



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 02/26/1999
Date of Incident: 02/05/2016
Date of Report to ChildLine: 02/06/2016
CWIS Referral ID: [REDACTED]

FAMILY NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

Chester County Department of Children, Youth and Families

REPORT FINALIZED ON:
07/07/2016

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.

Chester County convened a review team in accordance with the Child Protective Services Law related to this report. The review team was convened on March 6, 2016.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Mother	[REDACTED]/71
[REDACTED]	Father	[REDACTED]/72
[REDACTED]	Victim Child	[REDACTED]/99
[REDACTED]	Sibling	[REDACTED]/08
[REDACTED]*	Sibling	[REDACTED]/94
[REDACTED]	Paternal Grandmother	[REDACTED]/47
[REDACTED]	Paternal Grandfather	[REDACTED]/41

*did not live in the home at the time of the incident, attends college and lives in the home during the summer

Summary of OCYF Child Near Fatality Review Activities:

The Southeastern Region Office of Children, Youth and families (SERO) obtained and reviewed all current case records pertaining to the [REDACTED] family, including the initial referral, all medical records, and safety assessment and supporting documentation.

Children and Youth Involvement prior to Incident:

There is no known information that any members of this family were previously involved with the Chester County Department of Children, Youth and Families. The family reports that they have lived in their current residence in Chester County for over 19 years.

Circumstances of Child Near Fatality and Related Case Activity:

Chester County Department of Children, Youth and Families received a Child Protective Services report (CPS) [REDACTED] at approximately 2:10 AM on February 6, 2016, stating that the victim child was being transported to The Children’s Hospital of Philadelphia (CHOP) for neck pain, migraine, bruising to the side of his face, and possible intoxication. Upon the victim

child's arrival at CHOP, it was noted that the he had [REDACTED] [REDACTED] as well as extensive bruising on his ears, neck, and torso. Also noted, is that the child had alcohol intoxication. The child's condition was deemed to be a near fatal situation by a CHOP physician.

Upon receipt of the CPS report, Chester County Department of Children, Youth and Families SW contacted [REDACTED] Detectives at approximately 2:40 AM, to give the verbal report of abuse. On February 6, 2016, at approximately 10:40 AM, Chester County Department of Children, Youth and Families SW visited CHOP to assess the safety and well-being of the child. The SW met with the child's physician and mother to receive an update regarding the child's medical condition, and to explain CYF's role in the case, [REDACTED]. The SW also obtained the necessary signatures for releases for CHOP, Chester County, the child's high school, and the child's primary physician/pediatrician. Releases were also obtained for the victim child's 7 year old brother. On February 7, 2016, a Chester County Department of Children, Youth and Families SW visited the brother at the home of the paternal grandparents, to assess the safety and well-being of the brother.

The victim child received his injuries as a result of an altercation he had with his father on February 5, 2016, at approximately 11:30 PM. Through investigation [REDACTED], the father stated that on February 5, 2016, he and his friends left work early, and went to several bars and ate dinner in the Philadelphia area and he had drinks. Upon his arrival back into Chester County, the father received a text message from the victim child stating that he was going to stay at his friend's home. The father texted the victim child back stating that he was not allowed to stay at the friend's house and that he was going to pick him up. The two (the father and the victim child) got into a confrontation upon arrival and in between the escort home. The day prior (February 4, 2016), the father found chewing tobacco in his car and confronted the victim child about it. The victim child denied that there was chewing tobacco in the car. The father mentioned 2 times that he "just wanted the kid to admit it, and the discussion would be over." However, the argument became heated and the victim child began saying very hurtful things to his father, such as "you're a loser," and "you are just pissed that you didn't amount to anything in your life." The father reported that the victim child then stated that he was having his friend come over to pick him up at the house. The father stopped the car about ¼ mile from the family home and told the victim child to get out! The victim child got out of the car. The father then proceeded home and waited in the driveway to see if the victim child was coming home, or to see if the victim child's friend was coming. When the victim child arrived back to the home, he started cursing at his father and began insulting him again. The father then tackled the victim child, by grabbing his shoulders and taking him down to the ground, with the father landing on top of him. The father reports that he heard "a loud thud" as the victim child hit the pavement. He is pretty sure that the victim child hit the back of his head at that point. The father states that he remembers punching the victim child in the stomach, at least two times, maybe more.

Once the altercation ended outside of the home, the father and the victim child went back inside the home and the altercation continued. The victim child began to further instigate his father. The father stated that he chased the victim child into the living room/ laundry closet area, and grabbed him by the shoulders again. The father pushed him into the laundry closet door. The victim child does remember hitting his head on the door, but does not know which part of the door. As reported by the mother, the force from the victim child hitting the door caused it to come off the hinges. The mother then began to hit the father on the back, threatening to call the police. However, at this time, she only pretended to call the police until later. Once the father let go of the victim child, he left the home at approximately 12:00 AM. The father stated that he turned off his and the victim child's cell phones when he heard sirens because he assumed it was the police looking for him. The father stated that he did not turn his cell phone back on until 2 hours later, and this is when he saw the messages about the victim child going to the hospital and the request for him to contact the police department. The father arrived at the police station at approximately 2:30AM on February 6, 2016.

