



Edward Coleman
Regional Director

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

(570) 963-4376
Fax (570) 963-3453

OFFICE OF CHILDREN, YOUTH AND FAMILIES
NORTHEAST REGIONAL OFFICE
Scranton State Office Building
100 Lackawanna Avenue
Scranton, Pennsylvania 18503

REPORT ON THE DEATH OF

Kevin Boyle

BORN: 8/3/95
DATE OF FATALITY: 4/1/09

FAMILY KNOWN TO MONROE COUNTY CYS

REPORT DATED: 01/21/10
REPORT FINALIZED: 02/16/10

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 by Governor Rendell 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 fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review 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]	Mother	[REDACTED] 70
Kevin Boyle	Father (deceased)	[REDACTED] /66
[REDACTED]	deceased child	8/3/95
[REDACTED]	Sibling	[REDACTED] 92

Notification of Near Fatality

Child [REDACTED], he wrote on his left leg with black marker "I love [REDACTED] and if I can't be with her I don't want to live anymore." Child [REDACTED]. On the evening of 3/31/09 mother went to get [REDACTED] and found only 3 pills, 17 were missing. She asked Kevin if he knew where it was and he stated he did not. Kevin and mother spent several hours looking for the pills and she asked Kevin if he took them and he sarcastically stated he did. Kevin is known to joke around a lot and mother stated he appeared normal and not under the influence of the drug. He asked to go to bed and if they could look in the morning. On 4/1/09 mother found Kevin deceased. This was not reported to [REDACTED] until 4/3/09. [REDACTED]. It was [REDACTED].

Documents Reviewed and Individuals Interviewed:

NERO reviewed the CYS file containing the investigation including Safety Plan. All parties involved and all family members were interviewed by Monroe County CYS. Interviews were documented in the file and reviewed by NERO.

Circumstances of Child's Fatality:

Child [REDACTED] sometime during the night on 3/31/2009 and mother found child deceased in the morning.

Previous CY involvement:

On 10/25/1996 a baby sitter [REDACTED] was [REDACTED]. Kevin had [REDACTED]. The family was not opened for services at this time because the [REDACTED] was not a household member. On 6/9/2005 the family was opened due to allegations of domestic violence and father's [REDACTED]. The family service plan was achieved there were no incidents of domestic violence while the case was open. Father attended [REDACTED] and [REDACTED] for his [REDACTED] and both boys were receiving [REDACTED]. The closing risk was low and on 12/15/08 the case was closed.

Case Chronology:

On 2/21/08 the case was opened due to [REDACTED] and Kevin's truancy issues. The case remained open the family received [REDACTED] for mother and Kevin. [REDACTED] attended Cyber School from 10/17/08 until 3/25/09 at which time he dropped out. He then returned to public school. Kevin was placed in [REDACTED]. On June 16, 2008 Kevin and a friend [REDACTED]. This was [REDACTED] they had taken the bottle from [REDACTED]. Mother was [REDACTED]. At this time a safety plan was put into place. Mother double locked [REDACTED]. Mother followed the safety plan. Kevin was seen weekly by a [REDACTED].

4/1/09 Mother found child pale and not breathing. Mother called 911, an ambulance and the Swiftwater State Police arrived at the home. Kevin was taken to the Pocono Medical Center where he was pronounced dead. Children and Youth went to Pocono Medical Center. Mother and [REDACTED] were interviewed at the hospital. Children and Youth also spoke to [REDACTED] and Dr [REDACTED] with concerns that mother [REDACTED]. [REDACTED] was taken into shelter care and placed with a foster family. Swiftwater State Police had also interviewed mother and [REDACTED] at the hospital. [REDACTED] and Kevin's father died last year [REDACTED].

4/2/09 Mother, [REDACTED], and paternal grandmother had a visit. Mother presented 3 families as kinship placements for [REDACTED].

4/3/09 Case called into [REDACTED] and [REDACTED]. Mother told the Police that she knew Kevin took 2 pills and she asked Kevin for the bottle and he stated he would give it back to her in the morning. Mother told Children and Youth that she noticed the pills were missing at 5:15 AM and Kevin stated he did not know where the pills were and helped him look for them. Later he sarcastically stated "if I took 2 pills where are the rest?" On this date a Shelter Care Hearing for [REDACTED] was held and emergency custody of [REDACTED] was granted to Children and Youth. [REDACTED] was placed in an agency approved foster home and mother was asked to give family names for kinship placement of [REDACTED]. No dependency petition was filed.

4/4/09 [REDACTED] and Monroe County Caseworker went to kinship home in Bucks County for assessment. All Clearances had already been obtained and [REDACTED] was placed with his maternal uncle and aunt.

4/6/09 Mother was [REDACTED].

4/15/09 Caseworker goes to the hospital to see mother. Caseworker wanted to [REDACTED]. Mother was also interviewed regarding the incident. [REDACTED]

Current / most recent status of case:

The mother acknowledges [REDACTED] but denies any knowledge of the child [REDACTED]. The [REDACTED] according to the safety plan due to child's previous [REDACTED] attempt. The [REDACTED] stated the child took the [REDACTED] in the middle of the night while she was sleeping and was deceased when she awoke the next morning. The [REDACTED] investigation was deemed [REDACTED] and the [REDACTED] was submitted on 5/13/09. In November 2009 mother was arrested and on 12/23/09 mother plead guilty was charged in [REDACTED]. At this time no new information has surfaced that would warrant refilling a new [REDACTED] report. If she complies with [REDACTED] and [REDACTED]. Monroe County Children and Youth will remain in contact with the State Police and District Attorney and if new information is obtained they will file another report.

Services to children and families:

Prior to the child's death he was seen by a [REDACTED]. After Kevin's death mother [REDACTED] still resides with family members in Bucks County and was encouraged to participate in [REDACTED]. Mother was also encouraged to [REDACTED].

County Recommendations for changes at the Local (County or State) Levels as identified by way of County's Near Fatality Report:

No recommendations for change were identified. [REDACTED]

NERO Findings and Recommendations:

An Internal review was held on 6/19/09. NERO concurs with the findings of Monroe County CYC. Monroe County Children and Youth will remain in contact with the District Attorney and State Police and will file a new report if new information is obtained.

