



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

[REDACTED]

**Date of Birth: 04/06/2017**  
**Date of Incident: 04/22-2017-04/29/2017**  
**Date of Report to ChildLine: 04/29/2017**  
**CWIS Referral ID: [REDACTED]**

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

Schuylkill County Children and Youth

**REPORT FINALIZED ON:**

10/26/2017

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.

Schuylkill 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 05/19/2017.

**Family Constellation:**

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	child	04/06/2017
[REDACTED]	mother	[REDACTED] 1987
[REDACTED]	father	[REDACTED] 1978
[REDACTED]	paternal half brother	[REDACTED] 2004
[REDACTED]	brother	[REDACTED] 2013
[REDACTED]	sister	[REDACTED] 2014

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

On 05/19/2017 an Act 33 review team meeting was held during which time the agency’s history of involvement with the father and his previous wife and current family were presented by the CPS Supervisor, along with the current CPS investigation by the CPS investigator. Medical records [REDACTED]

[REDACTED] along with the polygraph results of father and mother were discussed and presented to the team. Team members present included: relevant Schuylkill County Children and Youth staff, OCYF representatives, Assistant District Attorney, CASSP coordinator, private attorney, drug and alcohol, pediatrician, IU and community member.

Team members presented concerns surrounding the unknown status of how child suffered the injury and the mechanism of injury; however team members felt confident in the CPS investigation and the assessment of the service planner who had been working with family since the child’s birth and following the child’s medical appointments for unspecified feeding concerns.

The team expressed need for ongoing monitoring of the child while in the parents care and further assessment of the family functioning following reunification. Schuylkill County Children and Youth Services presented information to the team indicating if the family would not agree to services voluntarily court intervention would be sought.

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

Schuylkill County Children and Youth has had an extensive history with father, oldest sibling and sibling's mother who had drug and alcohol issues. The initial intake was on 09/14/2006 when the oldest sibling was only 22 months old and his mother overdosed [REDACTED]. The case was opened for agency services on 11/09/2006 and closed 06/13/2007 [REDACTED].

[REDACTED] Subsequent intakes surrounding the sibling's mother's drug and alcohol use, domestic violence and supervision issues were received on 08/07/2007, 11/06/2007, 04/04/2008 and 02/03/2011 and all were closed at intake. On 12/05/2011 an intake was received following the parent's separation and the sibling's mother obtaining a new paramour with addiction issues and domestic violence. The case was open for services 02/24/2012 [REDACTED].

[REDACTED] and closed the case on 01/23/2013. Subsequent intakes were received 02/15/2013, 05/01/2013, 08/12/2013 and 08/08/2014 for custody issues related to the oldest child, all intakes were closed.

On 01/09/2015 Schuylkill County Children and Youth received their first intake on father with the mother of the younger children for allegations of domestic violence and home condition issues. The intake was unsubstantiated and closed 03/25/2015. On 06/30/2016 a second intake was received with concerns for domestic violence; the allegation was unsubstantiated and closed on 08/02/2016. On 03/03/2017 an intake was received at the agency for concerns regarding the father's temper, allegations of substance abuse in the home, verbal abuse of the children and subsequently birth of the subject child of this report in April 2017. The child was suffering withdrawal symptoms from the mother's prenatal use of [REDACTED]. The agency was assessing the family for services when the CPS on the subject child was registered for investigation. Following the CPS investigation and concerns for the subject child's non-specified feeding concerns, the family was open for agency services to monitor the child's medical care, weight gain, parenting in home, and further assessment of the parents' drug use and the effect, if any, the drug usage had on the parenting/children's safety.

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

On 04/29/2017 the child was taken to her pediatrician for a routine checkup regarding non specified feeding concerns. The pediatrician was concerned regarding altered behavior of the child. The child was irritable, had an odd gaze, and was extending her arm in a strange manner; exhibiting some seizure like activity. The pediatrician recommended an evaluation at the local hospital where no obvious signs of trauma were evidenced. [REDACTED] scan, however, [REDACTED] [REDACTED] suggestive of trauma. The referral source stated the child could have been accidentally dropped but parents had no explanation for child's injury. The child was listed in critical condition and life-flighted to Geisinger Medical Center in Danville. A near fatality report for Causing Bodily Injury to Child Through Recent Act/Failure to Act was registered with unknown perpetrator.

On 04/29/2017 the Schuylkill County Children and Youth on call worker received the CPS report. Contact was made with the on call supervisor who indicated the current service planner assigned to the case would be meeting with child victim and any family members present at the hospital on this date while on the call worker would complete an unannounced visit to family home to assess safety of other children. An attempted visit to the family home was unsuccessful; however, the service planner received location of the child's siblings and the on call worker made an announced visit to the home of the father's brother and his wife. The child's siblings were viewed and the oldest sibling was questioned regarding the child's demeanor the past few days. The sibling indicated the child is pleasant and only appears to cry when hungry. The sibling provided no information to support the child had been in distress. A relative informed the worker that the younger siblings would be going to stay with the maternal grandparents later in evening while parents remained at the hospital.

