



REPORT ON THE FATALITY

Gionni Dennis

Date of Birth: 08/27/2011

Date of Incident: 06/08/2019

Date of Report to ChildLine: 06/11/2019

CWIS Referral ID: [REDACTED]

FAMILY KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

Cumberland County Children and Youth

FAMILY NOT KNOWN TO COUNTY CHILDREN AND YOUTH AGENCY AT TIME OF INCIDENT OR WITHIN THE PRECEDING 16 MONTHS:

Dauphin County Children and Youth

REPORT FINALIZED ON:

12/19/2019

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.

Dauphin County has convened a review team in accordance with the Child Protective Services Law related to this report. Cumberland County participated in the Dauphin County review. The county review team was convened on 06/28/2019.

Family Constellation:

<u>First and Last Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Gionni Dennis	Victim child	08/27/2011
[REDACTED]	Biological Mother	[REDACTED] 1990
[REDACTED]	Stepfather	[REDACTED] 1992
[REDACTED]	Maternal half-sibling	[REDACTED] 2009
[REDACTED]	Tenant where incident Occurred	[REDACTED] 1981
[REDACTED]	Maternal Great Aunt	[REDACTED] 1962

* These individuals are not house hold members but were involved in the case.

Summary of OCYF Child Fatality Review Activities:

The Central Region Office of Children, Youth and Families (CRO) reviewed all case records pertaining to the family. An initial discussion occurred with the Assistant Administrator on 06/11/2019 along with several additional discussions with the Administrator during the month of June. The CRO did attend the Act 33 meeting on 06/28/2019.

Summary of Circumstances prior to Incident:

Dauphin County Children and Youth Services (DCCYS) and Cumberland County Children and Youth Services (CCCYS) both had prior involvement with this family. DCCYS prior involvement started on 3/22/2004 with receipt of a [REDACTED]

[REDACTED] referral regarding the [REDACTED]. The agency accepted the family for services and eventually [REDACTED]. Prior to placing that child in [REDACTED] the agency placed the child informally with the [REDACTED].

[REDACTED]

DCCYS did not become involved again until 10/19/2014 when the agency received a [REDACTED] regarding inappropriate discipline on the [REDACTED]. [REDACTED] reported that [REDACTED] hit the [REDACTED] in the face with a belt. [REDACTED] DCCYS scheduled a forensic interview on 10/28/2014. It was recommended that the [REDACTED] continue with [REDACTED].

[REDACTED] The agency closed the case within 60 days of receiving the referral after services were put in place.

DCCYS received a [REDACTED] on 09/19/2016 with concerns that the [REDACTED] has access to children after [REDACTED] was recently arrested for sexual assault. The agency inquired about [REDACTED] restrictions and learned that there were no restrictions placed on [REDACTED] that [REDACTED] could not have contact with children. The agency marked this [REDACTED] and the case was closed.

CCCYS became involved with this family on 02/21/2018 after receiving [REDACTED]. It was alleged [REDACTED] poor hygiene and lice and the [REDACTED] was using vulgar language and refusing to get on the bus to go home from school. CCCYS accepted the family for services on 04/18/2018 to address the hygiene issues with the children. The agency assisted the family with getting services for both the [REDACTED]. The agency closed the case on 10/30/2018 due to the family making substantial progress on their family service plan goals.

Circumstances of Child Fatality and Related Case Activity:

Dauphin County Children and Youth Services (DCCYS) received [REDACTED] [REDACTED] informing them of an accidental drowning. It was reported that the victim child was at a graduation/swimming party with [REDACTED]. It was reported that the [REDACTED] was also at the party but then left the victim child [REDACTED] with the home owner. The victim child informed an adult at the party that he was going into the home to get something to eat. The police were contacted when the adults were unable to locate the victim child. The police responded and began looking for the victim child. The victim child was found in the pool which was murky and hard to see beyond two feet. The police reported to the agency initially there were no signs of abuse or neglect and they were not going to file any charges. The victim child was transported via ambulance to the local hospital where he was pronounced deceased. It was reported that there were no drugs or alcohol found at the party and there were approximately 8 to 10 adults present with 14 children. DCCYS was the last agency notified of the incident.

