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REPORT ON THE NEAR FATALITY OF:



Date of Birth: October 5, 2008
Date of Near Fatality Incident: November 4, 2011

FAMILY KNOWN TO:

Allegheny County Children, Youth and Families

REPORT FINALIZED ON: 02/06/2013

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>
[REDACTED]	Victim Child	October 5, 2008
[REDACTED]	Mother	[REDACTED] 1984
[REDACTED]	Father	[REDACTED] 1984
[REDACTED]	Father's Girlfriend	[REDACTED] 1985
[REDACTED]	Half Brother	[REDACTED] 2002
[REDACTED]	Half Sister	[REDACTED] 2005
[REDACTED]	Half Brother	[REDACTED] 2006
[REDACTED]	Half Brother	[REDACTED], 2007
[REDACTED]	Half Brother	[REDACTED] 2004
[REDACTED]	Half Brother	[REDACTED] 2006
[REDACTED]	Half Brother	[REDACTED] 2009
[REDACTED]	Half Brother	[REDACTED] 2010
[REDACTED]	Paternal Aunt	[REDACTED] 1977

Notification of Child Near Fatality:

On November 4, 2011 at 10:18 pm, Allegheny County Children, Youth and Families (ACCYF) received a phone call from a McKeesport Police Department Officer stating that they had just responded to the home of [REDACTED] regarding concerns that his 3 year old son, [REDACTED] had sustained multiple injuries. The initial information was reported to the police department by [REDACTED]. She had reported that she had seen multiple bruises on [REDACTED], and when she questioned the child on how he sustained the injuries he told her [REDACTED] had pushed him down the stairs." [REDACTED] is the father's live-in girlfriend.

McKeesport Police [REDACTED] when they arrived at the residence they had observed bruises to [REDACTED] forehead, the left side of his face, to his left ear, his chest, back and his upper left thigh. After viewing the injuries, the police officers contacted the [REDACTED] to get their opinion on the bruising. All of the emergency responders agreed that [REDACTED] needed to be transported via ambulance to [REDACTED]. Once at [REDACTED], it was determined that he would be transferred to [REDACTED].

On November 5, 2011 at 1:25 am, a Child Protective Service (CPS) Report was given to ACCYF. The CPS report stated that [REDACTED] had been transported from [REDACTED] via ambulance to [REDACTED] presented at [REDACTED] with bruises to the head and marks to the chest. He had sustained open cuts to his back, buttocks and legs. The child had a [REDACTED] on the left side of his brain and a [REDACTED]. He also had burn marks on his left foot and left ankle. [REDACTED] reported that [REDACTED] was in serious condition. According to [REDACTED], there was almost no part of his body that did not have bruising. It was stated that [REDACTED] had disclosed to [REDACTED] that his father caused his injuries.

Summary of DPW Child Fatality Review Activities:

The Department of Public Welfare's Office of Children, Youth and Family Services Program Representative reviewed the case file provided by Allegheny County Children, Youth and Families (ACCYF) for the November 5, 2011 intake referral for the Child Protective Services investigation. The file included the referral and demographic information, safety assessments, risk assessments, family service plan, on-going dictation, and other correspondence. The assigned Western Regional Program Representative began ongoing communication with the caseworker, and continued to maintain ongoing contact with the county agency. The Department attended the internal review conducted by ACCYF on December 15, 2011.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

Summary for [REDACTED] as a Mother

- December 23, 2002

ACCYF received a General Protective Services (GPS) referral stating that [REDACTED] mother, [REDACTED], while still a teenager left the maternal grandmother's home with 6 week old [REDACTED], victim child's half-brother. The maternal grandmother was uncertain of [REDACTED] safety and [REDACTED] parenting abilities. The maternal grandmother was able to locate [REDACTED] and [REDACTED].

however, she was concerned that [REDACTED] would try to steal [REDACTED] from her care. The case was opened, and remained opened until October 9, 2003. [REDACTED] completed parenting classes, was working towards obtaining her GED, and obtained part-time employment. [REDACTED] also had the support of the maternal grandmother.

