



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 01/08/2011
Date of Incident: 06/27/2014
Date of Report to ChildLine: 06/28/2014

FAMILY KNOWN TO:

Philadelphia Department of Human Services

REPORT FINALIZED ON:

08/12/2015

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. Section 6349 (b))

Reason for Review:

Senate Bill 1147, Printer's Number 2159 was signed into law on 07/03/2008. The bill became effective on 12/20/2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, the Department, through OCYF, must conduct a review and provide a written report of all cases of suspected child abuse that result in a 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 fatality or near fatality is substantiated or when a status determination has not been made regarding the report within 30 days of the report to ChildLine. Philadelphia County convened a review team in accordance with Act 33 of 2008 related to this report. The county review team was convened on 07/18/2014.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim child	01/08/2011
[REDACTED]	Father	[REDACTED]/1992
* [REDACTED]	Mother	[REDACTED]/1994
[REDACTED]	Paternal Grandmother	[REDACTED]/19/74
[REDACTED]	Paternal Aunt	[REDACTED]/1994
* [REDACTED]	Maternal Grandmother	[REDACTED]/1976
[REDACTED]	Paternal Aunt	[REDACTED]/1998
[REDACTED]	Paternal Aunt	[REDACTED]/2002
[REDACTED]	Paternal Aunt	[REDACTED]/2001
[REDACTED]	Paternal Cousin	5 years old
[REDACTED]	Paternal Cousin	3 months old

*Do not live in household

Summary of OCYF Child (Near) Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families (SERO) obtained and reviewed all current and past case records pertaining to the [REDACTED] family. Follow up interviews were conducted with the Philadelphia Department of Human Services (DHS) Caseworker, [REDACTED], and the Supervisor, [REDACTED]. SERO also participated in the County Internal Fatality Review Team on 07/18/14.

Children and Youth Involvement prior to Incident:

DHS received a report on 08/24/2011, of domestic violence that allegedly occurred on 06/19/2011, which was not accepted for assessment. The allegation was that the father and mother were arguing because the father wanted the mother to have the victim child adopted. The argument resulted in a physical altercation. The mother was holding the child in her arms and the father punched the mother in the face. The child was not injured as a result of the father's actions. It is unclear why the report had been made weeks after the incident occurred. A referral was generated for [REDACTED]. On 07/18/2013, a Child Protective Services (CPS) report was received by DHS which alleged the victim child's father and mother were the perpetrators of abuse. The paternal aunt, who was 13-years-old, reported that she and the victim child's father were arguing over their mother's phone when he punched her in the nose. Police were notified and the paternal aunt received medical treatment at the hospital. She also alleged that the victim child's father and her mother were always beating her. The report was unfounded, due to the injury not rising to the level of child abuse, but the family was accepted for services. The paternal aunt [REDACTED], on 07/29/2013. The reason [REDACTED] was a result of her behavior issues and truancy. She remained in care until 10/09/2014, when she was reunified with her mother, the victim child's paternal grandmother. She and her two younger sisters, who are also listed in the family constellation, currently receive in-home non-safety services. The case is court involved [REDACTED] in regards to the paternal aunt. A CPS report was received on 06/28/2014, regarding the two youngest paternal aunts. As a result of the investigation, the victim child's paternal grandmother, maternal grandmother, father and mother were indicated in this case. They [REDACTED] address issues of abuse and truancy and their cases were discharged on 06/29/2015. In addition, the following reports involve the paternal grandmother and her family.

- 07/20/1999 - GPS - Invalid for lack of supervision
- 11/11/1999 - GPS - Valid for abandonment/unattended child
- 06/14/2000 - GPS - Invalid for lack of food and abandoned child
- 04/03/2001 - GPS - Invalid for inadequate medical care
- 11/05/2004 - GPS - Invalid for physical harm; lack of supervision
- 03/24/2005 - GPS - Invalid for inadequate medical care
- 05/16/2006 - GPS - Invalid physical harm; inappropriate discipline
- 02/01/2008 - GPS - Valid for inadequate medical care
- 08/24/2011 - Report not accepted for assessment - services were provided due to domestic violence as reported above.
- 04/12/2013 - GPS - Valid for truancy
- 07/18/2013 - CPS - Unfounded - the injury did not rise to the level of abuse as reported above.
- 06/28/2014 - CPS - Indicated for physical abuse
- 07/01/2014 - CPS - Indicated - this report was generated as a result of the investigation of this near fatality.