DCCYS on call worker contacted the agency's Director of Social Services to inform her of the information [REDACTED] just received. The on-call worker was instructed to contact Cumberland County Children and Youth Services since the police are ruling this as an accident; to explain to them about the accidental drowning since the family resided in Cumberland County and could benefit from [REDACTED] services due to the death of the victim child.

CCCYS reported that they had history with the family but was not currently opened with the family. CCCYS questioned whether this information was called into ChildLine. DCCYS services told CCCYS that they did not contact ChildLine since they were providing the information directly to their agency.

DCCYS also confirmed with the District Attorney's office that they received the same information from the police as the agency.

DCCYS received an additional referral on 06/10/2019 stating that Cumberland County received a [REDACTED] regarding the victim child [REDACTED]. The report stated that the victim child lives in Cumberland County but drowned in a pool in Dauphin County. The family was at a graduation party. The [REDACTED] left the party; leaving the victim child with several friends and family. There were several adults caring for several children. The victim child told a caretaker that he wanted to get something to eat. After 30 minutes, the victim child was unable to be located. Caretakers called the police and started searching for the victim child. Police found the victim child in the deep end of the pool. The victim child was pronounced deceased at the local hospital. The perpetrator was listed as unknown as it was unknown who [REDACTED] placed the victim child in the care of.

DCCYS provided ChildLine with supporting documentation to have the [REDACTED]. However, on 06/11/2019, after discussion among, Cumberland County, Dauphin County, CRO and ChildLine; the report was registered [REDACTED].

DCCYS contacted the District Attorney's Office to inform them that the report was [REDACTED]. The agency learned that the autopsy was held earlier that morning and they were awaiting the test results. The deputy coroner on the scene identified accidental drowning as the preliminary cause of death. The agency also notified the local police that the case was now registered as a fatality and will be initiating the Joint Investigative Team (JIT).

The local police shared with DCCYS that at the time they made the call to their agency; there were no concerns of supervision or suspicion of abuse or neglect when the incident occurred. The police shared that on the date of the incident; they interviewed [REDACTED].

The police reported that they were told the child went into the house to get something to eat and when he didn't come back out; they went into the home to find him. When the victim child could not be found; they spread out to look for the victim child. It was explained that there was wooded area around and they wanted

to make sure they covered the entire area. The adults at the party even sent the other children out to the neighborhood to look for the victim child as well. The police noted that [REDACTED] had life jackets, pool floats and noodles to prevent any accident from happening. It was reported that the victim child did not know how to swim. When the victim child was in the pool earlier; the victim child wore a life jacket. There were at 8 to 10 adults watching 10 to 14 children. The victim child told one of the adults he was going inside to get something to eat. When the victim child could not be found; the police were contacted. The victim child was found by one of the adults in the deep end of the pool, under water. The victim child was pulled from the water; food and liquids were vomited which corroborated the victim child recently getting something to eat. There were 4 adults by the pool at the time of the drowning along with numerous floatation devices. There was no evidence of the adults being under the influence of drugs or alcohol. DCCYS requested copies of the police report along with interviews conducted and requested to be included in future interviews.

DCCYS made a call to the [REDACTED] to explain that the agency would need to see the [REDACTED] and assure [REDACTED] safety. The [REDACTED] agreed to the visit and shared that the [REDACTED]. The [REDACTED] said all other appointments would need to go through the attorney's office. The [REDACTED] shared that a memorial service was held for the victim child. [REDACTED] reported that the [REDACTED] were having a difficult time but family and the school have been a big support to the family.

The agency arrived for the announced home visit later that day to see [REDACTED]. [REDACTED] was at the home. The [REDACTED] was on his way home. The [REDACTED] reported that [REDACTED] was out to dinner [REDACTED]. While the caseworker was gathering demographic information; the [REDACTED] who scheduled this visit came home. The agency caseworker asked the family if they had other resources other than family support. The family reported that the church and school have been a big support to them [REDACTED]. [REDACTED] agency caseworker then explained the investigation process. The agency caseworker was told that they are familiar with the process of forensic interviews as they have been through that process in the past. The agency caseworker explained that at this time there is an unknown alleged perpetrator [REDACTED] were listed as alleged perpetrators. The [REDACTED] told the agency caseworker that the family was done and all further questions would need to go through the attorney's office and asked the agency caseworker to leave. The agency caseworker provided [REDACTED] business card along with information [REDACTED] before leaving the home.

