REPORT ON THE NEAR FATALITY OF:

Date of Birth: 08/29/2002
Date of Report to ChildLine: 04/11/2018
CWIS Referral ID: [redacted]

FAMILY NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:
Allegheny County Office of Children, Youth, and Families

REPORT FINALIZED ON:
11/09/2018

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:**

Pursuant to the Child Protective Services Law, 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.

The Child Protective Services Law 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.

Allegheny County has convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 05/02/2018 at 2:00 PM for the pre-review. The full Act 33 meeting was convened on 06/18/2018 at 8:30 AM.

**Family Constellation:**

<table>
<thead>
<tr>
<th>First and Last Name:</th>
<th>Relationship:</th>
<th>Date of Birth:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim Child</td>
<td>Mother</td>
<td>08/29/2002</td>
</tr>
<tr>
<td>*Mother’s Ex-Boyfriend</td>
<td>*Father</td>
<td>1975</td>
</tr>
<tr>
<td>*Paternal Half-Sister</td>
<td>*Nephew</td>
<td>1996</td>
</tr>
</tbody>
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*Denotes an individual that is not a household member or did not live in the home at the time of the incident, but is relevant to the report.

**Summary of OCYF Child Near Fatality Review Activities:**

The Western Region Office of Children, Youth and Families (WERO) obtained and reviewed all current case records pertaining to the victim child’s family as well as the alleged perpetrator’s other victim’s family. These include: referral information, medical documentation, service plans, past referrals, and case contacts.

**Children and Youth Involvement prior to Incident:**

Allegheny County Children, Youth and Family Services (ACCYF) had no active involvement nor was there prior involvement with the family as a unit. The mother and the father were both briefly active with ACCYF as children. The agency determined that the father was referred to ACCYF at 17-years-old
due to parent-child conflict. He was for one week before returning to his mother’s care.

The mother’s ex-boyfriend was previously known to ACCYF, Allegheny County Juvenile Probation Office, and law enforcement. Records show that he was from May 1991 – October 1991 and February 1992 to May 1992 for crimes committed as a juvenile. He also reportedly served a 5-year prison sentence from 2011-2016 for felony weapon and drug charges (for which he was participating in mandatory state parole). On 03/24/2018, he was named as an alleged perpetrator of physical abuse against the adolescent daughter of another ex-girlfriend. ACCYF received the referral on 03/24/2018, registered for the following: Causing Bodily Injury to Child Through Act/Failure to Act (Stabbing), Causing Bodily Injury to Child Through Act/Failure to Act (Caus ing), and Causing Sexual Abuse or Exploitation of a Child Through Act/Failure to Act (Sexual Assault). This report alleged that he had broken into the victim child’s house, then sexually assaulted and stabbed the child with a kitchen knife. The child received a small puncture wound to her stomach and a laceration on her right hand. The referral was investigated by ACCYF and all allegations were indicated on 05/23/2018. The mother’s ex-boyfriend was criminally charged with Aggravated Assault, Recklessly Endangering Another Person, Terroristic Threats, Indecent Assault, Loitering and Prowling at Nighttime, Unlawful Contact with Minor- Felony 3 Offense, and Burglary as the result of this prior victim child. It was reported that the mother’s ex-boyfriend had a warrant for his arrest at the time of the near-fatal incident referenced in this report; however, law enforcement was unable to locate him to make an arrest.

Circumstances of Child Near Fatality and Related Case Activity:

On 04/11/2018, ACCYF received a child protective services (CPS) referral concerning a 16-year-old victim child. The referral source reported that the victim child and her mother were both shot by the mother’s ex-paramour. The victim child was taken to a local hospital where she was admitted following surgery for liver and diaphragm injuries, a small fracture to the spine, several rib fractures, a collapsed lung, and removal of a damaged kidney. It was determined at that time that her mother died from her injuries. Per the intake referral, this referral was certified as a near-fatality due to the child being in “critical and serious condition due to suspected child abuse or neglect.” Per the hospital social worker, there was also concern for possible sexual abuse, as the Emergency Medical Technician (EMT) reported that the victim child

Upon receiving the referral, ACCYF dispatched an on-call caseworker to the hospital to assess the victim child’s immediate safety and collect information. Interviews were conducted with the hospital social worker, resident physician, the biological father, and the victim child’s adult paternal half-sister. Through these interviews, the caseworker learned that despite
sustaining injuries from a gunshot wound to her right flank, the victim child was stable and expected to survive. The caseworker was able to identify the suspected alleged perpetrator as a former boyfriend of the victim child’s mother. It was reported that the mother’s ex-boyfriend was found dead of apparent suicide in a vehicle parked in his mother’s backyard.

The caseworker was able to corroborate this information the next day, following a conversation with the investigating law enforcement officer (LEO). Per the hospital social worker, the decision was made not to have the victim child undergo a rape kit, as the only alleged perpetrator was dead, and they did not want to further traumatize the victim child. There was also conflicting information from EMTs on whether or not the victim child was found dead. The victim child’s clothing was seized and given to police as evidence in the criminal investigation, however, there were no pants in the bag.