On 05/01/2017 a CPS investigator proceeded to Geisinger hospital where he met with [REDACTED] regarding the child's status. [REDACTED]

[REDACTED]

After meeting with [REDACTED], CPS investigator met with the child and her parents to discuss the investigation. A discussion was held suggesting it would need to be determined who has had unsupervised contact with the child [REDACTED]

An interview was completed with father 05/01/2017 in a separate room. The father indicated the child [REDACTED] the hospital, following birth, on 04/17/2017. The father said the child had to remain in the hospital [REDACTED] During the interview it was determined the child has been alone with mother, father, maternal great grandmother, maternal grandmother and paternal grandmother from 8- 10pm on 04/27/2017 [REDACTED] The father indicated the paternal grandmother's paramour was in the home during that time but he was asleep. He indicated the maternal grandmother would come over frequently to assist the mother with child care while he worked and if the mother went for a smoke, the grandmother would have been alone for a few minutes, same as with maternal great grandmother when she was at the home. The father indicated the child slept in a crib in the parent's room. He denied any knowledge of any siblings dropping the child and reported the only sibling who really interacted with her was the middle child who picked her up from the swing once but did not drop her. He also indicated the mother to be primary caregiver for the child to include feeding and diapering. He indicated feeding to be on demand at first basically, [REDACTED]

[REDACTED] The father indicated the child had been sponge bathed by the mother for several days since home and had finally just received her first bath in baby tub in kitchen with no issues to report regarding the bath. The father questioned if the injury could have happened while the child was hospitalized as he denied knowledge of any incident since home. The Father indicated he would take a polygraph to prove his innocence.

Following interview with father, the mother was independently interviewed at Geisinger hospital. The mother provided the same individuals as father indicating who has been alone with child victim since discharge. The mother indicated her maternal grandmother comes over so she can shower, nap and regroup. The mother reports the children were taken to paternal grandmother's home recently for 2 hours while parents went to a pool match; grandmother's paramour was also home but in bed. The mother indicated her mother was at the family home when her grandmother was ill but she was mostly alone with the siblings. The mother denied ever hearing the child scream when alone with her family or anyone ever telling her anything happened to the child. The mother reports the child cries when hungry and defecates regularly. The mother indicated she has an alarm set

for every 3 hours to feed the child and the father typically soothes baby while she prepares bottles. The mother denied any inconsolable crying and was herself tearful during the interview. The mother agreed to take polygraph to prove innocence.

On 05/01/2017 a call was placed to the Pennsylvania State Trooper assigned to the case to schedule polygraphs. On 05/02/2017 the trooper called back scheduling polygraphs for 05/08/2017 and 05/11/2017.

On 05/02/2017 [REDACTED] the hospital called to indicate the child was ready [REDACTED]

On 05/02/2017 the service planner held a telephone call with the parents indicating maternal grandfather appears to be the only individual who has not had unsupervised contact with the child and can be approved as caregiver for the child and her siblings. Parents request father's brother and wife be caregiver for the oldest sibling but agree the child and siblings could go with maternal grandfather and his wife. The grandfather would be supervising parents' and his wife's contact with the children.

On 05/02/2017 an interview was conducted with the oldest sibling [REDACTED]. He indicated he knew the child was in hospital due to an injury and said the child was placed on a coffee table while visiting family at a nursing home and the child fell off a table in her car seat. He indicated this occurred in the lobby of the nursing home when one of his siblings hit the car seat and it accidentally fell off the table. He indicated the child was strapped into the car seat but flipped in the chair and hit the right side of her forehead off the floor. He stated his father unbuckled the child, held her and she stopped crying. He thinks there may have been a mark on child's head the next day, but never saw it. He indicated this incident happened last Saturday or Sunday. He denied excessive crying in the home from child victim and reported child victim only cries for food. He reported he was at his paternal grandmothers' home with his siblings the other evening and denied any issues.

