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REPORT ON THE Fatality OF:

Nina Gasparre-Hardesty

BORN: February 24, 2010
DIED: May 22, 2011

FAMILY KNOWN TO:

Allegheny County Children, Youth and Families

REPORT FINALIZED ON:

May 24, 2012

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. Allegheny County has convened a review team in accordance with Act 33 of 2008 related to this report.

Family Constellation:

| <u>Name:</u> | <u>Relationship:</u> | <u>Date of Birth:</u> |
|------------------------|----------------------|-----------------------|
| ██████████ | Mother | ██████████ 1973 |
| ██████████ | Child | ██████████ 2003 |
| Nina Gasparre-Hardesty | Child | 02/24/2010 |
| ██████████ | Father of Nina | ██████████ 1967 |

Non-Household Members:

| | | |
|------------|------------------------|-----------------|
| ██████████ | Father of ██████████ | ██████████ 1980 |
| ██████████ | Daughter of ██████████ | 19 years old |

Notification of Child (Near) Fatality:

On May 25, 2011 Allegheny County Children, Youth and Families notified ██████████ that a murder/suicide had occurred in Allegheny County on May 22, 2011. According to media reports, the father of Nina had shot and killed the mother, the child, her sister and then turned the gun on himself. The media reports stated that the incident occurred after the mother and the father of Nina argued over the mother's relationship with ██████████ father.

Summary of DPW Child (Near) Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to the ██████████ family. The regional office also participated in the County Internal Fatality Review Team meeting.

SUMMARY OF SERVICES TO FAMILY:

Children and Youth Involvement Prior to Fatality Incident:

On March 18, 2009 Allegheny County, Children, Youth, and Families received a report from the Ohio Township Police that they had received a referral from ██████████ that the previous weekend the mother had the child at a restaurant/bar. There, the mother met a man named ██████████ and invited him home with her and the child. When they arrived at their home, the mother went and used the bathroom. While she was in the bathroom, the man named ██████████ licked ██████████ anal and vaginal area. ██████████ reported the incident to her father who reported the incident to the Police. A Forensic Interview for the child was scheduled at Children's Hospital of Pittsburgh.

A caseworker made a home visit to the home on March 23, 2009 and found the home to be neat and clean. The home included items to care for a child and there was plenty of food in the

home. The caseworker observed that the child was happy and comfortable with her mother. The mother told the caseworker that she had only met [REDACTED] at the restaurant and she did not know his last name. She reported that he had called her on Monday and asked her if everything was okay. [REDACTED] showed the caseworker her bedroom. The caseworker noted that [REDACTED] was at the home during this visit. The mother stated that he was her boyfriend. The mother stated that she, her mother, and the father were taking the child to the Forensic interview. They were cooperating with the Police investigation.

On March 25, 2009, the agency screened out the report since the [REDACTED] was not in the home and the mother was protecting the child. The [REDACTED] did not meet the definition of a [REDACTED] according to the Child Protective Service Law.

On April 25, 2011, the [REDACTED] to [REDACTED] pled "nolo contendere" to Indecent Exposure, corruption of Minors, and Indecent Assault. He received a sentence of six months of house arrest followed by seven years of probation.

Circumstances of Child Fatality and Related Case Activity:

On May 22, 2011 at 10:09pm, Allegheny County 911 received a report of gun shots heard in the vicinity of the family home. The Shaler Township Police Department responded to the report and found a family of four deceased at 10:14pm. The Shaler Township Police referred the case to the Allegheny County Police.

According to the police, the mother and Nina were found on the bed in the master bedroom. The mother was shot twice in the head. Nina, who was beside her mother, was shot once in her head. It appeared that the mother was trying to protect Nina. [REDACTED] was found in the hallway outside of her bedroom with a gunshot to the head. The mother and the two children were in night clothes. [REDACTED] was in street clothes he was found on the bedroom floor between the bed and closet with a self-inflicted gunshot wound to the head.

Autopsies were performed on May 23, 2011 by the Allegheny County Medical Examiner's office. The autopsy on Nina was limited to her head. The cause of death was a perforating gunshot wound of the head, intermediate range. The bullet entered through the [REDACTED]. A bullet fragment was recovered from [REDACTED]. The manner of death was homicide.