On 04/16/2018, hospital staff communicated with the caseworker and LEO that the victim child was awake and able to be interviewed. A joint interview was conducted with the victim child at the hospital. During this interview, she stated that while she was leaving the family’s apartment building on the morning of 04/11/2018, she opened the front door and saw her mother’s ex-paramour standing by the mailboxes. She stated that he proceeded to grab her and drag her down the basement steps, stating “they had to throw away some stuff for her mother.” The victim child stated she knew this wasn’t true and tried to pull away from him. The mother’s ex-boyfriend then pulled out a gun and told her to put her cell phone and keys on the floor. The victim child stated that the mother’s ex-boyfriend told her not to move, or he’d shoot her. She stated that she did as he instructed, but he shot her anyway. The victim child stated that he took her phone and keys, then left. She remembered laying there for a little while, as she was afraid that he would hear her and come back and shoot her again. The victim child stated that after a few minutes, she crawled upstairs and called for help. Eventually, a neighbor called the police.

When asked how she knew her shooter, the victim child reported that he was an ex-boyfriend of her mother’s. She stated that a couple weeks prior, her mother broke up with him after finding out he assaulted another girl. The victim child did not identify any other fighting or domestic violence issues while her mother was dating this individual. She denied that her mother’s ex-boyfriend ever did or said anything inappropriate to her in the past. There was no disclosure was made in regard to a sexual assault. The victim child then asked if her mother’s ex-boyfriend was dead, the investigating LEO assured her that he was. This concluded the interview with the victim child.

In reviewing relevant ACCYF case records, it was determined that the girl the victim child was referring to who had previously been assaulted by her mother’s ex-boyfriend was a 15-year-old, who had been the daughter of another of mother’s ex-boyfriend’s ex-girlfriends. At the time of the near-
fatal incident, the alleged perpetrator was being investigated by ACCYF for allegedly breaking into the other child’s home, stabbing, and sexually assaulting her. The alleged perpetrator also had criminal charges related to this incident pending with county police. Several attempts were made by police to locate and arrest the mother’s ex-boyfriend, but the warrant was unable to be executed, due to him being “on the run.” The caseworker investigating the concurrent Childline referral recalled that the other child’s mother had contacted this victim child’s mother at some point to discuss the events surrounding the assault. It is believed that this conversation prompted the victim child’s mother to separate from her boyfriend in the weeks leading up to the near-fatal incident.

On 04/16/2018, a subsequent interview was conducted with the county caseworker, investigating LEO, and the victim child’s father. It was determined that victim child’s parents were separated. The victim child maintained a strong and supportive relationship with her father. The father stated that he saw the victim child every day, as she worked at the candy store he owns. The victim child’s father stated that he and the mother were always able to co-parent amicably, and there was never any hostility or violence between them. The father expressed that upon her discharge from the hospital, he wished for the victim child to live with him. He indicated that he, his wife, adult daughter, and grandson had stable housing and enough resources to support the victim child.

In the following weeks, the ACCYF caseworker requested and received medical and educational records for the victim child. There are several documented case notes with updates from police and medical providers. The victim child was discharged from the hospital on 04/22/2018 to the care of her father with the assistance of home health care. A home visit and assessment was completed at the father’s home on 04/27/2018 and no risk or safety threats were noted. The caseworker found the father to be appropriate and cooperative in working with hospital personnel to follow up with the victim child’s medical appointments and [redacted]. The victim child was interviewed again and stated that she felt comfortable and safe in her father’s care.

On 05/08/2018, the caseworker made contact with the EMT to discuss the initial concerns of sexual assault. The paramedic who was dispatched to the scene stated that they did have to cut the victim child’s clothing off to gain access to the gunshot wound. He did not recall that the victim child’s [redacted]. The decision was made by ACCYF not to further traumatize victim child with forensic interviews or additional efforts to prove a sexual assault occurred. The victim child was already receiving appropriate [redacted] services that could offer support if she later made a disclosure.

Upon conclusion of the investigation, the caseworker made several additional collateral contacts to the medical provider and school to inquire about the
victim child’s progress. A final telephone call was made with the father, it was determined that the victim child had already started back to school and appeared to be doing well. The caseworker verified that follow up appointments were scheduled for ___________ as well as ___________. The case was closed and ACCYF did not accept the family for ongoing services. The CPS referral was given an indicated status for causing bodily injury to a victim child through shooting on 05/10/2018, however the initial status date in CWIS is documented as 06/13/2018.

**Summary of County Strengths, Deficiencies and Recommendations for Change as Identified by the County’s Child Fatality Report:**

- **Strengths in compliance with statutes, regulations and services to children and families;**
  - ACCYF responded immediately to the local hospital to assess the child’s safety and begin the CPS investigation.
  - ACCYF and law enforcement conducted a joint interview with the teen and communicated throughout the course of both investigations.
  - ACCYF provided the family with ___________ resources.