DCCYS contacted the law firm the very next day at the request of the family. The law firm requested [REDACTED] and said [REDACTED] would then consult with others who have knowledge in the area of child abuse and get back to the agency. DCCYS consulted

with their solicitor who then provided information to the law firm with regards to the Child Protective Services Law. The law firm did not respond back. The agency also reached out to the police to see if they can get the forensic interview scheduled which they were unsuccessful as well. The law firm [REDACTED] refused any interviews to occur.

The agency continued to make several attempts to contact the victim child's family [REDACTED] but the family refused each attempt. The agency reviewed the interviews that the police conducted along with the interviews they conducted. All of the interviews showed a consistency in the accounts of what happened. The victim child attended a graduation party that [REDACTED] was invited to. [REDACTED] if the victim child can stay too, which [REDACTED] allowed. [REDACTED] provided the victim child with a lifejacket and was told he could not be in the pool unless he wore the lifejacket. There were several adults supervising. The victim child told an adult at the party that he was going inside to get something to eat. After approximately 30 minutes; they could not find the victim child. The police were contacted and everyone assisted with the search. The victim child was found in the deep end of the pool. When the victim child was pulled out of the water; he vomited food and liquid which was consistent with what the individuals at the party reported. The police have closed their investigation, have not filed charges and ruled this as an accidental drowning. On 08/09/2019, DCCYS [REDACTED] their report and closed the case.

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:

Cross-county collaboration to obtain information regarding the family in Cumberland County.

Collaboration with law enforcement to obtain police records, information from family due to their unwillingness to communicate directly with CYS.

Resources received to better educate our staff and service to the population.

- Deficiencies in compliance with statutes, regulations and services to children and families:

The report was not initially registered correctly with ChildLine which caused a lack of cooperation between the agency and the family.

- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse:

Upon receiving information of a child fatality or near fatality, this information will be registered with ChildLine, even if the information received suggests the incident was a possible accident.

Recommendations for changes at the state and local levels on monitoring and inspection of county agencies:

No recommendations identified.

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

No recommendations identified.

Department Review of County Internal Report:

The Dauphin County Child Death Review Team held an Act 33 meeting on 06/28/2019 where case information was presented. The county report of the Act 33 meeting was received by the CRO on 10/07/2019. On 10/30/2019, the CRO sent correspondence to DCCYS Administrator, via letter that the report was reviewed and the regional office accepted the county report.

Department of Human Services Findings:

- County Strengths:

The agency collaborated with Law Enforcement and communicated well with each other.

The agency's Act 33 meeting was well represented by county personnel, medical providers, and law enforcement. The meeting was very thorough and the agency implemented their Act 33 policies and procedures.

The agency made numerous attempts with the family and their attorney.

Although the family asked the caseworker to leave; the caseworker still provided the family with information [REDACTED]

- County Weaknesses:

The report was not initially registered correctly with ChildLine which could have contributed to the family's unwillingness to cooperate.

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

After review of the file; the agency was found to be in non-compliance with statutory and regulatory requirements. The agency received a citation under 3130.21(b), CPSL 6311(a)(5)(b)(1)(i) and 6313(a)(1): An agency staff

person became aware of the death of a child and did not report the alleged child abuse to ChildLine as prescribed in the Child Protective Services Law. In addition, the staff person did not report [REDACTED] concerns to ChildLine of a family who lived in a neighboring county. The executive officers shall ensure that the agency is operated in conformity with applicable Federal, State and local statutes, ordinances and regulations. The following adults shall make a report of suspected child abuse, subject to subsection (b), if the person has reasonable cause to suspect that a child is a victim of child abuse: An employee of a child-care service who has direct contact with children in the course of employment. A mandated reporter shall immediately make an oral report of suspected child abuse to the department via the Statewide toll-free telephone number under section 6332 or a written report using electronic technologies under section 6305.

Department of Human Services Recommendations:

The Department has no recommendations at this time.