The cause of death for [REDACTED] was a [REDACTED]. The bullet entered through the [REDACTED]. Small lead bullet fragments recovered from the head. [REDACTED] body did not show evidence of recent medical or surgical treatment. There were fifteen brown [REDACTED] each smaller than one square inch on various locations on her body. (i.e.: thigh, shin, knee, upper arm, elbow, forearm, and lower abdomen).

Nina's father was identified as the actor responsible for the death of the mother and the two children as well as himself. All of the victims injuries were consistent with a Taurus .357 revolver.

On May 25, 2011 Allegheny County Children, Youth, and Families received two [REDACTED] reports, one on Nina and one on [REDACTED].

The caseworker interviewed one of the assigned detectives by phone on June 1, 2011. He stated that the police investigation included a review of phone records. Nina attempted to call

her father at 9:47pm on May 22, 2011, the call was unsuccessful. The police interviewed [REDACTED] maternal grandmother who stated that [REDACTED] had called her on the night of May 22, 2011. She told her grandmother that Nina's father was talking negative about her father. [REDACTED] told her grandmother that she wanted to come to her grandparent's home. The grandmother then spoke to the mother, who assured her that Nina's father was leaving the house for the night.

Since he lived in the state of New York, [REDACTED] father was interviewed by telephone on June 1, 2011. [REDACTED] father reported that he has lived in the state of New York for almost two years. He had almost daily telephone contact with [REDACTED]. [REDACTED] visited him on holidays. She last visited him in January of 2011 for one and one-half weeks. He had spoken to [REDACTED] mother the Thursday before the incident to plan [REDACTED] Fourth of July visit. He did not believe that [REDACTED] was maltreated by Nina's father. It was his impression that Nina's father ignored his daughter. He reported that both the mother and Nina's father had histories of [REDACTED]. The mother had reported to [REDACTED] father that Nina's father was a tyrant when he did not take his medications. They frequently argued about finances.

In her interview with the media, Nina's father's adult daughter stated that her parents had been divorced for nine years. She lived with her mother but described her relationship with her father as close. However, her father kept to himself about personal things. She did not know that he owned a handgun but reported that he was a hunter by hobby. She further stated that Nina's parents had met at work few years ago and started a relationship.

Nina's grandfather and brother also gave interviews with the media. They live in Arizona. The paternal grandfather last spoke to his son four months prior to the incident. He stated that his son struggled with [REDACTED]. They did not see a violent streak in Nina's father. They did state that family was experiencing financial troubles. They could not figure out what happened to lead Nina's father to commit such an act.

According to media reports, [REDACTED], the mother and the two children had recently moved into the house. They were new to the community. Neighbors reported that they had seen the family playing in the front yard in the afternoon of May 22, 2011. Later in the evening, they heard [REDACTED] and the mother arguing, which escalated into screaming and then they heard a gunshot. Nina's father was employed as a supervisor [REDACTED].

On June 22, 2011, Allegheny County Children, Youth and Families [REDACTED] the reports of [REDACTED] on the two children with Nina's father identified as the [REDACTED].

Current Case Status:

The case is closed.

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

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of [REDACTED] involving a child fatality or near fatality is [REDACTED] or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Allegheny County has convened a review team in accordance with Act 33 of 2008 related to this report.

- **Strengths:** The agency responded immediately to the report. They conducted an investigation and worked in cooperation with the police. No statutory or compliance issues were noted.
- **Deficiencies:** Even though this was a case of domestic violence the review team did not include a representative from a local domestic violence program.
- **Recommendations for Change at the Local Level:** Increased community awareness and education of domestic violence issues.
- **Recommendations for Change at the State Level:** Increased community awareness and education of domestic violence issues.

Department Review of County Internal Report:

The Department has not received the official near fatality report from the Allegheny County. The report that was reviewed was the draft report which was received on 5/21/2012, which was a year after the incident. The report described the agency's one prior involvement with the family that had occurred in 2009. It also described the actions the agency took with the current investigation.

Department of Public Welfare Findings:

- **County Strengths:** The agency responded immediately to the report. They conducted a thorough investigation and worked in cooperation with law enforcement.
- **County Weaknesses:** The County needs to submit their report to the Department in a more timely manner.
- **Statutory and Regulatory Areas of Non-Compliance:** None

Department of Public Welfare Recommendations:

- The County review team should include a representative from a local domestic violence program.
- The County needs to submit their report to the Department in a more timely manner.