



pennsylvania
DEPARTMENT OF HUMAN SERVICES

REPORT ON THE NEAR FATALITY OF:



Date of Birth: 9/16/14
Date Incident: 10/25/14
Date of Oral Report: 10/25/14

FAMILY WAS KNOWN TO:

Lebanon County Children and Youth

REPORT FINALIZED ON
August 24, 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. 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. Lebanon County has convened a review team in accordance with Act 33 of 2008 related to this report on 11/25/14

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
██████████	Father	██████/90
██████████	Mother	██████/90
██████████	half-brother	██████/13
██████████	victim child	9/16/14
██████████	half-sister	██████/11

Notification of Child (Near) Fatality:

On 10/25/14, the mother, ██████████, and father, ██████████, brought their child, ██████████, into the emergency room at Good Samaritan Hospital due to "weird twitching" by the child. The victim child was with the father that day while the mother worked. The mother told hospital staff that the victim child had been lethargic for a few days. The mother reported that on 10/24/14, one of his older sibling ran by as a relative was holding him and the two bumped heads. ██████████. The victim child was flown to Hershey Medical Center under the care of Dr. ██████████. Dr. ██████████, Good Samaritan Hospital, certified the victim child to be in critical condition but he was expected to survive.

The Lebanon County Children and Youth caseworker interviewed the child's father, ██████████, at the hospital after the father spoke to the Pennsylvania State Police (PSP). He stated that he told the Trooper that he accidentally dropped the victim child on his head on 10/23/14 while getting his daughter older daughter a drink. The caseworker asked the father why the victim child had ██████████. He stated that he gets frustrated with the victim child crying and that he will swaddle him very tightly and held him very close to his chest. The caseworker explained to the father that x-rays will show where the victim child's ██████████ are located and that they were caused by either squeezing or swaddling.

Summary of DHS Child (Near) Fatality Review Activities:

The Central Region Office of Children, Youth and Families (CROCYF) obtained and reviewed all current records pertaining to the family. Follow up interviews were conducted with the Caseworkers [REDACTED] and [REDACTED], Supervisor [REDACTED] and the Agency Director [REDACTED] on 10/29/14 and 11/25/14. CROCYF also participated in the County Internal Fatality Review Team meeting on 11/25/14 where copies of the medical examiner's reports and autopsy were presented.

Children and Youth Involvement prior to Incident

A General Protective Services (GPS) assessment was conducted January 2014 regarding allegations that [REDACTED]. There were no [REDACTED] and the child was seen medically and it was determined that the child had cradle cap. No services were needed and the case was closed.

A Child Protective Services (CPS) report was received in April 2014 regarding [REDACTED] having a [REDACTED]. The explanation given was that she jumped from her dresser to her bed but missed the bed and fell on her [REDACTED]. Medical staff confirmed that the explanation would be consistent with the injury and the case was unfounded and no services were given to the family.

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

The mother, [REDACTED] and father, [REDACTED], brought the victim child into the emergency room at Good Samaritan Hospital due to "[REDACTED]" by the child. The victim child was with the father today while the mother worked. The mother told hospital staff that the victim child has been lethargic for a few days. The mother reported that yesterday, one of his older sibling ran by as a relative was holding the baby and the two bumped heads. A CT scan shows a [REDACTED]. The victim child was flown to Hershey Medical Center under the care of [REDACTED], Good Samaritan Hospital, has certified the victim child to be in critical condition, but he is expected to survive.

The Lebanon County Children and Youth Services caseworker interviewed the child's father, [REDACTED], at the hospital after the father spoke to the PSP. The father stated that he told the Trooper that he accidentally dropped the victim child on his head on Thursday while getting his older daughter a drink. The caseworker asked the father why the victim child has [REDACTED]. He stated that he gets frustrated with the victim child crying and that he will swaddle him very tightly and held him very close to his chest. The caseworker explained to the father that x-rays will show where victim child's [REDACTED] are located and that they were caused by either squeezing or swaddling.

The father then admitted to PSP that he became upset with the victim child due to his crying and that he threw him onto the kitchen table. He admitted to holding the victim child by his ribs and shaking and throwing him onto the floor for the same reasons.

The case was indicated by Lebanon County Children and Youth on 11/25/14 naming the father as the perpetrator. CROCYP reviewed medical records, case file, CY 48, CY 104 and interviewed the assigned worker from the county. There were no regulatory violations noted.

The father was charged with endangering the welfare of a child and is currently in [REDACTED] prison.

Current Case Status:

The case was closed on 11/25/15. The family was [REDACTED] and at the time of case closure, the family was still going through the assessment stage. Criminal prosecution is still pending and the father remains in prison.

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

Strengths: The county agency investigation complied with regulations and response times as required.

Deficiencies: The county agency's report did not reference any specific identified deficiencies.

Recommendations for Change at the Local Level: The county agency's report did not reference any specific changes for recommendation at the state or county level.

Recommendations for Change at the State Level: The county agency's report did not reference any specific changes for recommendation at the state or county level.

Department Review of County Internal Report:

The county report was received on 1/6/15. There were no issues or concerns regarding the content of the report.

Department of Human Services Findings:

County Strengths: Upon review of the documents associated with this particular case it would appear there is a positive working collaboration between law enforcement and the county agency.

County Weaknesses: The circumstances of this incident and review of the county's case did not identify any systemic weakness.

Statutory and Regulatory Areas of Non-Compliance: The review of the county case file notes and medical records did not find any areas of non-compliance.

Department of Public Welfare Recommendations:

Regional office requested that Lebanon Children and Youth Services contact the District Attorney's office to see if additional charges can be filed against the father.