- **Deficiencies in compliance with statutes, regulations and services to children and families;**
  - The team did not identify any challenges with the child welfare system practice.

- **Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse;**
  - The Review Team recommended increased utilization of the Intimate Partner Violence (IPV) specialists, co-located in the ACCYF regional offices. The Review Team also advocated for these specialists to be housed in Family Support Centers to increase education and awareness for staff and the community.
    - The Review Team also discussed caseworkers partnering with the IPV Specialists when ACCYF investigative staff are immediately deployed for assessments of safety and risk.
    - ACCYF Safety, Permanency and Best Practice is creating a Best Practice Standard for use of IPV specialists.
The Review Team recommended increased IPV education for ACCYF call screening staff to better inform frontline staff when there may be a safety consideration.

- The Review Team discussed the development of Safe Signal. Safe Signal is an easy to use mobile app and monitoring system designed to assist in keeping staff safe in life-threatening or dangerous situations. The zero-button safety solution works in conjunction with a tether cord that plugs into your Allegheny County issued smart phone, empowering staff to quickly send a distress signal to a monitoring center in an emergency. Caseworkers and other CYF staff (supervisors, transition planners, and case aids) are in the training process. Full deployment will be achieved once the official process is established with emergency medical services.

- **Recommendations for changes at the state and local levels on monitoring and inspection of county agencies; and**

  - The agency’s internal quality assurance team will continue to monitor practice improvements and provide feedback to leadership and casework staff.

- **Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse.**

- The Review Team recommended educating law enforcement on the appropriate utilization of the Fugitive Task Force through Allegheny County Sheriff’s Department.

  - In this case, law enforcement had been unsuccessful in locating the perpetrator for charges related to his first physical and sexual assault in March 2018. Once a warrant was to be executed, the local jurisdiction lacked manpower and would not serve the warrant. Despite efforts to locate him at work and his last known address, the perpetrator remained free and committed the crime against this child and the murder of her mother prior to dying by suicide.

**Department Review of County Internal Report:**

The county provided the Department with a detailed internal report. The report includes identifying the goals of the Act 33 review and thorough recommendations discussed by the review team. During the Act 33 review
meeting, some bureaucratic difficulties were noted surrounding law enforcement’s efforts to issue and serve the mother’s ex-boyfriend with an arrest warrant as related to his attack on his first victim. After obtaining the approval from the District Attorney to file charges on 03/28/2018, city police called upon a local police jurisdiction to execute the warrant. In the fourteen days that followed, it was reported that local police refused two times, citing they did not have the manpower to do so. City police then assembled a team via state police that documented at least one unsuccessful attempt. It is unknown if the mother’s ex-boyfriend was routinely attending meetings with his state-appointed parole officer or if collaborative efforts were made to locate and apprehend him through the state parole office. If the mother’s ex-boyfriend had actually been arrested at any point during that fourteen-day period, the death of the child’s mother and near-fatal attack of the child may have been altogether prevented.

Another area of concern that was not addressed during the Act 33 meeting was the legality of the perpetrator owning a firearm. Law enforcement stated they had assumed that, due to his past criminal convictions, he must have obtained the gun through unlawful means. However, it is unknown at this time whether or not an independent investigation was made to track the gun’s ownership through the Bureau of Alcohol, Tobacco, and Firearms or a similar government entity. At this time, it is still unclear who legally owned the firearm that was used in the perpetration of this crime and how exactly he came to have possession of it. Especially in terms of communities with higher than average rates of gun violence, this information could prove vital in tracking and preventing unlawful gun activity.

**Department of Human Services Findings:**

- **County Strengths:**

  ACCYF adequately met all response times associated with the CPS referral. Detailed interviews with the family, hospital personnel, and law enforcement were completed within the first 24 hours of the investigation. All state-recommended assessment tools were utilized and response times met. An organized, comprehensive collection of documentation was made available to the review team prior to the Act 33 meeting. The department noted particular strengths in the agency’s ability to review its own records and find investigative parallels between this case and others involving the same alleged perpetrator.

- **County Weaknesses:** and

  There were no county weaknesses noted.

- **Statutory and Regulatory Areas of Non-Compliance by the County Agency:**
There were no areas of non-compliance by the county.

Department of Human Services Recommendations:

Due to the above noted challenges identified during the Act 33 review process, the department’s recommendations are:

- **More oversight and collaboration be dedicated to apprehending violent offenders in a timely manner:** If local police jurisdictions are unable to serve warrants due to a lack of manpower, a process should be set into place that allows police to consult other means. It is unknown if there are currently resources that exist (i.e. U.S. Marshals or special apprehension task forces) or if this case specifically met criteria to be referred to another entity.

- **Greater steps be taken among law enforcement and community interest groups to track and prevent gun violence:** Per 2015 statistical data from City-Data.com, the neighborhood in which this near-fatal incident occurred has a 98% higher rate of violent crime than the average U.S. city. This community in particular would benefit from heightened policy and/or a gun violence initiative to inform more actionable and appropriate violence reduction strategies.