



## **REPORT ON THE NEAR FATALITY OF:**

[REDACTED]

**Date of Birth:** 03/29/2013  
**Date of Incident:** 08/31/2016  
**Date of Report to ChildLine:** 08/31/2016  
**CWIS Referral ID:** [REDACTED]

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

The Lehigh County Office of Children and Youth Services

### **REPORT FINALIZED ON:**

January 23, 2017

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.

Lehigh County did not convene a review team as the investigation was concluded within thirty days and the report was unfounded.

**Family Constellation:**

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	3/29/2013
[REDACTED]	Mother	[REDACTED] 1989
[REDACTED]	Father	[REDACTED] 1969
[REDACTED]	Sibling	[REDACTED] 2009

**Summary of OCYF Child (Near) Fatality Review Activities:**

This Child’s Near Fatality was reviewed by the Child Advocacy Center of Lehigh County’s Multi-Disciplinary Team.

The Northeast Regional Office of Children Youth and Families (NERO) reviewed the records of the Child Protective Services (CPS) investigation.

**Children and Youth Involvement prior to Incident:**

There is no prior agency involvement with this child or family.

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

On 08/31/2016, Lehigh County Office of Children and Youth Services received a referral [REDACTED] that the male victim child was brought into the Emergency Room by his mother and father. The child reportedly fell out of a first floor window at a distance of about ten feet. The fall was witnessed by a neighbor. After examination, the child was certified to be in critical condition as a result of suspected child abuse or neglect. [REDACTED]

[REDACTED] The report listed the mother as the alleged perpetrator for Causing Serious Physical Neglect of a child.

[REDACTED] reported that the child's injuries were consistent with the history provided by the family and that the injury was not suspicious of child abuse.

[REDACTED]

This was the family's first referral to the agency which was received on 08/31/2016. The allegations stated that the victim child was jumping on a chair and went for the window. The child fell through the screen and landed on hard ground. The father was at work when this occurred. The mother stated she did not see the child fall, the neighbor saw it. The neighbor brought the child to the door and told the mother the child fell out of the window. The child was crying, the mother reported she did not see any bruising, but the child's head was slightly swollen. The mother contacted the father who was five minutes away from the home. The father wanted the mother to wait for him to get home. The mother and father then transported the child to the hospital.

[REDACTED]

The child's prognosis was updated on 09/07/2016

[REDACTED]

[REDACTED] The child's injuries were consistent with the child falling approximately ten feet onto a hard surface.

The mother provided the following information during the course of the investigation. The mother is originally from the Dominican Republic and is Spanish speaking. The mother did not report any mental health or criminal history. The mother reported the child was jumping up and down on a chair. The mother was not in the room at the time of the incident. The child was in the room along with his 6-year-old sibling. The child ended up jumping out of the window through the screen to the ground. The mother reports the child never lost consciousness. The mother stated she and the child's father transported the child to the hospital.

The child's sibling was also interviewed. The sibling reported she was on the computer in the living room and her brother was in the room with her. She reported the victim child climbed up on a chair that was near the window. The victim child pushed on a screen in the window and the child yelled to him don't do it. But it was too late, the victim child fell onto the wet grass, the grass was shiny. The child stated the victim child started to cry and then the neighbor brought him to the door and told the mother he fell out of the window. The child reported her mother called her father and then they brought the child to the hospital. The child reported she

was facing the victim child the entire time and saw him fall through the window. The child reported her mother was upstairs doing laundry at the time of the incident.

The child [REDACTED] on 09/07/2016. On 09/23/2016, the agency unfounded the case "concluding the investigation did not establish substantial evidence to support the reported allegations of Causing Serious Physical Neglect of a Child Repeated, Prolonged, or Egregious Failure to Supervise in accordance with the Child Protective Services Law." The agency did close the case at this time. At the time of case closure the child remained in the custody of his parents.

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

The case was unfounded within 30 days and there was no Act 33 meeting: thus, no further information to report.

- Strengths in compliance with statutes, regulations and services to children and families; Even though no report was necessary Lehigh County's Multi-Disciplinary Team met and the following were the recommendations:

the caseworker should go to the home and take pictures of the couch and the window where the child fell from. Question the mother regarding her whereabouts when the child fell. Do a minimal facts interview with the six year old sibling. Take pictures of the ground beneath the window where the child landed. Measure the approximate distance from the window to the ground. Interview the neighbor who witnessed the incident.

- Deficiencies in compliance with statutes, regulations and services to children and families;
- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse;
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse.

**Department Review of County Internal Report:**

The case was unfounded within 30 days and there was no Act 33 meeting, no further information to report.

**Department of Human Services Findings:**

- County Strengths:

DHS/OCYF/NERO has determined that Lehigh County Children and Youth Services commenced the CPS investigation of the victim child's case in a timely manner. Interviews were completed on all household members and all medical reports received. The agency worked in collaboration with the local law enforcement.

- County Weaknesses:

The family's neighbor had witnessed the incident and was the one who found the child. The neighbor was not interviewed.

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

There were no areas of statutory or regulatory non-compliance identified.

**Department of Human Services Recommendations:**

The Department recommends that parties with information related to the case be thoroughly interviewed.

The agency should continue to complete timely CPS investigations and work collaboratively with law enforcement.