



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE NEAR FATALITY OF:



Date of Birth: 6/11/2010
Date of Near Fatality Incident: 8/12/2010

FAMILY KNOWN TO:
Montgomery County Office of Children and Youth

REPORT FINALIZED ON: 03/31/2011

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 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child 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.

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Montgomery County convened a review team on 9/1/2010 in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
██████████	Victim child	██████████/2010
██████████	Mother	██████████/1989
██████████	Father	██████████/1989

Other family members

██████████	Homeowner*	██████████/1966
██████████	Mother of ██████████ / household member	██████████/1928
██████████	Maternal grandfather	██████████/1956
██████████	Fiancée of maternal grandfather**	██████████/1962

*Also raised ██████████

**also identified as step-mother to mother

Notification of Child (Near) Fatality:

On 8/12/2010, ChildLine received a call concerning two month old ██████████ ██████████ had been transported to Pottstown Hospital Emergency Room via ambulance. The mother had witnessed the father shaking the baby and dropping him onto the bed. The child immediately became stiff, and began shaking and gasping for air. At the ER, the parents provided no explanation as to what caused the child's condition. While being examined at Pottstown Hospital, ██████████ had a seizure. A ██████████ determined that he had bleeding from the brain. He was transferred to Children's Hospital of Philadelphia on 8/12/2010. While at CHOP, the mother broke into tears and admitted that she had witnessed the father shaking and dropping the baby. Injuries identified were ██████████ ██████████ on the brain. ██████████ reported that victim child was in critical condition as a result of suspected child abuse.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to this family. The regional office participated in the County Internal Fatality Review Team meeting on 9/10/2010. All contact about fatalities in Montgomery County must be communicated through [REDACTED], the Quality Assurance Manager of Montgomery County Children and Youth.

Summary of Services to Family:**Children and Youth Involvement prior to Incident:**

7/15/2010 [REDACTED] Inquiry

On 7/15/2010, a report was filed concerning inadequate shelter and inappropriate discipline. Contact was made with the local police. The parents were renting a room from a family friend. The reporting source reported to the police that they observed the parents abusing the baby and demonstrated poor parenting knowledge. The baby reportedly cried constantly. The parents were heard yelling, screaming, and cursing at the baby. The reporting source reported hearing the baby drop to the floor several times after these continuous crying spells. The homeowners had requested that the parents leave the home.

On 7/16/2010, the detective visited the home and observed no injuries. The homeowners were questioned if they had witnessed the parents harming the child. They reported that they had not seen any abusive acts. The father denied that he had ever dropped or shaken the baby. The baby was being seen at [REDACTED] for medical care. On 7/16/2010, the worker and supervisor had a conference and determined that this family should be set up for services based on the parents' young ages and their possible lack of proper parenting knowledge.

On 7/19/2010, the case was assigned for [REDACTED]. Home visit was scheduled for 7/26/2010 with the parents. The county documented that conversation with the mother indicated that the father had been put out of the home by the homeowners.

On 7/22/2010, the worker went to the family home. He spoke with [REDACTED] homeowner, and was informed that [REDACTED] had raised [REDACTED]; he had put [REDACTED] out because [REDACTED] was not acting like a responsible father.

On 7/23/2010, the worker met with the parents at the [REDACTED] Hotel in Horsham. They reported they had been living there for two days. The father is employed by the mother's father at the family business. A Safety Assessment completed on this date determined that the child was Safe; no safety threats were identified.

On 7/30/2010, the mother and child were transported to the Pottstown Salvation Army shelter by Montgomery County staff.

On 8/4/2010, the mother informed her step-mother that [REDACTED] had a black eye from a mosquito bite. Due to staff shortages, the shelter requires residents to leave the shelter from 8 am to 4 pm. The step-mother informed worker of this information. The worker called the mother and instructed her to take the baby to the nearest hospital immediately. County worker requested that police complete a well-being check on the baby and mother. Detective called worker to confirm that child was seen at ER and doctors confirmed it was a bee sting.

On 8/5/2010, the worker conducted a visit to the family at the shelter. [REDACTED] was presented and discussed with the parents.

On 8/11/2010, the baby was seen at the Pottstown Hospital Emergency Room.

