



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE  
**OFFICE OF CHILDREN, YOUTH AND FAMILIES**

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**REPORT ON THE FATALITY OF:**

**EMILI R. MULLINS**

**Date of Birth: July 1, 2010**  
**Date of FATALITY: August 2, 2010**

**The family was not known to Children and Youth Services.  
The family was known to other public/private social service agencies.**

This report is confidential under the provisions of the Child Protective Services Law and cannot be released. (23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law. (23 Pa. C.S. 6349 (b))

**Reason for Review:**

Senate Bill No. 1147, now known as Act 33 was signed on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review and provide a written report on any child fatality or near fatality where child abuse is suspected.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Emili Mullins	Victim child	07/01/2010

**Notification of Fatality / Near Fatality:**

On 08/03/2010, Lawrence County Children & Youth Services received referrals from [REDACTED] of the suspicious death of Emili Mullins, a one-month old infant. The police also informed the agency that there were 3 other children in the home and requested that the agency come to the home.

**Documents Reviewed and Individuals Interviewed:**

The OCYF Regional Program Representative reviewed the case file provided by Lawrence County Children and Youth Services for the August 3, 2010 intake report. The file included the referral and demographic information, risk assessment, on-going dictation, as well as copies of releases of information obtained, and other correspondence. Also reviewed were [REDACTED] medical records and the Coroner's report. CYS staff involved in the investigation and provision of services were also interviewed.

**Case Chronology:**

Prior to the death of Emili Mullins on August 2, 2010, the family was not known to Lawrence County Children & Youth Services. A thorough search of the Agency's records revealed no prior history with the family.

Upon receiving notification of Emili's death, the CYS call screener assigned a high risk rating to the referral based on the following facts: the child's death was possibly related to [REDACTED]; mother tested positive for illegal drugs; the

surviving children were all under 5 years old and left in the care of an unsuitable caregiver; and the parents appeared to be emotionally limited.

The ensuing investigation revealed that the parents did not seem overly attached to the children, their care of the children was marginal, and they had immediate and unlimited access to children. Additionally, [REDACTED] had a previous extensive history with CYS resulting in the [REDACTED]. The [REDACTED], and Lawrence County CYS was unable to [REDACTED], as [REDACTED] three other children were fathered with another woman.

Based on the above information, the agency assumed protective custody of Emili's surviving siblings on August 3, 2010. The eldest sibling was placed with a kinship provider, and the younger two siblings were placed in provider foster care.

The two older children, [REDACTED] were returned home on 08-30-2010. The youngest, [REDACTED] remained in the care of a kinship caregiver [REDACTED] due to a serious medical condition until 03-07-2011, at which time he was placed back in the home with his parents.

The family has agreed to work with CYS and participate in services. Currently the family is cooperating with the CYS caseworker and has been receptive to services the agency has arranged through contracted providers. The caseworker is visiting the family weekly and currently has no serious concerns related to the safety of the children. The parents are working with the Child Advocacy Center and are in the Parents as Teachers Program for parenting classes. The children are clean, the eldest is going to school regularly and the children have attended all of their medical appointments since being involved with CYS.

#### **Previous CYS involvement:**

There was no previous history or involvement with the ~~family~~ family involving the deceased child or with the siblings of the deceased child. However, [REDACTED] was previously known to the agency, but his involvement with the agency was related to the three children he had fathered with a former girlfriend. [REDACTED]

#### **Circumstances of Child's Fatality:**

On August 2, 2010, Lawrence County Children and Youth Services received a referral stating that Emili Mullins (DOB: 07/01/2010), had died on 08/02/2010. The child was reportedly found by her father in the crook of her sleeping mother's arm. The mother was awakened by her husband. The parents described Emili

as blue, cold, and had what appeared to be blood on her face. The mother had stated that she was not feeling well and that she had the baby on her chest. She stated that she had taken Tylenol with codeine. The mother later tested positive for benzodiazepines. The child died as a result of being suffocated while sleeping in her mother's arms. On August 10, 2010, the County received a copy of the death certificate from Coroner [REDACTED], who stated that the death was ruled an accident.

Law enforcement officials, from the New Castle Police Department assigned to the criminal investigation, reported that the mother stated that she was up until 4 or 5am the morning of the child's death. Around 9:30am -10:00am she laid down with the infant on her chest and went to sleep on the couch. Around 10:00am - 10:30am the father came down the stairs and noticed the infant in the space between the mother's arm and chest with her head and face in the mother's armpit. The back of the mother's arm was up against the couch. The father stated that he noticed that the infant was blue and he pulled the infant up and away from the mother and started CPR on the infant and called 911. Based on its investigation and the coroner's findings the police department did not file criminal charges.

#### **County Strengths and Deficiencies as identified by the County's Internal Review:**

##### **Strengths**

The county identified that they believe that the agency did comply with all statutory and regulatory requirements. The county took the appropriate measures to ensure the safety of the surviving children while the case was being investigated for possible child abuse.

##### **Deficiencies**

There were no deficiencies listed due to the Agency having no prior activity with the family prior to the notification of Emili's death.

#### **County Recommendations for changes at the Local (County or State) Levels as identified by way of County's Fatality Report:**

The county Child Fatality Review Team recommended that CYS and local service providers collaborate on prevention services to assist at-risk families; and collaboratively develop strategies to identify at-risk families in the community.

**Statutory and Regulatory Compliance issues:**

There were no statutory and regulatory compliance issues involving the case. The agency had no prior reports with the [REDACTED] family and it assumed protective custody of the surviving children pending completion of an investigation into the circumstances of the child's death. The agency appropriately established a reunification plan for the return of the surviving siblings and is providing services consistent with regulations and the needs of the children. A family service plan was appropriately developed and it adequately addressed the needs and safety concerns of the children.

**Western Region Findings:**

1. The [REDACTED] revealed that the child's injuries were not a result of [REDACTED].
2. The safety assessment completed revealed that all of the children were safe with no safety threats present.
3. The Office of Children, Youth and Families believes that Lawrence County Children and Youth Services followed protocol surrounding the investigation.
4. The New Castle Police Department will not be pursuing any charges against the parents and do not suspect foul play.