- February 2, 2004

ACCYF received a General Protective Services referral alleging that [REDACTED] was not meeting [REDACTED] needs and was using drugs. A field screen was conducted on February 3, 2004. During the field screen it was determined that the maternal grandmother assisted the mother in caring for [REDACTED], and he was up-to-date on his well-child care. [REDACTED] denied any substance usage; however, no documented drug testing was noted. [REDACTED] admitted to smoking only cigarettes. The case was closed at intake.

- October 31, 2011

ACCYF received a General Protective Services referral reporting that the victim child's half-brother, [REDACTED], had been taken to [REDACTED] by his stepmother for care due to the biological mother dropping him off at his father's home without any medical history.

A field screen was completed on October 31, 2011. [REDACTED] father and his wife had reported that [REDACTED] had dropped off [REDACTED] without notice. [REDACTED] was added to his stepmother's insurance and the home was clean and his father wished to care for [REDACTED]. The case was closed at intake.

Summary of [REDACTED] as a Mother (Victim Child's Stepmother)

- April 28, 2009

ACCYF received a referral that victim child's half sibling, [REDACTED], tested positive for THC at birth. [REDACTED] mother, [REDACTED] refused to participate in a drug screen. [REDACTED] was determined to be healthy and [REDACTED] reported that she had received prenatal care and had supplies for the baby.

The case was accepted for services through the Family Group Decision Making Unit. [REDACTED] had admitted to ongoing marijuana usage during her pregnancy with [REDACTED].

A criminal background check on the father, [REDACTED] indicated that he was arrested in 2006 for Simple Assault due to domestic violence. He was [REDACTED] to comply with [REDACTED] which he completed.

The parents, [REDACTED] participated in a [REDACTED] through the [REDACTED] program. Both were recommended for [REDACTED]. They did not participate in [REDACTED].

The family was active in the Family Group Decision Making process during the case opening. [REDACTED] mother and grandmother were determined to be supports to her. [REDACTED] stopped using marijuana and participated in drug screenings which were negative. The father reported he also ceased drug usage but no drug screens were documented.

[REDACTED] also began looking for housing for all of her children. The case was closed on April 27, 2010.

Circumstances of Child Near Fatality:

[REDACTED] had resided with his mother and his half siblings, [REDACTED] in Newport News, Virginia until October 27, 2011. On that date the paternal grandmother transported [REDACTED] and his half sibling, [REDACTED], to Pittsburgh to visit with their respective fathers.

On November 4, 2011, [REDACTED] paternal aunt went to pick up [REDACTED] and his half-brothers, [REDACTED] at the father's residence around 8:00 pm to take them to her home for the night. When the paternal aunt arrived at the residence the father had just returned home from work. The father was in the process of placing all three boys into his car when the aunt arrived. He had thought he would be transporting the children to his sister's home. The father then placed the children into the aunt's vehicle.

When the paternal aunt returned to her residence she had noticed bruising to [REDACTED] face. She immediately contacted the father and asked if he knew about the bruising and he reported that he was not aware. The aunt asked [REDACTED] how he had obtained the injuries and he told his aunt "[REDACTED] pushed me". The father came to the home to pick up [REDACTED]. The aunt followed the child and father home and [REDACTED].

McKeesport Police [REDACTED] reported when they arrived at the residence the father was reluctant to allow the officers into his home. He eventually allowed them into the home. The police officers noted visible bruising to the child's forehead, left cheek and left ear. The child lifted his shirt to show bruises on his entire chest area and scratches. He also had severe bruising on his back similar to his chest and stomach. The officers contacted the [REDACTED] to get their opinion of the bruises. A determination was made that [REDACTED] needed to be transported to the [REDACTED].

