



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 09/15/2002

Date of Incident: 11/24/2016

Date of Report to ChildLine: 11/25/2016

CWIS Referral ID: [REDACTED]

**FAMILY KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF
INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:
Lehigh County Children and Youth Services**

REPORT FINALIZED ON:

05/09/2017

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 has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 12/08/2016.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Child/Victim	09/15/2002
[REDACTED]	Mother of C/V	[REDACTED] 1968
[REDACTED]	Father of C/V	[REDACTED] 1967
[REDACTED]	Sibling of C/V	[REDACTED] 2004
[REDACTED]	Sibling of C/V	[REDACTED] 1996
* [REDACTED]	Sibling of C/V	[REDACTED] 1990
* [REDACTED]	Paramour Sibling	[REDACTED] 1990
* [REDACTED]	Child of Sibling	[REDACTED] 2016

The family resides in Berks County.

* 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

A preliminary case review was conducted, by the Office of Children, Youth and Families, Northeast Regional Office (OCYF/NERO) program representative on 11/25/2016, by means of collateral case consultation with the assigned Child Protective Service (CPS) caseworker. Case specifics were secured and safety plan was developed at this time.

OCYF/NERO conducted site record review on 12/07/2016 at Lehigh County Children and Youth Services. Case status and agency interventions with the family were reviewed with assigned CPS caseworker at this time.

OCYF/NERO program representative and supervisory personnel participated in Lehigh County Act 33 meeting on 12/15/2016.

Lehigh County Children and Youth CPS intake caseworker prepared the case for supervisory and legal review on 01/24/2017. The case was assigned an Indicated status for commission of bodily injury by the Perpetrator.

OCYF/NERO program representative conducted a site record review of the CPS file on 01/30/2017. Interview of the assigned caseworker was also conducted at this time. Current status of the case and service provision to Child/Victim were reviewed on this date as well.

Children and Youth Involvement prior to Incident:

Lehigh County Children and Youth Services had brief service activity with this family from 05/15/2015 to 06/25/2015. Allegations involved suspected lack of parental supervision and suspected drug and alcohol abuse by the parents. Non-descript referral information was provided [REDACTED] that alleged the biological father was an "alcoholic". The county agency conducted interviews with family members [REDACTED] as part of the assessment. There was no evidence to support the allegations. The case was subsequently closed as the allegations could not be substantiated. The county agency determined that there were no safety issues within the household.

The parents were referred for [REDACTED] services for their adolescent daughter due to some acting out behaviors on her part.

Circumstances of Child Near Fatality and Related Case Activity:

A referral was received by Lehigh County Children and Youth Services on 11/25/2016 alleging the physical abuse of the Child/Victim at her home. It was reported that an incident occurred at the family residence on 11/24/2016 involving the Child/Victim and her adult half sibling. According to information reported [REDACTED] and information secured from various witnesses to the incident, the 26 year old half-brother of the Child/Victim was visiting at the family residence in Lehigh County when a "horse playing " incident between the two turned violent. During the "horse playing" incident the perpetrator accidentally spilled a cup of water on the Child/Victim which resulted in her retaliating by pushing him back. The perpetrator then proceeded to violently "slam" the Child/Victim onto a hardwood floor and choked her until she "passed out".

The Child/Victim was transported to the Lehigh Valley Hospital Emergency Room via ambulance following the incident. Due to the Child/Victim's loss of consciousness during the incident, [REDACTED]

[REDACTED] the injuries were consistent with "strangulation". Upon her admission to the medical facility the incident was certified as a Near Fatality due to the severity of the incident.

[REDACTED]

Following [REDACTED] of the Child/Victim the law enforcement agency involved in the investigation questioned the Perpetrator on 11/25/2016. He was immediately charged with aggravated assault and transported to [REDACTED] Prison.

Lehigh County Children and Youth assigned an Indicated Status to this case. A referral was made [REDACTED] for the Child/Victim due to the incident. This service was implemented in December 2016. The family is cooperating with all services.

