review of County Internal Report:

The county report was received on July 15, 2014. The Department concurs with the county report's findings. The Department requested that the agency include additional elements in the county report such as whether the family was known to the agency in the last 16 months, current case status, and recommendations for change on the local and state levels. The county was provided a copy of the sample report that the Department uses that includes all of the necessary elements.

Department of Public Welfare Findings:

- County Strengths:
MCCYS assessed the safety and risk of the children as required during the investigation.
- MCCYS collaborated with the [REDACTED] PD during the investigation
- County Weaknesses:
There are no concerns at this time.
- Statutory and Regulatory Areas of Non-Compliance:
The agency was in full compliance with statutory and regulatory requirements.

Department of Public Welfare Recommendations:

MCCYS should continue to collaborate with other social service agencies to ensure the proper handling of all referrals.