A CPS report was generated on 07/01/2014, during the investigation of this near-fatality. The 13-year-old-paternal aunt alleged that the victim child's father beat her with extension cords in the recent past. Both she and her younger sister noted that they were afraid of the victim child's father. The victim child's father was indicated in this case.

Circumstances of Child (Near) Fatality and Related Case Activity:

On 06/28/2014, DHS received a CPS report stating the victim child had been taken to St. Christopher's Hospital for Children suffering from multiple injuries. The child was with her father at the time the incident occurred. The father lives with his mother, four sisters, and one of the sister's two children. On 06/27/2014, the father was in his room with the victim child when his sister stated she heard slams and then what sounded like the crib or bed slam up against the wall. The paternal grandmother was at church and the father was watching the victim child. When the paternal grandmother returned home around 10 PM, she went to check on the victim child. She picked up the child and woke her up. She smelled like she had had a bowel movement. She was vomiting and had diarrhea for the past few days. After bathing the child, she noticed something was wrong and took her to the Emergency Room at St. Christopher's Hospital for Children. An examination revealed several [REDACTED], bruising to her stomach area [REDACTED].

[REDACTED]. She was also suffering [REDACTED]. It was reported that the child's injuries appeared to be non-accidental. It was possible that she would need [REDACTED] and was transferred to Children's Hospital of Philadelphia (CHOP) for continued care.

On 07/03/14, DHS received a near fatality report [REDACTED], where the child was now certified as being in critical condition by [REDACTED].

It was also noted that some of her injuries appeared to be old. The [REDACTED] Police Department's Special Victim's Unit was notified. DHS reported the incident occurred at the father's address. The father, a paternal aunt and the paternal grandmother were caregivers of the child when the incident occurred. The father was identified as an alleged perpetrator and the paternal grandmother was named as an alleged perpetrator by omission. DHS interviewed the biological mother at the hospital where she stated that she doesn't provide regular care for the child. DHS reported the child's mother has a family arrangement with the maternal grandmother who was the primary caregiver for the victim child. The maternal grandmother allowed the child's father to have the child at his house on the weekends. The child's mother lives with her boyfriend and has visitation with the child. There were no formal custody arrangements between the victim child's mother, father and maternal grandmother.

There was alleged ongoing domestic abuse between the mother and the father. The mother had a restraining order on the father but continued to have contact with him. Also during the interview, the mother told DHS that she never thought the father would hurt the child.

The victim child was placed in foster care [REDACTED] on 08/11/2014. She has been in the same home, since her release, with the goal of adoption. [REDACTED]

On 07/28/2014, DHS indicated the mother, the paternal grandmother and the maternal grandmother as perpetrators by omission for allowing the perpetrator to continue to care for the child while knowing about his anger issues and history of domestic violence. The father was indicated for physical abuse on 07/28/2014.

[REDACTED] All of the services were provided [REDACTED]. She has healed and is said to be doing well. [REDACTED] She is within normal limits developmentally and has no further needs in that area. [REDACTED]

The child's father was arrested on 07/03/2014. He was charged with Criminal Attempt- Murder, Aggravated Assault, Unlawful Restraint, False Imprisonment, Endangering the Welfare of Children, Simple Assault, and Recklessly Endangering Another Person. He is incarcerated with bail set at \$1,000,000.00.

Summary of County Strengths, Deficiencies and Recommendations for Change as Identified by the County's Child (Near) Fatality Report:

- Strengths: The team felt that the MDT SWSM did an excellent job investigating the report, and they commended her for her diligence in identifying and confronting the perpetrators who allowed the father to care for the child, despite knowing of his violent behaviors.

The Philadelphia DHS executive staff announced plans to develop a process to provide greater oversight of reports rejected by Hotline staff, with a goal of having all rejected reports reviewed by an administrator. The team agreed that the 2011 GPS report should not have been rejected because of the domestic violence that created a potential safety issue for the child

- Deficiencies: There were none noted.
- Recommendations for Change at the Local Level:

The County recommends education and intervention with domestic violence referrals.

- Recommendations for Change at the State Level:

There were no recommendations.

Department Review of County Internal Report:

The county report was received on 07/21/2014. The Department concurs with the county report's findings and recommendation.

Department of Human Services Findings:

- County Strengths: The county did an excellent job investigating the report, with all the participants and collateral contacts.

- County Weaknesses:

There were none identified.

- Statutory and Regulatory Areas of Non-Compliance by the County Agency

There were no areas of non-compliance.

Department of Human Services Recommendations:

The Department recommends that the county continue to conduct thorough investigations and continue to provide their standard of excellence with regard to their documentation.