



**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.

Westmoreland County Children’s Bureau (WCCB) has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 01/17/2018 which was within 30 days of the date of the oral report of suspected child abuse which was 12/20/2017.

**Family Constellation:**

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	11/14/2015
[REDACTED]	Mother	[REDACTED] 1983
[REDACTED]	Half-Sibling	[REDACTED] 2009
[REDACTED]	Full- Sibling	[REDACTED] 2014
[REDACTED]	Paramour	[REDACTED] 1985
[REDACTED]	Father	[REDACTED] 1986
[REDACTED]	Father (Corwin)	[REDACTED]

\* 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 Western Region Office of Children Youth and Family Services (WRO) obtained and reviewed all records and medical records pertaining to the family. Follow-up interviews were conducted with the Intake Caseworker and Family Service Caseworker to follow-up on criminal charges and ChildLine determination status. WRO participated in the County’s Act 33 meeting that occurred on 01/17/2018.

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

The family has had several previous General Protective Services (GPS) referrals for parental drug and alcohol abuse by the father of the children; and concerns of hygiene and supervision of the children. None of these referrals resulted in the agency providing services to the family.

### **Circumstances of Child Fatality and Related Case Activity:**

On 12/19/2017, WCCB received a Child Protective Service (CPS) report of suspected child abuse on the victim child. The victim child was brought into [REDACTED] by the mother due to the victim child experiencing vomiting for three days prior. The mother was reportedly concerned about dehydration. The mother reported that the victim child's sibling had also experienced vomiting for a few days, but it had stopped. While at the ER the victim child was observed to have a total of six bruises over her face, a torn frenulum and dry blood coming from her ear. A Computed Tomography (CT) scan was completed at which time she was found to have a subdural hematoma. The victim child was then transferred to [REDACTED]. The child was admitted to the Pediatric Intensive Care Unit (PICU). On 12/20/2017, the report was certified as a near fatality report as the victim child was in serious/critical condition.

The WCCB caseworker spoke with the medical staff at [REDACTED] at which time it was reported that the mother provided multiple stories as to how the victim child obtained the injuries. She initially stated that the victim child fell from the couch causing the bruising then the mother stated that the injuries occurred while the child was playing with her sibling. The mother then reported that the victim child had fallen into the wall.

The mother's paramour was present at [REDACTED], but reportedly was not present at [REDACTED]. The mother provided a past medical history of the victim child [REDACTED] due to [REDACTED] in August 2017. There was no history of the victim child having [REDACTED].

On 12/20/2017, the mother was interviewed and reported that she works and the children are cared for by her paramour because he is unemployed. The mother stated that the last time she saw the victim child with no injuries was on Sunday, 12/17/2017. The mother stated that she was at work and children were home with her paramour. She reported that she saw a red mark on the victim child's head when she returned home and by the next day the mark had turned to a bruise. The mother claimed that the paramour called her while she was at work at approximately 4:00 PM to inform her that the victim child and her 3-year-old sibling were jumping on the couch and the victim child started to fall, but he only caught her foot and she hit her head off of the floor. The paramour reported that the victim child hit the left side of her head. The mother told her paramour to give the victim child an ice pack and some [REDACTED] and make sure that she did not fall asleep. The mother reported when she got home at approximately 8:00 PM from work, the paramour told the mother that the victim child had vomited after dinner. The mother assumed that the victim child had the "flu bug" that the victim child's 3-year-old sibling had a few days prior.

The mother also reported that her paramour had told her that the victim child's 8-year-old sibling had been grounded to his room when the incident occurred, but he had not been grounded to his room before she left for work.