At 10:18 pm, Allegheny County Office of Children, Youth and Families (ACCYF) had received a General Protective Services referral from the [REDACTED] that they had responded to a call concerning the possible [REDACTED] of a three year old child. The officer explained that multiple bruises were seen on the child and that the child may have been shoved down a flight of stairs by the father's girlfriend, [REDACTED]. The child was in the care of the father's girlfriend the entire day. ACCYF was informed that the child was being transported to [REDACTED]. The police officer also commented that there were other children in the home.

Upon arrival at [REDACTED] a determination was made by the ER Department to have the child transported to [REDACTED] due to the extent of his injuries.

At 11:11 pm, ACCYF received a phone call from [REDACTED] from the [REDACTED]. She reported that [REDACTED] had arrived in the Emergency Department and has bruises over his entire body. It was reported to her that [REDACTED] had alleged that his father caused the injuries. The father was at the hospital; however, he was being detained by local law enforcement.

On November 5, 2011 at 1:25 am, ACCYF received a Child Protective Service report from ChildLine. The report stated that [REDACTED] had been transported via ambulance from [REDACTED] had presented to the hospital with bruises to the head and marks to his back and chest. He had open lacerations to his back, buttocks and legs. According to the [REDACTED] it appeared as though he had been slashed with something. It was determined that [REDACTED] had a [REDACTED] on the left side of his brain and a [REDACTED]. He had burn marks on his left foot and left ankle. [REDACTED] commented that his father caused the injuries. He reported that he was fearful of his father because he told the hospital staff he caused his injuries. [REDACTED] stated that [REDACTED] was in serious condition and the report was registered through ChildLine as a near fatality. It was also reported that the child was being transferred to the [REDACTED]

At 1:30 am, [REDACTED] contacted ACCYF reporting that the hospital was assuming emergency custody of [REDACTED] due to the level of fear the child had towards his father.

On November 5, 2011, [REDACTED] saw the child in the [REDACTED]. According to her, [REDACTED] appeared very traumatized and distressed. He shook and shivered and did not wish to discuss the events of the previous day.

[REDACTED] noted multiple bruises to his face including a large bruise to the right forehead, multiple bruises over the left side of the face and bruising on the

left ear. An unusual pattern of bruising was observed at the base of his neck. The unusual pattern was observed to have very close parallel lines.

██████ had multiple bruises over his abdomen including down into the left lower quadrant. These injuries have linear marks in parallel lines, which is suggestive of some object being used to beat him. It is still unclear what implements were used to cause the injuries.

He had multiple bruises over his back, including multiple ones with parallel lines which suggested an implement was used. There was an apparent loop mark at the upper base of the neck and on the back that appeared to be older than the others.

He had extensive bruising on his entire left buttock coming down onto the entire left lateral side of his left thigh. ██████ had multiple bruises over the right buttock and multiple bruises over the right lateral thigh. There also were rectangular bruises seen on the left inner thigh. He also had bruises scattered down his left arm and onto his hand.

██████ also had unusual blistering lesions on his left foot. Five in nature occurring on the top of the foot and near the ankle that had blistered and these blisters were about the size of a cigarette tip.

Further testing indicated that ██████. He had sustained a ██████. He had a full bone scan completed that showed the ██████. A head CT scan was also done and it was determined that ██████ had a ██████. An ██████ indicated that ██████ had sustained approximately ██████.

Upon admittance to the hospital, it was determined that ██████ had ██████. The physicians determined that his ██████.

Due to the extent of the trauma ██████ was placed into the ██████ on November 4, 2011 and was transported to the ██████ on November 6, 2011. He was ██████ on November 10, 2011.

██████ was interviewed and reported that when ██████ arrived at her home on October 27, 2011, he had a patch of ██████ on his face that he kept scratching. She denied knowing about any other marks, bruises or burns to ██████. She claimed that ██████ could not have received the burns on his feet while in her care. Her accounting of the events was that her children, ██████ had been playing outside with ██████. ██████ came into the home and told her that

█████ had pushed him down the outside stairs. She could not clarify how many steps █████ allegedly fell down. She commented that he never complained of pain and she did not take him anywhere to be seen medically.

