



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 08/01/2014

Date of Incident: 11/24/2016

Date of Report to Child Line: 11/24/2016

CWIS Referral ID: [REDACTED]

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

Not Known

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.

Philadelphia County convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 12/16/2016.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	08/01/2014
[REDACTED]	Mother	[REDACTED]/1982
[REDACTED]	Father	[REDACTED]/1982
[REDACTED]	Half Sibling	[REDACTED]/2005
[REDACTED]	Full Sibling	[REDACTED]/2015
* [REDACTED]	Cousin	[REDACTED]/2012

*Not members of the household, or did not live in the home at the time of the incident.

Summary of OCYF Child (Near) Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families obtained and reviewed all current investigation notes and gathered pertinent information from the Philadelphia county Act 33 teaming.

Children and Youth Involvement prior to Incident:

On 12/10/2007, DHS received a General Protective Services (GPS) report alleging that two-year-old was living with her mother in a home that had described as being dirty. The home had trash and dirt everywhere. There were reported to be fourteen other people residing in the home and they were always complaining that there was never enough food. There were also several dogs and ferrets living in the home. The child had [REDACTED]. The reporter stated that the mother was allowing the child to eat things that had peanuts in them. The child had been hospitalized several times due to her [REDACTED]. The parents had shared custody. Each parent cared for the child for several days each week. The reporter stated that

the mother refused to discuss the housing concerns. The mother was reported to be [REDACTED]. The mother also had a difficult time caring for herself. The report was investigated and determined as invalid. The family was referred for prevention services [REDACTED] provided Family and Child Enrichment Services from 01/08/2008 to 04/24/2008.

Circumstances of Child Fatality and Related Case Activity:

On 11/24/2016, the Philadelphia Department of Human Services (DHS) received Child Protective Services Report (CPS). The report indicated concern for a two-year old male child, the victim child had been shot with a gun by his four-year old cousin. The victim child and cousin were in the home with family when the incident occurred. The victim child was taken to Temple University Hospital (TUH) for emergency care. The victim child was then transferred to St. Christopher's Hospital. The victim child's condition was certified as a near fatality. Per the mother, there were no witnesses. The mother reported that, while she was in the kitchen, the cousin went into a drawer and removed a set of keys. He used the keys to open the safe at the bottom of the mother's closet and removed a loaded gun. The mother reported that she heard a "pop" and a scream coming from the living room. The mother went into the living room and found the victim child lying on the floor with a gunshot wound.

The report was assigned to a Hotline Social Work Services Manager (SWSM) to assess the immediate safety of the children. The Hotline SWSM contacted TUH for more information. Police transported the victim child to the hospital. He had a gunshot wound to the right side of his chest and to his 3rd and 4th fingers. The father accompanied the victim child to TUH and reported that he had been asleep when the incident occurred. He stated that the victim child reached under his mattress and removed the gun. He reported that the victim child then accidentally shot himself.

The Hotline SWSM met with the mother at St. Christopher's Hospital. The Hotline SWSM observed the victim child as he was being prepped for surgery. The mother reported that the victim child's cousin went upstairs to use the bathroom. He then went into the mother's bedroom and found the keys to the safe. She reported that the victim child's cousin went into the mother's closet, unlocked the safe, and removed the loaded gun. He then went downstairs into the living room where he shot the victim child. The mother reported that she was in the kitchen when she heard a loud "bang." She went into the living room and the victim child ran towards her. The mother observed that he was covered in blood. She reported that the father was asleep upstairs when the incident occurred. She stated that he did not hear anything. She stated that she informed him as to what occurred. The mother reported that the victim child's siblings, eleven-year-old half sibling and sixteen-month-old full sibling, were also in the home when the incident occurred. She stated that both children were asleep at the time of the incident. The mother reported that the gun belonged to her. She stated that she purchased the gun two months prior but she was unable to recall where she had purchased it. The mother admitted that she did not think to remove the bullets or to use a safety lock on the trigger. The mother reported that the victim child's cousin gets into everything and that his mother has trouble managing his behaviors. When asked why the cousin had been left unsupervised, the mother stated that he had only been left alone for a minute when he went to the bathroom. The Hotline SWSM noted that the mother's stories were inconsistent.