When the mother arrived home from work, the children were already in bed and she did not check on the children. Prior to the mother going to work the next day she observed the victim child had a lump on her head where the paramour said that she had fallen. The mother was off of work on 12/19/2017 and she was able to spend more time with the victim child and noticed that she was acting "sluggish, was slow to react, and was playing but was not acting very interested in what she was doing. The mother checked her temperature and she did not have a temperature, so she became concerned because the victim child's 3-year-old sibling had a temperature when he was sick. The mother stated at approximately 4:00 PM the victim child began holding her head and crying. She continued to vomit and did not have a fever. The mother said that her paramour tried to prevent her from taking the victim child to the emergency room, but she insisted and he complained about having to drive them to the emergency room. The mother reported that the paramour's behavior while in the emergency room was "off" he wanted nothing to do with the victim child and would not go near her but they had previously been close. The victim child would reach out for the mother's paramour and he would refused to interact with her telling her "you have your mom, you don't need me." The mother said that she asked the paramour several times over the course of the day how the victim child got her injuries and he gave the same story that she fell off the couch. The mother stated that the paternal grandparents came to [REDACTED] to pick up the victim child's siblings and the paramour would not let the children go and he told the mother that he would take them home while she went to [REDACTED]. The victim child's siblings were not examined or interviewed while at the initial hospital. The mother claimed that the paramour called her multiple times giving her different stories as to how the victim child obtained her injuries.

The mother was asked how the victim child obtained the torn frenulum at which time the mother said that she was at work when that injury occurred as well. She said that her paramour told her that the victim child had a toy dinosaur in her mouth and victim child's 3-year-old sibling ripped the toy out her mouth. The mother said that her paramour told her that he did not see it, but the victim child's 8-year-old sibling told him what happen. The other bruising the mother said was caused by the child's 3-year-old sibling hitting her. The mother reported that the victim child's 3-year-old sibling is frequently rough with her when playing and does frequently throws toys and punches the victim child when they argue over a toy. It was at that time that the physician informed the mother that the victim child's injuries were suspicious for physical abuse. The mother became upset, but stated that she did not believe her paramour would harm the children. The physician expressed concern that the victim child's 3-year-old sibling may also have a head injury due to the mother's report of vomiting without any diarrhea. It was requested that the 3-year-old sibling be examined and forensically interviewed to determine possible physical abuse.

The mother explained that she met the paramour in October of 2016 online and he moved into her home in late September or early October 2017. She reported that she and the paramour did not start dating until after he moved into her home. He moved into her home because he had no place to live and she did not want him to be homeless. The mother reported that when she was present the paramour was "good with the children." She reported that if there were any issues with the children when the paramour was watching them he would call her at work. The mother explained that calls from the paramour would be regarding any falls/injuries the children would have, or if the victim child's 8-year-old sibling would get a bad test grades. The mother denied that the children ever informed her of inappropriate discipline by the paramour. She denied that she ever had any concerns of inappropriate discipline or saw marks on the children prior to this incident.

The WCCB caseworker completed an unannounced home visit with the police on 12/20/2017 at which time they spoke with the paramour. The paramour stated that he spends 90% of the time in his bedroom while the children are in the living room watching television. He doesn't really know what goes on with them. The paramour said that the victim child bangs her head and often hits her head off of her bed. He uses time out for discipline because yelling does not work, it just scares them. The paramour reported that he began noticing bruising on the victim child approximately two weeks ago when she woke up. According to him, the victim child started vomiting approximately on 12/15/2017 or 12/16/2017. The mother decided to take the victim child to the emergency room because she felt that the victim child was "sludgy".

He reported that the victim child tripped over his leg while he was sitting on the couch with her watching television. He said that she started to fall and he "half caught" her. She hit the right side of her head off of the floor. He did not observe any bruising on the left side of her face or under her eye until 12/17/2017. He did not see the incident that caused injuries to the victim child's mouth, but the mother told him that her "webbing" on her upper lip was torn on 12/18/2017. He felt that the victim child's injuries occurred while she was in her bedroom. He indicated that the victim child and her 3-year-old sibling share a room and they "beat each other up."

The caseworker spoke with victim child's 8-year-old sibling about types of discipline and he immediately became defensive stating "I don't want to talk about it" and changed the subject. The caseworker asked him why he did not want to talk about it and the child responded by saying "never mine, I just get time outs and they are really short."

