



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 03/01/2015
Date of Incident: 06/30/2015
Date of Report to ChildLine: 07/03/2015
CWIS Referral ID: [REDACTED]

**FAMILY KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF
INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:**

Philadelphia Department of Human Services

**REPORT FINALIZED ON:
2/19/16**

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.

Philadelphia County convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 07/17/2015.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	03/01/2015
[REDACTED]	Biological Mother	[REDACTED] 1991
* [REDACTED]	Biological Father	[REDACTED] 1991
[REDACTED]	Maternal Grandmother	[REDACTED] 1974
[REDACTED]	Biological Brother	[REDACTED] 2009
[REDACTED]	Maternal Aunt	[REDACTED] 2007
[REDACTED]	Maternal Aunt	[REDACTED] 2005
[REDACTED]	Maternal Uncle	[REDACTED] 1999
[REDACTED]	Maternal Aunt	[REDACTED] 2000
* [REDACTED]	Brother's Paternal Uncle	[REDACTED] 1993
* [REDACTED]	Brother's Bio Father	[REDACTED] 1992
* [REDACTED]	Brother's Maternal Uncle	[REDACTED] 2004
* [REDACTED]	Brother's Paternal Aunt	[REDACTED] 1983
* [REDACTED]	Maternal Great Aunt	[REDACTED] 1982

* 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 Southeast Regional Office of Children, Youth and Families (SERO) obtained and reviewed all current and past case records pertaining to the [REDACTED] family. SERO conducted interviews of the following Philadelphia Department of Human Services (DHS) staff: Intake Social Worker [REDACTED], Intake Social Work Supervisor [REDACTED], and Philadelphia Police Department Special Victims Unit Detective [REDACTED], and CUA 5 case manager [REDACTED]. These interviews took place on 07/20/2015, 07/24/2015 and 09/29/2015. SERO staff

participated in the Act 33 meeting that occurred on 07/17/2015 in which medical professionals and law enforcement were present and provided information regarding the incident as well as historical information.

Children and Youth Involvement prior to Incident:

On 10/18/2012, DHS received a general report that biological brother's maternal uncle [REDACTED] who was 8 at the time exhibited inappropriate sexual behavior with the victim child's biological brother. Mother relocated to another home the next day and did not provide DHS with her address or any contact information. The report was not accepted for investigation due to lack of information.

On 02/19/2013, DHS received a GPS report alleging that mother failed to seek medical attention for Biological Brother who had a burn on his left forearm. This report was determined to be invalid. However, the family was referred for Family Empowerment Services to address [REDACTED] for mother, lack of furniture, and annual physical examinations for biological brother and biological brother's basic needs. Mother declined services and the case was closed.

On 03/03/15, DHS received a report alleging that mother tested positive for marijuana during victim child's birth. [REDACTED]

[REDACTED] the report was not accepted for investigation/assessment.

Circumstances of Child Near Fatality and Related Case Activity:

Biological father states that he picked the victim child up at mother's home at approximately 2:00 PM on 06/30/2015. Biological father reports that the victim child was fine all day. He went to sleep at approximately 12:45 AM. Biological father states that between 2-3am victim child was strapped into a bouncy seat on top of father's bed sound asleep. Biological father says he went to the kitchen to get something to eat. Biological father says he heard his son screaming so he checked on him. When biological father came back into the room, he says the victim child was sprawled out on the floor. Biological father calmed him down and the victim child allegedly went back to sleep until 7am the next morning. Maternal Grandfather was in and out of the home that next day but biological father says that neither he nor the victim child left the home all day on 07/01/15. He reports that the victim child was fine all day. On the morning of 07/02/15, biological father fed victim child a bottle and reports that he threw up the bottle and started to cry. He called biological mother. She told biological father to give victim child some water and try feeding him again. Biological father says victim child threw up again. Biological father took victim child in a taxi to biological mother's home at approximately 10pm. Biological mother stated that they needed to take him to the emergency room. They transported victim child to Temple University [REDACTED]

[REDACTED] The doctor there said the victim child had [REDACTED]

[REDACTED] An ambulance transported all parties to St.

Christopher's Hospital where victim child was admitted. The victim child was determined to have [REDACTED]. The victim child also [REDACTED]. [REDACTED] physician suspected that the injuries sustained were the result of abusive head trauma.

During the investigation, the biological father admitted that he has a history of domestic violence with the biological mother, stating that she makes him mad and he may choke or slap her. [REDACTED]. Biological father also admitted to hitting the biological mother several times at the time of victim child's birth, [REDACTED]. The biological father stated that this is the reason that the biological mother [REDACTED]. A review of the police reports revealed 12 prior reports of domestic violence at biological mother's home involving both biological parents with the most recent being 05/20/2015. Most of these reports state that there was no answer at the door or biological mother reported to the police that the incident was only verbal. During one of those visits the police delivered a temporary protection from abuse order, but it does not appear that a full PFA was ever obtained. Biological father also admitted to smoking marijuana and drinking occasionally and stated that he smoked marijuana on the day of the incident.

The biological brother was determined to be safe with a plan at home with mother from 7/1/15 through 7/15/15. [REDACTED]

[REDACTED]. The biological brother entered kinship placement with a paternal great aunt on 07/15/2015. Victim child was also [REDACTED] on 07/15/2015. He was [REDACTED] a medical foster care home in [REDACTED], PA and was there until 08/13/2015. He was moved from this home to another medical foster care home in [REDACTED], PA. He was moved from this home due to his extensive medical appointments. On 09/23/2015, the victim child was placed in the home of his maternal great aunt in Philadelphia, who has been certified as a medical kinship resource parent. On 11/10/2015, the biological brother was also placed in the home of the maternal great aunt where they both currently reside. [REDACTED]

[REDACTED]

The biological father was arrested and incarcerated in [REDACTED] jail on 07/31/2015 due to charges of aggravated assault, endangering the welfare of children, recklessly endangering another person and simple assault. He is currently

awaiting trial. There was a pre-trial conference on 11/17/2015 and there will be a scheduling conference on 12/01/2015.

Biological father was indicated for child abuse on 08/04/15. The biological mother has supervised visits with the children twice a week.

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

Strengths:

- The MDT did an excellent job investigating this report
- The team's representative from the DA's office stated that they would look into the circumstances of the victim child's [REDACTED]. They would bring further charges against the biological father if additional evidence could be found supporting the biological parents' statements.

Deficiencies:

- None.

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

- None.

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

- None.

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

- None.

Department Review of County Internal Report:

SERO received and reviewed the Philadelphia Department of Human Services Child Fatality Team report. SERO concurred with all of the information in the report and the report was finalized as of 10/15/2015.

Department of Human Services Findings:

County Strengths:

- DHS responded to this referral in a timely manner and conducted thorough assessments.
- DHS worked in tandem with medical professionals from multiple hospitals and worked cooperatively with law enforcement to conduct a detailed investigation of this incident.

County Weaknesses:

- None. Police reports were reviewed during prior investigations; however, they did not reveal any concerns since there was no answer at the door or the mother denied abuse.

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

- DHS was found to have operated within statutory and regulatory compliance with regards to this incident.

Department of Human Services Recommendations:

- Philadelphia DHS should continue to conduct thorough investigations and collaborate with medical professionals and law enforcement.
- Philadelphia DHS should continue to thoroughly document pertinent information on all of their cases in a timely manner which they have done on this case.
- Philadelphia DHS should include, in their documentation, evidence of police reports being reviewed, if applicable.