



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 06/17/2014
Date of Report to ChildLine: 11/26/2017
CWIS Referral ID: [REDACTED]

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

Philadelphia County Department of Human Services

REPORT FINALIZED ON:

5/11/2018

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 has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 12/15/2017.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	06/17/2014
[REDACTED]	Father	[REDACTED] 1992
[REDACTED]	Paternal Grandmother	[REDACTED] 1953

Summary of OCYF Child Near Fatality Review Activities:

For this review the Southeast Regional Office (SERO) reviewed all records and case notes for the victim child and family during the investigation. SERO reviewed the county's investigation/assessment and structured case notes. Interviews were completed with the investigative social worker.

Children and Youth Involvement prior to Incident:

On April 17, 2017, a General Protective Services (GPS) report was investigated alleging concerns over the care of [REDACTED] in the care of [REDACTED] mother and father. The reporter alleged that a gun had gone off and there was a hole in the wall. It was also alleged that the father did not properly store his gun and the parents were using drugs and having random people in their house. According to the report, the home was infested with roaches and mice and there was no food in the home. The investigation was determined as invalid and there were no services put in place in the home.

Circumstances of Child Near Fatality and Related Case Activity:

On November 26, 2017, Philadelphia Department of Human Services (DHS) received a Child Protective Services (CPS) report that the victim child had suffered a gunshot wound to the leg. The Emergency Medical Services (EMS) personnel responded to a 911 call from an anonymous caller that a child had unknown hemorrhaging. The EMS arrived in the home to check the child and noted that a bullet caused the wound and asked where the gun was. The adults present (godfather, godfather's paramour, and paternal grandmother) were initially hesitant to provide information. Eventually, the paternal grandmother (PGM) confessed that she had fallen asleep with the gun next to her and the victim child had climbed over her and she heard a loud bang. She initially tried to hide the gun in the closet but gave the gun to the EMS when it became clear what had occurred.

The victim child was in the care of [REDACTED] paternal grandmother at the time of this incident. Mother and father are separated and father has a protection from abuse (PFA) against mother because she had previously assaulted him. Child resides with father but PGM watches the child while father is at work. On the morning of the incident, father was running late for work. When he kissed [REDACTED] before leaving for work, he realized he had his gun in his pants and gave it to PGM to put away. Father reported that there had been a number of home invasions recently and he had the gun with him the previous night when he went to the store.

The father stated he has a license to carry a gun and has a snake lock, a Brinks gun box, and a holster. He stated that he stores the gun on a shelf, in the lock and in the gun box, in the living room away from where the children can reach it.

The paternal grandmother was uncooperative for the investigation and refused to be interviewed. When the social work services manager (SWSM) came in to interview the family, PGM stated "I'm not saying nothing," and left the home and remained on the porch for the remainder of the visit. She would not sign a release of information so the SWSM could not obtain her records.

On November 27, 2017, the PGM was arrested and charged with endangering the welfare of a child, recklessly endangering another person, tampering with/fabricating physical evidence, and aggravated assault. She posted bail and was released later that same day; however, she was sentenced to a total of five years reporting probation. The CPS report was indicated on December 28, 2017.

On December 26, 2017, the victim child was [REDACTED]. An Order of Protective Custody (OPC) was obtained and the victim child was [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:
 - The team noted that the MDT SWSM effectively conducted the investigation

- The team reviewed the April 2017 investigation. The previous intake SWSM provided information and outlined why the report had been determined as invalid. There were no bullet holes in any of the walls. The father was able to demonstrate that he had safety measures to store his gun. The only issue that was present in the home was a lack of electricity but that issue was quickly resolved. The intake SWSM reported that she had provided gun safety to the father and to the PGM, who had been identified as the “downstairs neighbor” in the report allegations. The PGM did live below the family and was taking care of ██████ during the time that the electricity had been shut off.
 - The team acknowledged that the previous intake SWSM had properly assessed and counseled the father regarding gun safety. The intake SWSM confirmed the father’s license to carry, observed the father’s routine for safely storing his gun, and also viewed a receipt for the purchase of an additional gun lock.
 - The MDT SWSM also observed the father’s gun safety measures and his license during the current investigation
 - The team noted that the father did not appear to be neglectful since he gave his gun to another adult who presumably knew to keep a gun out of ██████ reach.
 - DHS leadership reviewed DHS’ current gun safety policy “Keeping Kids Safe” and also showed the team DHS’ gun safety pamphlet. The pamphlet, which clearly outlines gun safety practices, can be given to families when DHS is aware of firearms in the home.
 - DHS cannot mandate against parents and caregivers legally owning firearms.
 - DHS SWSMs refer families to community organizations for free or low-cost gun locks and boxes. DHS cannot provide these resources directly to families.
 - The team believed that there needed to be a multi-pronged public safety approach and engagement from multiple stakeholders in order to address gun safety issues.
 - DHS leadership and the DHS Communications Office would explore sharing the gun safety pamphlet with medical providers, schools, and other community organizations.
- Deficiencies in compliance with statutes, regulations and services to children and families;
 - None noted at this time.
- 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.
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and
 - No recommendations.

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

Department Review of County Internal Report:

The Department has received and reviewed the report provided by the county dated 03/15/2018 and is in agreement with the county's findings.

Department of Human Services Findings:

- County Strengths:
None noted
- County Weaknesses:
None noted.
- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
None noted.

Department of Human Services Recommendations:

- The Department recommends free gunlock giveaways at the county children and youth agencies as well as a Public Service Announcement to inform parents of the importance of locking their gun in a safe place away from sight and reach of young children.