While the caseworker and police were at the home, the victim child's paternal grandparents arrived per the mother's request and took the victim child's 8-year-old and 3-year-old siblings with them after the completing a back ground check.

On December 21, 2017, the victim child's 8-year-old sibling was forensically interviewed and physically examined. The victim child's 8-year-old sibling refused to discuss the injuries on the victim child because it was sad, it made him nervous

and he did not want to talk about the paramour. He would only say that the paramour slept a lot. He reported that the paramour spanked all three children when the mother was at work. He reported that when they were spanked they had clothes on and he spanked them with an open hand. He reported that marks were left on the 3-year-old sibling's butt that looked like fingers. He went on to say that the mother's paramour has paddled him. He went on to say that the paramour is always mad at his mother because she does not listen to him and because his story about victim child's 3-year-old sibling causing the victim child's bruises isn't being accepted by people. The 8-year-old sibling would not allow the physician examine him.

On this date the mother reported that the paramour was no longer living in her home.

On 12/22/2017, the victim child was released from the hospital. She was scheduled to attend a follow-up appointment on 01/16/2018 with the [REDACTED] doctors.

On 01/08/2018, the mother filed a Protection from Abuse (PFA) order against the paramour. She was granted a PFA by default because the paramour failed to appear in court. The PFA was granted for 3 years.

The Westmoreland County's Assistant District Attorney (ADA) has filed criminal charges against the paramour. He was charged with one felony 2 count for aggravated assault –victim less than 6 and defendant 18 or older; one felony 3 count of endangering the welfare of a child (EWOC)-parent/guardian/other commits offense; one misdemeanor 1 count of simple assault and a misdemeanor 2 count of recklessly endangering another person. As of 01/17/2018, the mother's paramour had not been arrested as he has reportedly fled to another state. A warrant for his arrest has been issued.

On 01/19/2018, the WCCB caseworker filed the Child Protective Services Investigation report with ChildLine with the status of "indicated" on the mother's paramour as the perpetrator.

A [REDACTED] is being provided to the family by a WCCB provider. The mother is being provided with [REDACTED]. A provider is working with the mother on resolving the issues the school has with the oldest child and finding [REDACTED] services for the two younger children.

**Summary of 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; Response times met. Children placed with the paternal grandparents by the mother, alleged perpetrator has no access. The mother

filed a PFA against the alleged perpetrator. Services for [REDACTED] in place.

- Deficiencies in compliance with statutes, regulations and services to children and families; None Identified
- 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 identified
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies: Additional educational opportunities for the general public as to how to recognize child abuse and neglect.
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse. Continued increase of communication and partnership of all agencies involved in order to arrive at a consensus conclusion regarding a determination.

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

WRO received an internal report from Westmoreland County Children's Bureau on 02/01/2018. The report included the minutes from the Near Fatality meeting and a summary of the agencies work with the family after the incident as well as their recommendations. The Department is in agreement with the recommendations.

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

#### County Strengths:

- There was immediate and excellent interaction and cooperation with the treating hospital physician, social worker and medical staff. The agency responded immediately following the near-fatality to ensure the safety of the victim child and her half-siblings. There was collaboration between the county and the police department to interview all parties involved.
- The agency immediately met with the mother and the mother's paramour to discuss the allegations and to secure timelines of the events
- The agency secured a forensic interview for the victim child's half-sibling.
- The agency's caseworker maintained on going supervision to discuss the case plan and to determine how they would assure the safety of the children.
- The agency completed several announce and unannounced home visits to assure that the family was following the safety plan.
- There was teaming among the agency, agency supervisor and the family.
- The agency complied with all report and investigations timelines.

#### County Weaknesses:

- There was a report during the Act 33 meeting that the mother has three other children not mentioned in this report, two that reside with their father in Texas and 1 that passed away [REDACTED] in 2012 at 12 weeks old. This information was not confirmed or explored by the caseworker.

**Department of Human Services Recommendations:**

- A public service announcement needs to be created warning single parents about meeting individuals online, or in person that they truly do not know and allowing them to watch or be unsupervised with their children.