The father, █████, was removed from the premises of █████ by police officer █████ due to the father, a paternal aunt and the father's brother-in-law threatening hospital staff. █████ banned the father and the paternal relatives from the hospital.

During an interview with the father on November 7, 2011, he reported that he was unaware of the child's injuries and does not know how he received the injuries given that he was at his construction job from 8:00 am to 8:00 pm on date of incident. It is not clear if the father's employer was contacted to confirm his hours of work. However, █████ reported "daddy did it" to █████ when questioned about the injuries.

Current Case Status:

On November 5, 2011, ACCYF caseworkers made face-to-face contact with █████ half siblings █████ at the homes of their paternal grandmother and father, respectively. The caseworkers determined that █████ were safe in their caregiver's homes based on the completion of a safety assessment worksheet. █████ safety was not assessed in Newport News, Virginia due to residing with her maternal grandmother, and the family having no prior CYs record in Virginia.

Also on this date, a home visit was conducted to ensure the safety of █████ children. Custody of █████ children was █████. Her son █████ was also removed from his maternal grandmother's home. █████ was privately placed into his maternal grandmother's home when he was approximately 2 years old. █████ was removed due to his grandmother having a criminal history precluding her as a resource for █████. He was also █████. Prior to being █████ children received physical examinations. No indication was noted that her children had sustained any injuries.

On November 5, 2011, a Protection from Abuse Court Order was obtained by the Allegheny County Courts against █████ father, █████. This order prohibited █████ from having any access to █████ was added to the Protection from Abuse Order on November 9, 2011 prohibiting her from having any contact with █████.

Once █████ was notified of █████ injuries, she immediately drove to Pennsylvania from Newport News, Virginia to be by her son's side. During

█████ forensic interview, he stated that he wanted his mommy and could not be interviewed further.

On November 6, 2011, Fayette County Children and Youth Services conducted a courtesy home visit to ensure the safety of █████ oldest child, █████. █████ had been residing with his paternal grandmother in Fayette County since the summer of 2011. He was determined to be safe and remained in his grandmother's care based on the completion of a safety assessment worksheet.

A █████ was held on November 7, 2011. █████ son █████ was returned to his maternal grandmother's care. Her other children, █████ remain █████.

November 9, 2011, a █████

█████. The mother complied with all requirements and █████ family's case was officially closed on April 12, 2012.

█████ children remain in █████ were both charged with Aggravated Assault, Simple Assault, Recklessly Endangering Another Person, Simple Assault of a Victim Under 12 and Endangering Welfare of Children. They were initially incarcerated in the Allegheny County Jail and posted bail. They are waiting for their criminal trial. █████ maintain supervised contact with their children twice per week.

On January 3, 2012, █████ were both indicated for physical abuse of █████

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

The county convened the Child Near Fatality Review Team Meeting in conjunction with the statutes established with the Act 33 of 2008 on December 15, 2011. The review team consisted of community members in the social services as well as the criminal justice system. The Allegheny County Office of Children, Youth and Families was not active with the families at the time of the incident. The review team found no deficiencies in services by the agency regarding the child's near death and that CYS responded appropriately to the ChildLine allegations. The team members had no recommendations for changes at the local and state level on reducing the likelihood of future child near fatalities directly related to child abuse and neglect.

Department Review of County Internal Report:

The County finalized the County Internal Report on January 3, 2012. The County Team reported no agency deficiencies and believed that CYF responded appropriately upon being notified of the near fatality.

Department of Public Welfare Findings:

It is the Department's position that the county agency acted appropriately upon receiving the report of the child's near fatality on November 4, 2011, and that the agency held the Child Near Fatality Review Team Meeting in a timely manner. The review team composition, consisting of community members in the social service as well as the criminal justice system was inclusive. The Department concurs with the review team determination that there were no agency deficiencies related to this child's near death and that ACCYF responded appropriately upon being notified of the near fatality.

Department of Public Welfare Recommendations:

The agency took appropriate action to ensure safety, and to investigate this incident. The Department has no recommendations for the county agency.