



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

**OFFICE OF CHILDREN, YOUTH AND FAMILIES**

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**REPORT ON THE NEAR DEATH OF**



**Date of Birth: March 6, 1995**  
**Date of Near Fatality Incident: December 4, 2011**

**The family was known to**  
**Blair County Children and Youth Services**

**Date of Report: June 29, 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 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 fatalities that were suspected to have occurred due to 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]	Subject Child	03/06/94
[REDACTED]	Mother (deceased)	[REDACTED]/74
[REDACTED]	Father	[REDACTED]/76
[REDACTED]	Paternal Grandmother	[REDACTED]/56
[REDACTED]	Half sibling of subject child	[REDACTED]/07
[REDACTED]	Half sibling of subject child	[REDACTED]/11

### Notification of Fatality

The victim child lives with his paternal grandmother in [REDACTED] Pennsylvania. On December 4, 2011, the father of the victim child brought his four-year old daughter, who is the half sister of the victim child, to the paternal grandmother's home to visit. The victim child was upstairs playing video games as the father and paternal grandmother talked downstairs. The four-year old half sibling of the victim child went upstairs. The father went upstairs to check on the children and caught the victim child and his four-year old half sibling under the covers together. The father thought that the victim child was sexually assaulting his four-year old half sibling.

The father beat the victim child with his fist and a board. The father called 911 and the child was transported to [REDACTED] via ambulance. The child was certified in [REDACTED] upon his arrival to [REDACTED] on December 4, 2011. The child was then life-flighted to [REDACTED], Pennsylvania on December 4, 2011. The victim child had bruises and lacerations all over his body (arms, torso and face/head). The victim child required seven staples to his scalp.

On December 4, 2011, when Blair County Children, Youth and Families caseworker learned that [REDACTED] certified the victim child as being in critical condition upon arrival to [REDACTED], [REDACTED] was immediately notified and the report was listed as a [REDACTED] for the Central Region Office of Children, Youth and Families.

### Documents Reviewed and Individuals Interviewed

For this review, the Central Region Office of Children, Youth and Families

reviewed Blair County C&Y's investigation file which included medical records from [REDACTED] and [REDACTED] of Pittsburgh. The Central Region Office of Children, Youth and Families also communicated with the Blair County C&Y Director, supervisor and caseworker assigned to the investigation.

## Case Chronology

### Previous CY Involvement

Although Blair County has had involvement with a sibling of the victim child listed in this report and his mother who is deceased, there was only one prior incident that directly involved the victim child listed in this report. The chronology is as follows:

The family first came to the attention of Blair County C&Y on June 6, 1997 when a half brother of the victim child presented with bruising. That child was living with his biological mother, who is currently deceased, and his father, who is not the same father listed in this report. There were no allegations concerning the victim child of this report. The case was closed on August 12, 1997 as there were no specific allegations of abuse.

On July 13, 1998, a report was received by Blair County C&Y concerning the victim child of this report. The child presented with suspicious bruising that allegedly occurred while he was in the care of his father and grandmother. The investigation revealed that the bruising was consistent with normal childhood bruising and not indicative of abuse. The agency closed the case on July 23, 1998. This is the only agency involvement directly connected to the victim child listed in this report.

On October 26, 1998, the agency received a report of suspected abuse about a half brother of the victim child listed in this report. The allegations were that the mother, who is deceased, hit the child and threw him in a car. The child denied the allegations, the report could not be substantiated, and the case was closed on December 18, 1998.

On February 13, 2003, the agency received a report of suspected abuse concerning the half sibling of the victim child listed in this report. The allegations were that his step mother hit him on his side. The child did not have any injuries and the report was [REDACTED]. The child was assessed at the [REDACTED] Pennsylvania and the family began working with [REDACTED] services. The agency closed the case as it related to this child on April 3, 2003 with [REDACTED] services in place. The agency kept the step mother and her natural child opened for Protective Services for six months. The agency monitored the provision of [REDACTED] services to the family.

There has been no other involvement with the family until receipt of the near fatality report on December 4, 2011 which involved the subject child of this report and his biological father.

Circumstances of Child's Near Fatality

The victim child lives with his paternal grandmother in ██████████ Pennsylvania. On December 4, 2011, the father of the victim child brought his four-year old daughter, who is the half sister of the victim child, to the paternal grandmother's home to visit. The victim child was upstairs playing video games as the father and paternal grandmother talked downstairs. The four-year old half sibling of the victim child went upstairs. The father went upstairs to check on the children and caught the victim child and his four year old half sibling under the covers together. The father thought that the victim child was sexually assaulting his four-year old half sibling.