During the course of the CPS investigation of the Near Fatality by the assigned Lehigh County caseworker significant information was revealed that raised safety issues for the care/supervision of the Perpetrator's biological child who resided in Berks County. As a consequence, Lehigh County Children and Youth CPS caseworker contacted Berks County Children and Youth and assisted the agency in evaluating the current status of the care and supervision of Perpetrator's child. It was determined that even though the Perpetrator remained incarcerated on charges stemming from the Near Fatality investigation of Child/Victim in Lehigh County, there were significant safety issues related to the care of the Perpetrator's child by his biological mother as well. Due to this, Berks County Children and Youth Services determined that Perpetrator's child was not safe with his mother and elicited the support of Lehigh County Children and Youth in securing placement of the child with the paternal grandparents in Lehigh County.

As of this writing, the Perpetrator's child remains in the care/custody of the paternal grandparents in Lehigh County with Berks County Children and Youth assessing this household as a permanency resource for the child.

The biological parents of the Child/Victim are currently being utilized as a kinship resource for Berks County and, [REDACTED]

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

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

- Lehigh County Children and Youth conducted a timely and thorough investigation of the circumstances surrounding the Near Fatality. There was ample evidence of coordination of investigations between the county child welfare agency and the investigating law enforcement entities.
- Lehigh County Children and Youth also engaged a contiguous county child welfare agency in assessments and service delivery to the biological child of the Perpetrator. During the course of investigating the Near Fatality in Lehigh County, information was secured that indicated there was a need for a comprehensive evaluation of the biological household of the Perpetrator given the evidence that the Perpetrator evidenced violent interactions with relatives and the mother of his infant child.

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

N/A

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

N/A

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

N/A

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

N/A

Department Review of County Internal Report:

Lehigh County Children and Youth Services submitted the County Near Fatality Internal Report to OCYF/NERO on 02/15/2017.

The report submitted by the county agency accurately rendered the case discussions and recommendations set forth at the Act 33 Review held on 12/15/2016. OCYF/NERO has accepted the county report as submitted.

Department of Human Services Findings:

- County Strengths:

The county agency's assessment of the circumstances surrounding the Near Fatality also included a more global assessment of issues involving Perpetrator and extended family members. The assessment also determined that there were significant safety issues relating to the care and supervision of the Perpetrator's biological child. As this portion of the case involved another county, the CPS caseworker actively sought out and engaged Berks County Children and Youth intake personnel in assessing and arranging for services for this household. In fact, the Lehigh County Children and Youth CPS intake caseworker also assisted in the interviewing of and assessing of the case drawing upon information/data collected during the CPS investigation in Lehigh County.

- County Weaknesses: and
N/A

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

There were no Statutory or regulatory areas of non-compliance.

Department of Human Services Recommendations:

OCYF/NERO recommends that the thorough investigative techniques and outreach efforts evidenced in this case be emulated by all casework service components of Lehigh County Children and Youth Services. The investigation of this case reflects the caseworker's comprehensive assessment of family dynamics that encompass a more global perspective than merely the specific incident under investigation. The caseworker's assessment of this case invariably led to questions about the Perpetrator's ability to parent their own child even though this aspect of the case involved another county and individuals that were less than forthright in providing information.

The CPS investigation of this Near Fatality also drew the assigned caseworker into assessing the implications of domestic violence and addictive patterns that frequently include multiple levels of denial. To the caseworker's credit, she did not limit her evaluation and determined that there were significant elements of risk to the Perpetrator's toddler residing in a contiguous county. It was through the CPS caseworker's investigation, data collection and willingness to assist a sister child welfare agency that Berks County intervened in an emergent fashion and removed the child. This type of mutual assistance is not normative in the child welfare system and should be commended. While "Best Practice" standards suggest that such practices should be incorporated into agency practice, they are not often found. The actions of the CPS caseworker in this case are quite commendable. OCYF/NERO also recommends that the CPS investigation standards evidenced in this case be replicated and encouraged by the larger organization.