The Hotline SWSM traveled to the paternal grandmother's (PGM) home and met with the PGM, half sibling and full sibling. The half sibling denied that she had been in the home when the incident occurred. She stated that, after the incident occurred, the mother called cousin's mother and told her that the cousin shot the victim child. The half sibling denied seeing the gun lying around the house. She reported that her parents kept the gun on top of cabinets and other places where it would be up high. The Hotline SWSM also observed full sibling. The full sibling appeared healthy and appropriately developed. The Hotline SWSM completed a safety assessment and identified safety threats. A safety plan was completed wherein the half sibling and full sibling would remain in the care of the PGM.

On 11/25/2016, the report was reassigned to a Multi-Disciplinary Team (MDT) SWSM. The mother, the father, the cousin, the victim child, and the full sibling had all been in the home at the time of the incident. The PGM reported that she would be able to care for the children while the investigation was occurring. Other family members agreed to assist the PGM with caring for the children. The half sibling reported that the victim child and the cousin play with toy guns. The half sibling stated that the cousin may have thought the gun was a toy.

The MDT SWSM traveled to St. Christopher's Hospital. The victim child was asleep at the time of the visit. The nurse reported that the victim child had an operation on his right hand. The victim child was on a ventilator, but it would likely be removed in a few days. If the victim child's hand did not get infected or swollen, he would be ready for discharge in two weeks.

The MDT SWSM also interviewed the cousin and his mother. Without being prompted, the cousin yelled that the victim child had been shot. He started to talk about the incident but then started talking about other topics. The cousin's mother reported that on her way home, the victim child's mother contacted her to state that the cousin shot the victim child. The cousin's mother admitted that her son has behavioral issues. She did not understand, however, how her son was able to get a gun and shoot the victim child.

The MDT SWSM met with a [REDACTED]. The Detective stated that the mother and father had both been detained following charges relating to the incident. He reported that the father stated that the gun had not been stored in a lock box. In her statement, the mother admitted that the gun was kept upstairs on the floor of the closet. The mother was charged with endangering the welfare of a child. The father was charged with endangering the welfare of a child and possession of a firearm. The father was on parole in New York and he was not permitted to be around firearms.

On 01/19/2017, the CPS report was indicated. The mother posted bail and was released from jail on 01/19/2017. The father remains incarcerated. The father admitted to police that he brought the gun into the home on the day of the incident and placed the gun in a drawer while the boys were present. Both parents are awaiting trial.

There is no information to suggest concerns of substance abuse or mental/behavioral health issues. Additionally, there is no information to suggest that the family was receiving any assistance through any community action agencies in Philadelphia at the time of the incident.

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:

- County responded timely to the report and was engaged and responsive in consulting with medical professionals and other government entities such as homeland security in attempting to obtain additional information about another sibling of the victim child that is thought to have been in New York but current whereabouts are unknown
- County assessed safety for other children involved and a referral was made to assess the cousin's need for behavioral services.
- County located family in order to facilitate kinship services
- County coordinated in home non-safety services for the victim child and his full sibling

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

- None noted

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

- None noted

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

- None noted

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

- None Noted

Department Review of County Internal Report:

The department attended the Act 33 meeting on 12/16/2016. The Philadelphia County Review Team submitted a timely report on 03/14/2017 and the Department concurs with the findings of the report as written by the Act 33 review team.

Department of Human Services Findings:

County Strengths:

- The County agency was responsive in its approach to the investigation
- The County agency collaborated well with key players to include law enforcement, medical professionals, family support system, and social service agencies.

County Weaknesses:

- None noted

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

- None noted

Department of Human Services Recommendations:

- Increased efforts in the promotion of gun safety through the use of Public Service Announcements (PSA) as this area continues to be of concern in ensuring the safety and well-being of our youngest Pennsylvania citizens both inside and outside of the Child Welfare System