



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

Gabrielle Williams
Regional Director

CENTRAL REGION
Bertolino Building, 4th Floor
PO BOX 2675
Harrisburg, Pennsylvania 17105

OFFICE (717)772-7702
FAX (717)772-7071

REPORT ON THE NEAR FATALITY OF



BORN: [REDACTED] **2010**
DATE OF NEAR FATALITY: **06/11/2010**

FAMILY KNOWN TO:
Lancaster County Children and Youth Agency

November 22, 2010

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 child near-fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality reviews 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>
[REDACTED]	Victim Child	[REDACTED] 2010
[REDACTED]	Mother	[REDACTED] 1984
[REDACTED]	Father	[REDACTED] 1986
[REDACTED]	Sister	[REDACTED] 2006
[REDACTED]	Brother	[REDACTED] 2002

Relatives

[REDACTED]	Maternal Aunt	Unknown
[REDACTED]	Maternal Aunt	Unknown
[REDACTED]	Maternal Grandmother	Unknown

Notification of Fatality/Near Fatality

On June 11, 2010, Lancaster County Children and Youth Agency (LCCYA) received a call [REDACTED] regarding the Victim Child and her Mother. The Mother had taken the Victim Child to Lancaster General Hospital with a lump on her head. The Victim Child had a significant skull fracture and internal bleeding, and was flown to the Hershey Medical Center. The Mother had offered several explanations as to how the injury occurred, stating the child had hit her head on a couch or was hit in the head with a toy by her 3 year old sibling. When told these explanations were inconsistent with the injuries, the Mother was encouraged by another family member present to tell the truth. She explained that she was involved with domestic violence with the Victim Child's Father, and while he was choking her, she dropped the Victim Child. The Mother also had injuries to her neck. The incident had occurred the night before around 6 pm.

[REDACTED] A Pediatric Surgeon confirmed that the Victim Child was in Serious Condition. [REDACTED]

Documents Reviewed and Individuals Interviewed:

Complete Lancaster County Children and Youth Agency (LCCYA) case record [REDACTED] investigation, and service planning record
Child medical records from Hershey Medical Center
Criminal Dockets Re: [REDACTED]
Interview with [REDACTED] Supervisor and other Lancaster County Children and Youth Agency staff

Previous CYS involvement:

The Mother was open for ongoing agency services due to drug use and criminal involvement in 2007. The Mother had been charged with a DUI, Driving the Wrong Way, and Improper Child Restraint. The case was closed on August 14, 2007 when all goals were accomplished. The agency did not receive any concerns with the Mother again until May 2009, [REDACTED] contacted the agency because she was caring for the two children of the Mother, [REDACTED] while the Mother was incarcerated. The Mother had not previously served time for her arrest in 2007, and had violated probation. She was placed in the Lancaster County Prison on May 21, 2009. [REDACTED] could not obtain [REDACTED] assistance for the children. LCCYA worked with [REDACTED] to obtain these services for the children. During the course of involvement at the intake level, the Father [REDACTED] removed him from the care of [REDACTED]. This Father was then arrested and [REDACTED] was returned to the care of the [REDACTED]. This case was closed at intake on May 28, 2009. [REDACTED] continues to reside with this [REDACTED] was returned to her mother upon her release from prison.

[REDACTED] was not known to the agency prior to this investigation.

Circumstances of child's near fatality:

Lancaster County Children and Youth Agency received a call on the evening of June 11, 2010 [REDACTED] regarding a child that had been flown to the hospital from Lancaster General Hospital. The Victim Child had been brought to the hospital by her Mother with a bump on her head. Medical examinations revealed a significant skull fracture and subsequent internal bleeding. The Mother had offered several explanations for the bump, stating that the Victim Child had fallen from the couch or was hit in the head by a toy. When hospital staff notified the Mother that these explanations were not consistent with the injuries, she was encouraged by a family member to tell the truth. She stated that the Father of the Victim Child had been choking her, causing her to drop the Victim Child from shoulder height to the floor. This had occurred on the previous evening. When she noticed the lump on the Victim Child's head, she brought her to the emergency room. [REDACTED] called subsequently and reported that the incident had been [REDACTED] and was being registered as a near-fatality, as a Pediatric Surgeon had certified the Victim Child in serious condition. [REDACTED]

On June 12, 2010, an LCCYA caseworker met with the Mother and the Child at the Hershey Medical Center. The Mother reported that during the day of June 10, she had been texting with the Father, and they had been arguing in this manner. She met up with him at her cousin's apartment to talk. She stated that he came in the apartment with a bag and told her that it was a "gift" for her. Because he was acting strange, the Mother became worried that he may have a gun and intend to harm her. She reported that she had picked up the Victim Child and was heading towards the door when the Father blocked her way and grabbed her by the neck. This had caused her to drop the Victim Child to the floor. The neighbors called the police and the Father left the premises. The Mother reported that she lied to the police stating that everything was ok and she did not display any injuries. At this visit, the caseworker observed bruising on the Mother's neck and a bite to her forehead which reportedly came from the Father. A Safety Plan was established for the Mother's children. Her oldest son currently resided with a Maternal Aunt, [REDACTED], and would remain there. It was arranged for her three year old daughter to go with Maternal Aunt, [REDACTED]. The Victim Child remained safe in the care of the hospital. The Agency monitored the Safety Plan through telephone calls, announced, and unannounced visits.