The father beat the victim child with his fist and a board. The father called 911 and the child was transported to ██████████. The child was certified in ██████████ upon his arrival to ██████████ on December 4, 2011. The child was then ██████████, Pennsylvania on December 4, 2011. The victim child had bruises and lacerations all over his body (arms, torso and face/head). The victim child required seven staples to his scalp.

On December 4, 2011, when the Blair County C&Y caseworker learned that ██████████ the victim child as being in ██████████ upon arrival to ██████████, ██████████ was immediately notified and the report was listed as a ██████████ for the Central Region Office of Children, Youth and Families.

On December 4, 2011, a safety plan was signed by the perpetrator and the paternal grandmother where it was agreed that there would be no unsupervised contact between the perpetrator and any of his children, including the victim child. Also, on December 4, 2011, the perpetrator was arrested by Pennsylvania State Police ██████████ and was charged with aggravated assault, simple assault and harassment. The perpetrator was immediately placed on house arrest. The case was plea bargained down to simple assault and harassment. The perpetrator was sentenced to Accelerated Rehabilitative Disposition (ARD) and he was ordered to attend ██████████. He attended the ██████████ and successfully completed that program. Although the perpetrator was permitted unsupervised contact with his younger children beginning December 5, 2011, the safety plan remains in place regarding the perpetrator and victim child listed in this report. Blair County C&Y ██████████ opened the case to provide Protective Services in the home of the parental grandmother's home where the victim child resides and also in the home of the perpetrator where the two younger half siblings of the victim child listed in this report reside. The homes were opened for Protective Services in order to coordinate and monitor the family's compliance with ██████████

Current /Most Recent Status of Case

Both homes remain opened for Protective Services at Blair County C&Y. Throughout the course of the investigation it was learned that the victim child listed in this report did have ██████████. The victim child of this

report has been [REDACTED] as his I.Q. appears to be limited.

His victim, his younger half sibling, has been successfully released from [REDACTED]. Although the assault between the subject child of this report and his sibling did not meet the [REDACTED], law enforcement officials have been involved. The victim child listed in this report has been charged with rape of a child, (F1) and indecent assault (F3). It was determined at court on June 26, 2012, that the victim child listed in this report will undergo a [REDACTED] as well as an I.Q. evaluation. The [REDACTED] and the I.Q. evaluation will take place with [REDACTED]. The I.Q. evaluation is tentatively scheduled for August 17, 2012. If he is judged incompetent, all charges will be dropped. The safety plan in which there is no contact between the victim child listed in this report and his half sister will remain in effect until such time that the agency is able to identify a family member who will be able to appropriately supervise contact between the siblings.

The perpetrator has successfully completed an [REDACTED] and is active in individual counseling. The safety plan in which the perpetrator and the victim child listed in this report have no contact remains in effect.

### **Services to Children and Families**

The family was opened for Protective Services on January 4, 2012. The victim child was assessed by [REDACTED] regarding potential sexual offender issues. The agency completes monthly home visits in order to continue assuring safety of all of the children in this family. The perpetrator voluntarily attended and successfully completed the [REDACTED] of Blair County. The perpetrator attended seven out of eight of the [REDACTED] and brought his younger children with him in order for them to participate in the children's group.

### **County Strengths and Deficiencies as Identified by the County's Near Fatality Report**

A near fatality review team meeting was held on January 3, 2012 in conjunction with Act 33 requirements. The Central Region Program Representative assigned to Blair County Children, Youth and Families attended the meeting. County strengths include the agency's collaboration with law enforcement, safety planning completed by the agency and the agency's commitment to, and ability to preserve the victim child in the home he resided prior to the near fatality incident.

There were no deficiencies noted.

### **County Recommendations for Changes at the Local Levels as Identified by Fatality Report**

There were no recommendations for change at the local level identified by the Near Fatality Report.

### **Recommendations for Changes at the State Level**

There were no recommendations for change at the state level identified by the Near Fatality Report.

### **CERO Findings**

The investigation completed by Blair County Children, Youth and Families was conducted in a timely fashion and in collaboration with law enforcement officials. The agency provided necessary services to all family members and was able to maintain the child in his home throughout the course of the investigation as well as after the investigation.

Safety assessment and planning was completed thoroughly. The safety plans were timely, inclusive of family/care providers input and signatures. The agency maintained close contact with the victim child and his family.

### **Statutory and Regulatory Compliance Issues**

Blair County Children, Youth and Families conducted a thorough and timely investigation in conjunction with law enforcement officials. Safety assessments and plans were completed and the victim child was able to remain in his home. Referrals for services were completed and necessary services were coordinated.