After the altercation, the mother found the victim child slumped over in the recliner and called 911. She stated that he was falling over to the side of the recliner, and that she attempted to grab him, but he was too heavy for her pick up, and fell too quickly for her to support his head. At this point the victim child was unconscious, foaming at the mouth, and convulsing. The 911 operator instructed her how to perform CPR, which she continued until the paramedics showed up. The paramedics arrived at approximately 20-30 minutes after the father left the home on February 6, 2016.

Additional information:

The victim child reported to the assigned CYF intake caseworker during a home visit that earlier that night (February 5, 2016) he and his friends stole beer from a friend's refrigerator, and went to a High School ice hockey game. He stated that he drank 3-4 beers prior to the game, but he was "fine" when his father picked him up that night. [REDACTED] he arrived at Chester County Hospital presenting with trauma, acute intoxication, and a head injury.

On February 10, 2016, the victim child [REDACTED] CHOP. At the time [REDACTED]

[REDACTED] The victim child's appointment with [REDACTED] was scheduled for March 8, 2016. [REDACTED] it was believed that he would make a full recovery from his injuries. This will further be assessed at his upcoming appointment with [REDACTED].

[REDACTED]

On February 29, 2016, the victim child returned to his regular full day schedule. The victim child states that he still has bad headaches when he awakes in the mornings or when he stands up too fast, or moves too quickly. He also states that he experiences pain in his lower back and stiffness in his neck.

[REDACTED]

Some of his body bruising may be due to his participation in sports as well as bruising on his shins, while the other injuries are explained by the altercation.

[REDACTED]

The head injuries occurred from impacts sustained during the altercation.

The long term concern related to the victim child's injuries is he is at risk for post-concussion syndrome, which may present as symptoms such as a headache. Regular monitoring by the victim child's physician is necessary to ensure the headaches do not impact his cognitive functioning. The victim child did not appear [REDACTED] while at CHOP so at this time it does not look as if future [REDACTED] are likely.

However, the long term effects of this cannot be predicted at this time.

[REDACTED]

The victim child is currently restricted from playing any sports, and can participate in school work as tolerated.

This incident has lead the father to be charged with aggravated assault, simple assault, and endangering the welfare of a child. He has been released on bail and his bail conditions include no contact with the victim child, [REDACTED]

The father has been residing with the paternal grandparents since his release on bail. The victim child does not want to see or speak with his father. The mother states that she wants to speak with her husband to work out issues between them, before she would consider any contact because, "he almost killed my child whether he intended to or not." The bail conditions specify that the parents cannot speak with each other about the incident and the night that the incident occurred, but they may speak about [REDACTED] and other issues.

Both the police and CYF have observed the father to be remorseful about the incident and about injuring his son. The mother is adamant that the father will not return to the home as she does not want the victim child to see his father if he does not want to. The sibling has not been told any details about the incident, and thinks his father is helping the paternal grandparents.

The review team meeting occurred on Thursday, March 3, 2016 at 10:30 AM.

[REDACTED]

[REDACTED]

The father has been indicated as a perpetrator of child abuse on 03/07/2016, in accordance with the CYF child protective services (CPS) investigation. At the time of the review team meeting CYF was still assessing the need to provide ongoing services to the family. The mother was assessed as being able to protect the victim child and meet all the needs of both the victim child and his sibling. [REDACTED]

[REDACTED]

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

- The review team agreed that a county strength was the cooperation between law enforcement and CYF during this investigation of suspected child abuse. One recommendation was that a medical checkup and possible skeletal x-ray of the younger child be considered as a precaution in this and similar situations. Another recommendation is to include a representative from the child's school when a review team is convened for a school age child. Finally, it was recommended that mental health first aid training be continued in schools throughout Chester County.

Department Review of County Internal Report:

The agency did complete an internal report on March 3, 2016. PA DHS concurs with the county agency's report.

Department of Human Services Findings:

County Strengths:

- The agency immediately contacted The Children's Hospital of Philadelphia (CHOP) to gather additional information on the child's condition.
- The agency immediately contacted law enforcement to report suspected child abuse.
- The agency maintained consistent phone collateral calls and face-to-face visits with CHOP's medical personnel and ongoing physician.
- The agency's collaboration with law enforcement during the investigation was consistent.
- The agency obtained and reviewed the child's medical records.
- The agency made a determination within 32 days of the date of the report and appeared to take all information obtained during the investigation into consideration when making the decision to "Indicate" the report.

- The agency is working with partners [REDACTED] [REDACTED] to ensure that the child receives appropriate [REDACTED]

County Weaknesses:

- There was no medical checkup or [REDACTED] exam of the younger sibling performed to ensure prior or further child abuse occurred.

Department of Human Services Recommendations:

- A medical checkup and possible skeletal x-ray of the younger child could be considered as a precaution in this and similar situations.
- Inclusion of a representative from the child's school when a review team is convened for a school age child is appropriate.
- The continuation of mental health/first aid training throughout Chester County schools is beneficial.