Circumstances of Child Near Fatality and Related Case Activity:

On 8/11/2010, the child had been seen at his pediatrician for bruising around the eyes. The parents reported to a certified nurse practitioner at [REDACTED] that [REDACTED] had gotten a bug bite near his eye and now it was appearing as a bruise. The mother had been instructed to take the child to the local ER for further evaluation. Child was taken to Pottstown Hospital on 8/4/2010 for a bug bite, and was discharged by the hospital to mother's care without further testing or scans. While [REDACTED] was being seen at the clinic on 8/11/2010, the nurse practitioner observed a bruise on his left thigh; the parents had no explanation for this bruise. At this time, the [REDACTED] made a report to ChildLine and asked that the child have a [REDACTED] at Pottstown Hospital. Montgomery County Children and Youth conducted an unannounced visit to the home on 8/11/2010. Photographs were taken of [REDACTED] right eye and left leg. The mother reported that the bruise must have come from the baby rubbing his leg against the stroller.

On 8/12/2010, the mother reported that the baby had been fussy all through the night. The baby finally went to sleep about 2:30 am. The father told the mother, "You are giving him all that attention, that's why he is crying." The mother reported that the father hit her, and that this was the first time he had ever hit her. The baby slept until about 10 am. The mother picked him up when he became fussy. She walked around with him for about 10 to 15 minutes, then put the baby down on the bed and went to the bathroom. When she came out of the bathroom, she observed [REDACTED] shaking the baby, yelling at him to "shut the f--- up." The mother reported that she attempted to stop the father from shaking the baby, which is when he dropped the baby on the bed. This was reported to the shelter staff who called an ambulance.

On 8/12/2010, the county worker made contact with the [REDACTED]. The [REDACTED] reported that preliminary test results indicate that [REDACTED] suffered a [REDACTED], brain bleeding, and two fractures of his skull- one on his right eye and one on the back of his head. The county worker interviewed the mother at the hospital. The mother described to the worker the sequence of events leading to [REDACTED] ER visit. The mother admitted that she had not been sure in the past

about why [REDACTED] was fussy, but had been suspicious of [REDACTED] hitting the baby. When she questioned him, he had denied that he had hit the baby.

On 8/12/2010, the Pottstown police interviewed the father; he admitted to shaking/dropping the baby.

On 8/13/2010, the father was placed under arrest by Pottstown police and held for \$25,000 bail.

On 8/16/2010, the worker met with medical staff [REDACTED] who indicated that the previously diagnosed bug bite on child's right eye was inaccurate [REDACTED] actually sustained a fracture to the lower bone of his right eye.

On 8/16/2010, the Safety Assessment determined that [REDACTED] was safe with a comprehensive plan. The plan signed by the mother, maternal grandfather, maternal grandfather's fiancée, and by the county worker and supervisor stated the maternal grandfather and his fiancée would provide 24 hour supervision of [REDACTED], and that mother would have no physical contact with the child.

On 08/17/2010, [REDACTED] was [REDACTED] from the hospital to the home of the maternal grandfather and his fiancée. Visitation for the mother was to be supervised by the maternal grandfather or his fiancée.

On 8/23/2010, [REDACTED] had a preliminary hearing.

On 9/12/2010, [REDACTED] was moved from the home of maternal grandfather because of medical problems of the fiancée, and placed in county foster care

On 9/15/2010, the Montgomery County Office of Children and Youth obtained custody of [REDACTED] through the Juvenile court.

Current Case Status:

- On 10/7/2010, [REDACTED]. The father was [REDACTED]. The mother was named as [REDACTED] in that she had witnessed the father getting frustrated with [REDACTED] and was unable to protect the child.
- [REDACTED] is doing well medically. The cast was taken off his leg. The leg fracture was caused from being dropped, not from being shaken.
- Father is still incarcerated. The police did not charge the mother as she was cooperative with their investigation.
- Permanency goal is reunification, with concurrent goal of place with permanent legal custodian. Next permanency hearing is 3/14/2011.
- Supervised visitation with mother is bi-weekly at the county agency offices. Father's visits are suspended during his incarceration. When the father is released from prison, he is to contact the county agency for scheduled visitation.

County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child (Near) Fatality Report:

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- Strengths:
None identified.
- Deficiencies:
None identified.
- Recommendations for Change at the Local Level:
 - 1) Community hospitals should develop directives regarding treatment of children as they appear unable to effectively treat injuries sustained by young children.
 - 2) Parenting education/public service announcements should be directed towards outlets/environments where young parents spend their time such as video games, social media internet sites, etc, and should include consequences of child maltreatment.
 - 3) All homeless shelters should have cribs for young children to sleep in.
- Recommendations for Change at the State Level:
None identified.

Department Review of County Internal Report:

The Department has reviewed and is in agreement with these recommendations.

Department of Public Welfare Findings:

- County Strengths:
 - Timely and thorough investigation
 - Use of kinship resources
 - Collaboration with police departments
- County Weaknesses:
None noted
- Statutory and Regulatory Areas of Non-Compliance:
No regulatory non-compliances noted.

Department of Public Welfare Recommendations:

None identified.