On 05/02/2017 the parents presented at the agency office to meet with the service planner and CPS investigator to sign safety plan. A discussion was also held with the parent's regarding incident at nursing home. The parents denied the nursing home fall as something where the child could have received the injury as neither of them felt the child ever hit her head on anything or suffered an injury/bruise as alleged. The parents signed the safety plan indicating the child and younger siblings would reside temporarily with the maternal grandfather who would supervise contact of his wife and parents around the children; oldest sibling would reside with father's brother

and wife. During the meeting, the parents were hostile and upset they could not also reside temporarily in the maternal grandparents home, a discussion was held regarding the length of time parents could visit home. The parents were informed of the polygraph dates and an intense discussion was held regarding who would take the polygraph first and what outcomes could be for placement of the children if such individual passed polygraph. The parents agreed the father would take the polygraph first on 05/08/2017. The parents indicated they sought advice from an attorney who may be contacting agency to discuss case further.

On 05/02/2017 the CPS investigator met with the maternal grandparents and younger siblings at the maternal grandparents' home. An assessment was completed and the safety plan was reviewed. Also present in the home were the maternal great grandparents. A discussion was held regarding any knowledge of an injury to the child and all individuals denied knowledge of how injury occurred or causing injury. The Maternal grandmother indicated she would complete a polygraph to prove her innocence.

On 05/04/2017 parents attorney contacted CPS supervisor to discuss the case, safety plan and polygraphs. The attorney indicated the father would not be taking polygraph on 05/08/2017 and requested a meeting with the investigator and supervisor for 05/09/2017.

On 05/09/2017 a meeting was held with the parents, CYS and the parents' attorney at attorney's office. The CPS investigator discussed information from medical records and an agreement was made for the parents to take polygraphs with their attorney present and for the children to be returned home if one and/or both parents pass and the subsequent parent to have supervised contact, if necessary.

On 05/11/2017 the father passed polygraph and mothers results were inconclusive; however, examiner felt mother's reading were thrown off from sweat and did not feel mother caused injury.

On 05/11/2017 all the children were returned to the care of their parents with the understanding that the maternal grandmother, great grandmother and paternal grandmother should not have unsupervised contact with children until meeting and cleared by the police following week, at which time it will be determined by police if polygraph were necessary for relatives.

On 05/15/2017 maternal grandmother and maternal great grandmother were interviewed by PSP who indicated he does not have any information to

support either caused injury to the child or had knowledge of how injury occurred. The Paternal grandmother was interviewed over the phone. On 05/25/2017 the mother held a conversation with the CPS Supervisor regarding case opening and FSP goals. CPS investigator dropped copy of FSP at family home 5/26/17 for family to review and review with attorney.

On 06/06/2017 a status determination was submitted to Childline with an Indicated status of abuse for the child with an unknown perpetrator. The Child suffered [REDACTED] concerning for non-accidental trauma. Family could not provide any explanation of how the injury occurred. Mother and father both completed polygraph examinations. The child's maternal grandmother, step maternal grandfather, maternal great grandmother, maternal great grandfather and paternal grandmother were all interviewed by PA State Police and there was no evidence anyone had knowledge of how injury occurred or admitted to causing injury.

[REDACTED] the Child was seen 06/08/2017 at the PCP where she weighed 8 lbs, gained weight, and received a positive visit. The child was also seen at Geisinger Danville [REDACTED] on 06/13/2017 for a follow up appointment. The family currently has an ongoing caseworker who meets with them on a weekly basis. The child and her siblings are doing well in the care of their parents. Both the mother and the father have had positive drug screens [REDACTED]

[REDACTED] The 3 youngest children have been referred [REDACTED] services.

**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;

Strengths were identified in the collaboration between Schuylkill County Children and Youth and the State Police and the thoroughness of the CPS investigation.

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

No deficiencies noted 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;



No recommendations for changes were made at the state and/or local level on reducing the likelihood of future child fatalities and near fatalities directly related to this type of neglect.

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

No recommendations for changes at the state and local levels were made in regard to monitoring and inspection of county agencies.

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

No recommendations for changes at the state and local levels were made on collaboration of community agencies and service providers to prevent child abuse.

#### **Department Review of County Internal Report:**

The NERO received the county report and requested clarification on 04/29/2017. The NERO had conversations regarding the report on 04/29/2017, 05/19/2017 and 07/28/2017 as well as conducted a full record review. The NERO received the final report on 07/28/2017 and does concur with the findings in the county report.

#### **Department of Human Services Findings:**

- County Strengths:

DHS/OCYF/NERO has determined that Schuylkill County Children and Youth Services commenced the CPS investigation of the victim child's case in a timely and thorough manner. The county agency has followed all established protocols for referral to law enforcement agencies and collaboration established by statute and DHS regulations. Site record review by DHS/OCYF/NERO has validated that there has been extensive collaboration and information sharing on the part of medical personnel, law enforcement and county child welfare personnel regarding this case.

- County Weaknesses:

No county weaknesses identified

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

No statutory or regulatory areas of non-compliance found.

**Department of Human Services Recommendations:**

DHS/OCYF/NERO has no recommendations and concurs with the county's report.