[REDACTED]. The hospital had conducted diagnostic tests on the Victim Child that were returned normal, and a follow-up bone survey was not warranted. The Mother would be living with the maternal grandmother as well. A

Safety Plan was put in place stating that the Mother would not be unsupervised with the Victim Child at this time. The Victim Child would be enrolled in daycare while the Maternal Grandmother was at work. [REDACTED] contacted the agency stating that they are concerned for the Mother and afraid that she will not discontinue contact with the Father. The Mother admitted to sharing texts with the Father. However, she remained dedicated to caring for the Victim Child in the presence of her mother. The Mother often questioned the need for a Safety Plan, but remained in compliance with the Plan. The Agency assured compliance through phone calls and unannounced visits. The Agency was also in contact with many family members who understood the importance of the Plan and would alert the Agency with any concerns. The mother used the opportunity of having the children in daycare, to spend her time finding stable employment. On June 29, the Mother reported that she was working stable jobs through a temp agency in the area.

LCCYA continued to field calls from concerned [REDACTED] that felt that the Mother had not discontinued contact with the Father. Many of the family members offered themselves as potential permanent resources for the children. LCCYA shared kinship information with the family members as a concurrent plan if the Mother did not comply with agency directives. On July 15, the Maternal Grandmother reported that the family had held a meeting to discuss how they would be supporting the Mother. The family goal is to retain the children in a safe environment and help the Mother to care for them.

On August 3, ongoing case services were discussed with the Mother. She stated that she was in agreement with these services because she wanted to do what was best for her children. She is currently working at [REDACTED], and is starting a ready-to-work program. She would be working on obtaining an apartment for herself and her daughters. The Safety Plan was lifted as the Mother committed to following through with services and doing what was best for her children. She stated that she was not in contact with the Father and did not want to have future contact. She wanted to focus on her life and the lives of her children.

The Victim Child has fully recovered with no repercussions from her injury. Family members report that the Victim Child shows no residual effects of trauma. The Victim Child continues to be assessed at routine doctor visits.

The Father's whereabouts were unknown during the course of the investigation. He was sent correspondence and would talk to the agency caseworker, but not reveal his location. The Father was not able to be interviewed before the conclusion of the investigation.

LCCYA conducted a [REDACTED] investigation with the Father and Mother [REDACTED]. The investigation was concluded on August 6, 2010 [REDACTED]. The [REDACTED] status was determined through medical evidence and interviews with the Mother. [REDACTED]

Current/most recent status of case:

Upon the completion of the [REDACTED] Investigation, the case was opened for ongoing [REDACTED] Services on August 6, 2010. LCCYA plans to monitor the Mother as she is now the sole care provider for her children. The Mother has moved into an apartment where she resides with the Victim Child and her four year old sister. The Mother was receiving protective daycare services through LCCYA, but has recently obtained daycare services through a private provider. [REDACTED]

[REDACTED] LCCYA reports that the Mother has been moderately compliant with agency services and has voiced her intentions to be compliant. She has allowed access to the children and signed all relevant releases. The Mother does not have contact with the Father, nor

do the children. She continues to receive support from her extended family.

A Family Service Plan (FSP) was developed for the Mother upon opening for [REDACTED] Services. The Plan calls for the Mother to provide stable housing and care for her children, maintain violent-free relationships, and not allow [REDACTED] access to her children.

Throughout much of the case, the whereabouts of the Father were unknown. On September 10, 2010, the Father was located and placed in Lancaster County Prison pending charges of: Aggravated Assault (F1), Simple Assault (M1), Simple Assault (M2), Recklessly Endangering Another Person (M2), Intimidating a Witness/Victim, False/Misleading Testimony (M2), and Intimidating a Witness/Victim – Refrain from Report (F1). Bail was set at \$100,000. A formal arraignment for these charges is set for November 24, 2010. The Father does not have contact with the Mother, or access to the children.

Services to children and family:

Hershey Medical Center – Medical Services
Lancaster County CYA – Protective Services
Protective Daycare

[REDACTED]
Domestic Violence services through [REDACTED]

County strengths and deficiencies as identified by the County's fatality report:

Fatality/Near Fatality Multidisciplinary Team meetings were held on June 16, 2010 and July 21, 2010 at the Lancaster County Children and Youth Agency. The team made up of local professionals indicated that LCCYA had been appropriate in their handling of the case. The agency detailed the search for family members and support from the faith-based community. This was supported and encouraged by the team.

County recommendations for changes at the local (County or State) levels as identified in County's fatality report:

None

Central Region findings:

Strengths:

- County response to information received was urgent and thorough.
- The [REDACTED] Investigation was completed in a timely manner and included full collaboration with local police and medical professionals.
- The agency made concerted efforts to find the fathers of each child and assess their ability to care for the children.
- MDT participants were supportive of the county's response and praised the workers for their collaboration with all involved.
- The agency has continued to provide for the safety of the children through detailed protective services.

Statutory and Regulatory Compliance Issues:

All regulations regarding the [REDACTED] investigation and subsequent county services were followed.