



REPORT ON THE FATALITY OF:

Dylan Zemartis

Date of Birth: 8/8/16
Date of Death: 9/30/16
Date of Report to ChildLine: 10/3/16
CWIS Referral ID: [REDACTED]

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

Bucks County Children & Youth Social Service Agency

REPORT FINALIZED ON:
03/19/2017

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.

Bucks County has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 10/24/2016.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Mother	[REDACTED] 1984
* [REDACTED]	Father of [REDACTED]	[REDACTED] 1986
* [REDACTED]	Sibling	[REDACTED] 2003
* [REDACTED]	Father of [REDACTED]	[REDACTED] 1987
[REDACTED]	Sibling	[REDACTED] 2007
[REDACTED]	Sibling	[REDACTED] 2008
* [REDACTED]	Father of [REDACTED]	[REDACTED] 1985
[REDACTED]	Sibling	[REDACTED] 2012
[REDACTED]	Sibling	[REDACTED] 2014
[REDACTED]	Sibling	[REDACTED] 2015
[REDACTED]	Father of [REDACTED]	[REDACTED] 1986
[REDACTED]	Sibling	[REDACTED] 2016
Dylan Zemartis	Victim Child	08/08/2016

* 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 Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families reviewed the county record, spoke with county social work staff, and attended the Act 33 review.

Children and Youth Involvement prior to Incident:

Bucks County Children and Youth has been involved with the family since 2012.

On 04/08/2010, a [REDACTED] report was received, stating that the mother had recently been charged with Driving Under the Influence of

alcohol in January 2010. The reporting source stated that the mother was still driving under the influence of alcohol with the children. The mother was reported to be abusing cocaine and heroin.

On 05/01/2012, a [REDACTED] report was received stating that the family was in the process of being evicted. The mother was pregnant and on bedrest. The children would play outside alone. The children would pull their pants down and expose their genitals. The police were called out to the home because of domestic violence.

On 09/10/2012, a [REDACTED] report was received stating that the mother was working and her paramour was caring for the children. The paramour reportedly tested positive for [REDACTED] opiates, marijuana, and [REDACTED]. The paramour left the children outside of the house while the referral source was in the home. At one point, the paramour opened the door to ask a neighbor where the children were. Referral source was concerned that the paramour was not thinking clearly enough to care for the children. [REDACTED]

On 06/08/2015, a [REDACTED] report was received stating that 6-year-old [REDACTED] was "going to rape them in his sleep." The child reportedly said that the mother was always sleeping, and it was alleged that there was a lack of supervision. Child had come out of the house and exposed his genitals. Child has been observed outside of the home with no supervision. Mother reportedly "always screamed at the children," and it was also stated that she hit the child. [REDACTED]

On 08/14/2015, a [REDACTED] referral was received, stating that the two oldest children were unsupervised in the community. The mother was not alert and unkempt. The 2-year-old child was spraying a bottle of Lysol and the mother was screaming. [REDACTED]

On 09/13/2015, a [REDACTED] referral was received, stating that the mother saw the 7-year-old stepchild sitting on 6-year-old [REDACTED], rubbing his genitals. Both boys had their pants off. Mother separated the children. It was also alleged that the father assaulted his girlfriend in front of the children. [REDACTED] The family was already receiving services, and the case management team was informed of the concerns.

On 08/12/2016, a [REDACTED] referral was received, stating that twins were born at 33 weeks [REDACTED]

[REDACTED] doctor and nurses were concerned that the father was "probably high on something," losing train of thought, eyes are closing, losing balance. Father was in a chair, eyelids opening and closing "like he's going to zone out," and he was unable to recall what

was spoken to him. Father appeared "high" to the reporting source. [REDACTED]
[REDACTED]

Circumstances of Child Fatality and Related Case Activity:

On 09/30/2016, Bucks County Children and Youth Services received a [REDACTED] report that the 2-month-old child was found deceased in the home. It was stated that [REDACTED] had been sitting on the couch with Dylan on his lap and the other 2-month-old child lying next to [REDACTED] on the couch. The parents had called 911, and emergency services and police responded to the home. [REDACTED] admitted to drinking alcohol the night before, and [REDACTED] admitted to using heroin while the children were in his care. The victim child was found unresponsive next to [REDACTED] on the couch. The parents did not provide an explanation for the child's death.

On 09/30/2016, the victim child's siblings were seen at St. Christopher's Hospital for Children for full skeletal surveys. The other 2-month-old sibling [REDACTED] [REDACTED]. The cause of the injury was unknown, and abuse was suspected to be the cause of the injury. An 8-year-old sibling [REDACTED] [REDACTED]. It was unknown if the child had received [REDACTED]

On 09/30/2016, [REDACTED] reported to Children and Youth that the father had drug paraphernalia on him. [REDACTED] check the home for drugs and drug paraphernalia, [REDACTED] blood, and the vehicle that [REDACTED] was operating. There were 5 other children in the home at the time of the incident. [REDACTED] admitted [REDACTED] that [REDACTED] used heroin that evening and that [REDACTED] were up until 3:00 AM.

