



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY:



Date of Birth: 03/24/2011
Date of Incident: 05/26/2013
Date of Oral Report: 05/27/2013

FAMILY WAS KNOWN TO:
Delaware County Children and Youth Services

REPORT FINALIZED ON:

03/01/2015

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. Delaware County Children and Youth Services had convened a review team in accordance with Act 33 of 2008 related to this report on June 20, 2013.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	03/24/2011
[REDACTED]	Biological Mother	[REDACTED] 1991
[REDACTED]	Biological Father	[REDACTED] 1988
[REDACTED]	Paternal Aunt	[REDACTED] 1965
[REDACTED]	Paternal Uncle	[REDACTED] 1984

Notification of Child Near Fatality:

On May 27, 2013, Delaware County Children and Youth Services (CYS) received a referral [REDACTED], stating that the child, [REDACTED], had been brought to the emergency room by his legal guardians, [REDACTED], who stated that [REDACTED] may have jumped or fallen off a moon bounce at a barbecue at a neighbor's home. [REDACTED] was unresponsive and had circular bruises over his entire body. [REDACTED] later transferred to A.I. DuPont Hospital for Children, due to the extent of his injuries. [REDACTED] which could only have been caused by 'adult force' along with [REDACTED]

Summary of DPW Child Near Fatality Review Activities:

The Southeast Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to the family. The regional office also participated in the County Internal Fatality Review Team meeting on June 20, 2013.

Children and Youth Involvement prior to Incident:

The family was referred on 10/19/12 to Delaware County CYC regarding allegations of neglect. The referral source stated that [REDACTED], then 18 months old, was dropped off to her home

by his mother, [REDACTED] in December 2011, due to [REDACTED] not having any resources to care for the child. The referral source stated that the child was under weight and did not have any immunizations at that time. According to the referral source, the mother and maternal grandmother had ongoing substance abuse issues along with unstable housing.

On 02/12/13, the agency received a subsequent referral stating that the family's current apartment had no electricity due to it being shut off [REDACTED]. A General Protective Services (GPS) investigation was transferred to ongoing services (SCOH) on March 28, 2013. On April 23, 2013, the agency learned that child, [REDACTED] had been dropped off to [REDACTED] (paternal aunt and paternal uncle) home on Easter weekend, by his mother, [REDACTED]. [REDACTED] had asked [REDACTED] if she would keep [REDACTED] for her for a few days, as she had no place to live, and no money or supplies to care for [REDACTED]. [REDACTED] never returned to pick [REDACTED] up, nor did she call [REDACTED] to check on [REDACTED].

On May 24, 2013, Mr. and Mrs. [REDACTED] were awarded Legal Guardianship of [REDACTED], and partial physical custody of [REDACTED] and [REDACTED] (mother) was granted partial physical custody.

Father, [REDACTED] remains incarcerated at SCI [REDACTED]. The whereabouts of the Mother, [REDACTED] are unknown to CYS.

[REDACTED]

[REDACTED] has not made herself available to the agency in planning for her child, [REDACTED]. [REDACTED] participated in the transfer from Intake to [REDACTED] meeting on March 28, 2013. [REDACTED] did not contact CYS at any time after that meeting.

Circumstances of Child Near Fatality and Related Case Activity:

On May 27, 2013 CYS received a referral [REDACTED] stating that the child, [REDACTED] had been brought to the emergency room by his legal guardians, Mr. and Mrs. [REDACTED] who stated that [REDACTED] may have jumped or fallen off a moon bounce at a neighbor's barbecue. [REDACTED] was unresponsive and had circular bruises over his entire body. [REDACTED] was later transferred to A.I. DuPont Hospital for Children, due to the extent of his injuries. [REDACTED] which could only have been caused by 'adult force' [REDACTED].

Mr. and Mrs. [REDACTED] legal guardians, was the subject of investigations by CYS and [REDACTED] Police. The child's condition was certified as a near fatality as the child was in critical condition [REDACTED].

Deficiencies

- None Noted

Recommendations for Change at the State and Local Level:

- Committee members felt there were no red flags or other indicators such as domestic violence that would have suggested to the agency that the child was at risk in the care of his guardians, Mr. and Mrs. [REDACTED]. It was suggested that perhaps the agency could have discussed with the caregivers that caring for a child could present additional stressors for their family unit.

Recommendations for Change at the State Level:

- None noted

Department Review

The Regional Office received the county report on 9/20/2013. The Regional Office concurs with the findings in the county report.

Department of Public Welfare Findings:

County Strengths:

- The county conducted a timely investigation.

County Weaknesses:

- None Noted

Statutory and Regulatory Areas of Non-Compliance

- None Noted

Department of Public Welfare Recommendations:

Caregivers should be encouraged to contact 911 or utilize other emergency services in a crisis situation. Family members frequently believe that they can transport the child to the nearest hospital faster than an ambulance would. They do not take into account that when the ambulance arrives, paramedics immediately begin treatment and are in contact with doctors at the hospital.