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REPORT ON THE FATALITY OF:

ZAMAYA FIGUEROA

BORN: 06.14.10
DATE OF FATALITY: 12.28.11

FAMILY WAS NOT KNOWN TO:
Lackawanna County Children and Youth Services

REPORT FINALIZED ON: 06/11/13

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. Lackawanna County Children and Youth Services has convened a review team in accordance with Act 33 of 2008 related to this report. The Act 33 Review was conducted on 02.08.12.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
Zamaya Figueroa	Child/Victim	06.14.10
[REDACTED]	Sibling of Child/Victim	[REDACTED].08
[REDACTED]	AP/ biological mother	[REDACTED].88
[REDACTED]	Biological Father of both children	[REDACTED].87

Extended Family:

[REDACTED]	Maternal grandmother ;	[REDACTED]
[REDACTED]	Paternal Grandmother;	[REDACTED].72

Notification of Child Fatality:

On 12.28.11 Lackawanna County Children and Youth Services received a report relating to the drowning of Zamaya [REDACTED] (06.14.10) on 12.28.11 while in the care of her biological mother. The case was assigned a ChildLine Registry number on 12.29.11 alleging inadequate supervision of Child/Victim by the biological mother resulting in the death at the family home on 12.28.11. Due to the conflicting information secured by law enforcement agency and the public child welfare agency at the initial contact on 12.28.11, the case was reviewed by the [REDACTED] and a [REDACTED] was commenced.

On 12.29.11 Lackawanna County Children and Youth Services prepared all required [REDACTED] at this time and assigned the case for a [REDACTED]

Summary of DPW Child Fatality Review Activities:

The Northeast Regional Office of Children, Youth and Families (NERO/OCYF) conducted a site record review at Lackawanna County Children and Youth Services on 01.03.12 and reviewed the current status of the case with assigned caseworker and supervisory staff. Case notes and collateral contacts were also reviewed on this date. A follow up site record review was completed by NERO/OCYF on 02.08.12. [REDACTED]

All documentation relating to the Multi Disciplinary Team meeting and County Child Death Review were also reviewed with agency supervisor and administrative personnel following the County Act 33 conducted on 02.08.12.

Summary of Services to Family:

Children and Youth Involvement prior to Incident:

[REDACTED] Lackawanna County Children and Youth Services had no record of service to this family.

Circumstances of Child Fatality and Related Case Activity:

On 12.28.11 Lackawanna County Children and Youth received a [REDACTED] relating to an incident involving the drowning of 18 month old Zamaya Figueroa while in the care of her biological parents. The agency commenced a [REDACTED] on 12.28.11 by conducting an in home evaluation of the circumstances surrounding the drowning.

Following a [REDACTED] the county agency received a [REDACTED] [REDACTED] mother as [REDACTED] as the [REDACTED] 12.29.11. Lackawanna County Children and Youth completed all requirements [REDACTED]

Lackawanna County Children and Youth Services conducted interviews with [REDACTED] and [REDACTED] on 12.28.11, 12.29.11, 12.30.11 and 01.10.12.

[REDACTED] was conducted by Lackawanna County Children and Youth Services on 12.29.11 with input from [REDACTED] biological parents and extended family. As a result of this assessment, the sibling of the Child/Victim was allowed to remain in the care of the extended family subject to completion of all required criminal clearances and background checks. This Safety Plan was put in place at the time of the initial referral to [REDACTED] to the removal of the sibling of Child/Victim from family/relatives.

During the timeframe 12.28.11 through 2.6.12 Lackawanna County Children and Youth Services had multiple collateral contacts [REDACTED] Child/Victim and sibling of Child/Victim, social services agencies in [REDACTED] as well as contacts with extended family of biological parents.

Lackawanna County Children and Youth [REDACTED] the case of Zamaya Figueroa on 02.06.2012 and submitted all [REDACTED] The agency arrived at the [REDACTED]. The cause of death was ruled as accidental drowning.

Following the [REDACTED] by Lackawanna County Children and Youth Services, a referral was made to the Division of Youth and Family Services in the State of New Jersey on behalf of the sibling of Child/Victim. The county agency referred the family for services relating [REDACTED] stemming from the family's tragic loss of Zamaya. At the time of referral to New Jersey, Lackawanna County Children and Youth Services had [REDACTED] with a referral to a local social service agency [REDACTED]. The biological parents made a decision to relocate to New Jersey to be within closer proximity of extended family and friends.

Current Case Status:

On 2.6.12 Lackawanna County Children and Youth Services [REDACTED] relating to Zamaya Figueroa. Voluntary services were offered to the family due to the accidental death of Zamaya. The [REDACTED]. No charges derived from the investigation.

Lackawanna County Children and Youth Services met with the biological parents on 2.3.12 [REDACTED].

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. Lackawanna County Children and Youth Services has convened a review team in accordance with Act 33 of 2008 related to this report.

Upon site record review and interviews with Lackawanna County Children and Youth Services supervisory and casework staff by NERO/OCYF, it was determined that the county agency complied with all applicable Department of Public Welfare regulations and provisions of the Child Protective Services Law. Case file contained timely [REDACTED], timely referral to law enforcement agency (i.e. CY/104) and thorough and accurate written documentation of interviews with all sources familiar with the incident [REDACTED] and with the various collateral sources [REDACTED].

The county agency completed a Multi Disciplinary Team Review and Internal Death Review on this case. Participation from numerous county service providers and the law enforcement community occurred. Case file documentation was provided to NERO/OCYF relating to both of these reviews. There was also evidence of a timely and consistent collaboration between the county child welfare agency and the [REDACTED].

Department Review of County Internal Report:

NERO/OCYF conducted two site visits at Lackawanna County Children and Youth Services relating to the Zamaya Figueroa [REDACTED]. During the site reviews, the entire [REDACTED] was secured and reviewed. The assigned case worker and supervisory staff also participated in the review.

NERO/OCYF reviewed the completed county Internal Death Report and concurred with the findings contained in the report. A follow-up consultation with an administrative representative of Lackawanna County Children and Youth Services occurred on 8.21.12. A recommendation was made relative to a more expansive documentation of the agency review process in order that there is a more complete rendering of the details of the case review.

Department of Public Welfare Findings:

NERO/OCYF determined that [REDACTED] with all Department of Public Welfare regulations and practice standards. Additionally, Lackawanna County Children and Youth Services fulfilled all provisions of the Child Protective Services Law assuring timeliness of investigation, evidence of coordination [REDACTED].

Lackawanna County Children and Youth Services fully complied with Department of Public Welfare regulations. There were no regulatory citations relating to this case.

Department of Public Welfare Recommendations:

NERO/OCYF recommends that Lackawanna County Children and Youth Services continue to assess all [REDACTED] a timely and thorough manner such as is reflected in the instant [REDACTED]. The timely and collaborative nature of the county [REDACTED] should be supported by supervisory and administrative staff at Lackawanna County Children and Youth Services.

NERO/OCYF has determined that the formal written narrative associated with the agency Internal Death Review should contain more specificity relating to case information and documentation of recommendations. Specifically, Lackawanna County Children and Youth Services would benefit from a more detailed narration of the participant's specific recommendations including information relating to location and date of review.