On 09/30/2016, Bucks County Children and Youth Services staff met with [REDACTED] [REDACTED] had told [REDACTED] that he had used heroin the previous day. [REDACTED] left the home to use heroin, returned to the home around 10:00PM. On [REDACTED] return, [REDACTED] fed and changed both infants. [REDACTED] and [REDACTED] started fighting. [REDACTED] was drinking, and [REDACTED] believed it was vodka and iced tea. At an unknown time, [REDACTED] left to purchase alcohol. She later returned with a 40oz bottle of Coors Light, and 4 Loco. [REDACTED] drank a little bit of the 4 Loco, but then poured it out because [REDACTED] did not like it, and the alcohol did not mix well while using heroin. [REDACTED] later fed the victim child, and laid the child on the couch next to [REDACTED] fell asleep on the couch holding the victim child's sibling. [REDACTED] later woke up, fed the victim child's sibling, and did not see anything wrong with the victim child. [REDACTED] put the victim child's sibling down, and [REDACTED] went to the bathroom. After coming out of the bathroom, [REDACTED] went to the kitchen and heard [REDACTED] screaming that something was wrong with the victim child. [REDACTED] went into the living room and saw that the victim child was white. [REDACTED] also reported that [REDACTED] would be arrested for the drug paraphernalia that was found on [REDACTED]
[REDACTED]

On 09/30/2016, Bucks County Children and Youth Services attended forensic interviews for the 2 oldest children at the Bucks County Child Advocacy Center in [REDACTED]. The 8-year-old sibling reported that he woke up that night, and [REDACTED] checked on the victim child by pulling the blanket off and holding him. The 8-year-old sibling also stated that [REDACTED] attempted to do cardiopulmonary resuscitation (CPR) on the victim child. The 9-year-old sibling reported that the victim child died that morning, but that he did not know how. He said he woke up at 8:16 AM, and that he was getting ready for school. [REDACTED] went to check on the victim child. [REDACTED] picked up the victim child and he was "all pale and wasn't breathing." [REDACTED] started crying, and then [REDACTED] called emergency services.

On 10/01/2016, Bucks County Children and Youth staff received an email stating that the Philadelphia Medical Examiner's office reported that there was no trauma, no breaks or fractures, and no airway obstruction was found. It was not possible to determine if there was an airway obstruction. The Medical Examiner's office also stated that the cause of death was possibly Sudden Infant Death Syndrome or "sleeping companion" if nothing else was found medically.

On 10/03/2016, Bucks County Children and Youth staff received a call [REDACTED] and spoke with [REDACTED]. [REDACTED] It was also reported that the 17-month-old sibling and the victim child's twin sibling would be expected to return for a follow-up screen in 2 weeks. The children also had [REDACTED] and that the family would need to isolate their belongings and clean everything.

On 11/18/2016, Bucks County Children and Youth determined that the allegations regarding the victim child and his twin to be [REDACTED] as the criminal investigation was ongoing, and continues to remain ongoing.

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

Strengths in compliance with statutes, regulations and services to children and families;

- o Collaboration amongst the Agency, [REDACTED] Police Department, and Bucks County District Attorney's Office.
- o Quick response in communicating with St. Christopher's Hospital and having all children seen for medical examinations.
- o [REDACTED] was in regular communication with Agency staff in regard to their observations in the family home.
- o Numerous services including family preservation, [REDACTED] [REDACTED] etc. were provided to assist the family.

Case information was well-documented.

Deficiencies in compliance with statutes, regulations and services to children and families;

- Police responded to the family home several times; however, each responding officer was not aware of previously made reports. A suggestion was made for the creation of a system by which additional reports on a family could be connected/"flagged" so that Children & Youth and/or the District Attorney's Office could be notified.

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

- Ensure that parents of children with special needs receive scheduled pediatric follow-up.

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

Not applicable

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

Strengthen collaboration between police department and C&Y around multiple reports received on a specific family.

Department Review of County Internal Report:

The Department concurs with the county internal report.

Department of Human Services Findings:

- County Strengths:
The county workers have been very knowledgeable about the case and the family.
- County Weaknesses: and
As noted in the county's report, there was a lack of collaboration about police reports involving the children in the family, including a report about a toddler walking alone in the streets, which was not reported to Children and Youth

Services.

- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
None

Department of Human Services Recommendations:

The county should implement procedures to improve collaboration and communication between police departments and Bucks County Children and Youth Services during investigations.