



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE FATALITY OF:

Bruce Rigby

Date of Birth: 12/05/2011

Date of Death: 08/23/2012

Date of Oral Report: 08/23/2012

FAMILY NOT KNOWN TO:

Lawrence County Children and Youth Services

REPORT FINALIZED ON:

June 4, 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. Lawrence County did not convene a review team as the investigation was completed within 30 days.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
Bruce Rigby	Child	12/05/11
[REDACTED]	Mother	[REDACTED] 79
[REDACTED]	Half sister	[REDACTED] 03
* [REDACTED]	Maternal aunt	
* [REDACTED]	Half sister's father	[REDACTED] 76

*not a household member

Notification of Child Fatality:

On 08/23/12, the child was brought to the [REDACTED] at 7:55 am by ambulance. The child's mother claimed to have found the child on the morning of 08/23/12 on his back not breathing and blue in color. The emergency medical technicians started CPR at the scene although the child was already blue. The child allegedly had dried blood in his rectum and his scrotal area was bruised. The ER physician, [REDACTED], certified the child to be deceased [REDACTED]. The primary physician, [REDACTED] pronounced the child dead at 8:02 am, but would not sign the death certificate because he was unsure of the cause of death. The child was in the care of his mother at the time of his death; therefore, she was named as the [REDACTED]

On 08/23/12, the coroner ruled the child's death was due to natural causes. He reported that the blood that was reportedly found on the child's body when the child arrived at [REDACTED] was due to lividity.

Summary of DPW Child Near Fatality Review Activities:

The Western Region Office of Children, Youth and Families obtained and reviewed all current case records pertaining to the [REDACTED] family. A follow up interview pertaining to the report was conducted with the caseworker.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

Lawrence County Children and Youth Services had no prior involvement with this family prior to the report received by the county on 08/23/12; nor was there any information to indicate that the family had involvement with other counties within the preceding 16-months.

Circumstances of Child Near Fatality and Related Case Activity:

On the morning of 08/23/12, the mother found the child in his pack-n-play in the living room of their apartment face up without his blanket on his body. The child was blue and unresponsive. The mother reported that she fed the child around 10:30 pm on 08/22/12 at their apartment. The mother put the child into the pack-n-play, and the child fell asleep. The mother reportedly went to bed at that time. She checked on the child around 02:30 am to make sure that the child wasn't too cold, as the air conditioner was on and set to 70 degrees. At approximately 07:00 am the mother found the child blue and unresponsive. The neighbor had come over so that they could go to the [REDACTED] together. When the mother found the child unresponsive, the neighbor ran next door to get her husband so that he could do CPR until the ambulance arrived. Per hospital staff reports, the mother had recently been released from incarceration for a history of [REDACTED]. The mother's sister works at the hospital and confirmed this report to the investigating police officer. The mother's sister had previously cared for both of the mother's children during the mother's incarceration on [REDACTED].

A safety plan was put in place on 08/23/12 by Lawrence County CYS. The older half sibling went to stay with the maternal aunt until it could be determined safe for the child to return to her mother.

Lawrence County CYS caseworker made several home visits with the mother and home and school visits with her older child. The older child was returned to the mother's care on 08/28/12.

During the course of the investigation, Lawrence County CYS obtained collateral reports from the children's doctors and the older sibling's school. There were no concerns reported. Reports from law enforcement confirmed that the mother was cooperative with the police investigation. The coroner reported that his examination revealed death was attributable to natural causes and

that there were no medical findings suggesting the mother had done anything to cause the child's death.

Current Case Status:

The mother currently lives with the older sibling of the victim child. Lawrence County CYC had opened the family for supportive services on 9/27/12. Although there were no safety concerns for the sibling, Lawrence County CYC opened the family for services in order to ensure the mother obtained [REDACTED], and to monitor the family for a short period of time. The mother and her child continue to receive services through Lawrence County Children and Youth Services with regular contact being made by the assigned children and youth services caseworker in the family home and the child's school. During the visits made by the CYC caseworker, there have been no concerns for the well-being of the victim child's sibling. Visits to home demonstrated that the mother has been caring for herself and her child. However, the mother has refused to attend [REDACTED]. She has read and will read materials on [REDACTED], but rejects any discussion on [REDACTED]. The mother continues to attend the [REDACTED] in Lawrence County approximately 3-4 days per week. [REDACTED] is a part of that [REDACTED]. However, the [REDACTED] refuses to share any information with Lawrence County CYC. The mother and her child continue to have a supportive relationship with the mother's sister.

The father of the surviving child is currently incarcerated in the Lawrence County Jail for an unknown amount of time.

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 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.

Lawrence County did not convene a review team, as the investigation was completed within 30 days.

Department Review of County Internal Report:

The Department did not receive a final fatality report from Lawrence County as the county was not required to convene a team. The county's investigation was completed within 30 days of the oral report to ChildLine.

Department of Public Welfare Findings:

County Strengths:

Lawrence County Children and Youth Services investigation of the child's death was timely and thorough. The child and family continue to receive services through Children and Youth Services with regular contact being made by the assigned Children and Youth caseworker.

Lawrence County Children and Youth Services responded and acted appropriately to the child abuse allegations and implemented a safety plan for the half sibling who had already been staying with a maternal aunt. The county unfounded the [REDACTED] investigation for the child on 09/18/12. Lawrence County Children and Youth Services continue to monitor the family.

The county filed all the required documents in the required time frame.

County Weaknesses:

None.

Statutory and Regulatory Areas of Non-Compliance:

There were no areas of non-compliance identified during the review.

Department of Public Welfare Recommendations:

There are no recommendations from the Department related to this report.