



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 01/18/2019
Date of Incident: 03/06/2019
Date of Report to ChildLine: 03/07/2019
CWIS Referral ID: [REDACTED]

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

Cambria County Children and Youth Services

REPORT FINALIZED ON:
09/19/2019

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.

Cambria County did not convene a review team in accordance with the Child Protective Services Law related to this report. The agency determined that the report was unfounded on 03/26/2019.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
██████████	Victim Child	01/18/2019
██████████	Mother	██████████/1999
██████████	Father	██████████/1992

* 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 Central Region Office of Children, Youth and Families (CROCYF) reviewed case records pertaining to the ██████████ family. CROCYF representative engaged Cambria County Children and Youth Services Casework Supervisor and Caseworker discuss the incident and subsequent findings.

Summary of circumstances prior to Incident:

Representatives of Cambria County CYS informed CROCYF that the family was known to the agency. Both of the victim child’s parents had involvement with Cambria County CYS when they were children. On 09/11/2014, a report was received by the agency where it was alleged that a sibling of the victim child’s mother was sexually assaulted by another student at her school. Since the alleged perpetrator was neither a relative, household member nor caretaker, a notification to law enforcement was initiated on the same date, and the report closed.

Cambria County CYS informed the Department that the victim child’s father was first involved with the agency during 2006. On 12/27/2006, it was reported that

victim child's father and his mother were out of the state of Pennsylvania and that she would "beat him to the point of vomiting" and then force the contents back down his throat. The CYS agency indicated that the referral did not meet "sufficiency criteria", and the report was rejected. A report on the same date, 12/27/2006, alleged that the victim child's father and his sibling were compelled to perform housecleaning duties and were subject to physical discipline. This report was rejected since the respective children were [REDACTED] years of age and that there were no specific allegation of child abuse. On 10/28/2008, the CYS agency received a report that victim child's father was subject to inappropriate discipline, but the report was rejected when the child denied any abuse. A similar report was received on 03/03/2010 and the referral was rejected as it was deemed invalid.

On 08/16/2012, Cambria County CYS received a report that the victim child's father was accused of physically abusing a son. According to information communicated by CYS agency, he admitted "that he pushed down on victim's leg until he heard it pop because his son was crying and fussy". His actions caused a [REDACTED]. The victim child's father was indicated for physical abuse, and he was subsequently arrested, charged, and incarcerated for injury to his son. The family was opened for services which focused on parenting education. The case was closed on 04/30/2014.

On 06/30/2016, the CYS agency received a referral that the victim child's father and his paramour were not providing adequate supervision of their children. The referral also included concerns of domestic violence and substance abuse. Agency personnel informed the Department that the allegations were invalidated, and the referral was closed effective 08/15/2016.

On 06/20/2018, Cambria County CYS, by order of a Cambria County Commonwealth Court Judge, accepted a case transfer from Somerset County CYS. The victim child's father's eldest son was placed in out of home care when this child's mother was arrested during a drug raid on 05/03/2018. The victim child's father was already incarcerated. CYS representatives documented that on 10/10/2018, a review hearing was conducted and that legal and physical custody was again awarded to the biological mother of this child, and the father may file a petition if he wished of have visitation with his son. A review hearing was held on 03/20/2019 and the father did not attend. The CYS agency closed the case on 03/20/2019 again with a recommendation that the father can file a petition if he wanted to seek visitation and/or custody of his son.

Circumstances of Child Near Fatality and Related Case Activity:

From information obtained through the CYS agency's investigation, on 03/06/2019 at approximately 9:00 PM, the victim child's parents were watching television when the child's mother proceeded to leave the couch to take the child to a bedroom so that he could sleep. The child's mother had the victim child in her arms when she tripped over her own feet and fell. When she fell, the victim child struck his head on the edge of a television stand. The victim child's parents each reported that a call to 911 was made and that the victim child was transported by ambulance to

██████████ Medical Center. After approximately 3 hours, it was decided to have the child transferred to ██████████ Children's Hospital ██████████, where the attending physicians viewed the child's injuries as concerning for physical abuse. Cambria County CYS receive the child abuse report on 03/07/2019 that the victim child was at ██████████ for a right parietal skull fracture. The report was registered as a near fatality with no alleged perpetrator was identified.

Cambria County CYS representatives engaged that attending physician after a CAC consult where it was reported that the victim child was "doing great". The medical practitioner communicated that the victim child's lab results were "fine", there was no bleeding, and that the child's injury was a "simple, non-displaceable fracture". The attending physician stated the victim child had mild swelling on his head and added that was the reason the victim child's mother took the child to seek medical treatment. The physician shared, "From my standpoint, mom and dad's history is consistent, he has no other injuries, my concern for physical child abuse would be low."

On 03/08/2019, the CYS agency contacted ██████████ to explore when the victim child would be discharged from the medical facility only to find out the child was already discharged the night before. The assigned CYS Caseworker along with a Detective with the local police department conducted a home visit on the same date. Both parents were interviewed and denied that they abuse the victim child. The parents' individual statements were congruent in relation to how the child was injured. The Cambria County CYS Caseworker stated that the assigned Detective would not be leveling charges due to the information gathered from ██████████ and from the parents' interviews. On the same date, Cambria County CYS received the ██████████ medical report that stated the version of events provided by parents "provides a reasonable explanation for his injury." The medical report also indicated that no additional injuries were identified from the child's exam, from the child's trauma labs, or from the child's skeletal survey. The physician stated, "My suspicion for physical child abuse is very low," and her assessment, "unlikely abuse".

Cambria County CYS concluded their investigation on 03/26/2019 and deemed the status of allegation as unfounded. The agency did not open the family for services. Their reasoning was based on the premise that child's injuries were not caused intentionally, knowingly or recklessly.

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

The county completed its investigation with an unfounded status within 30 days of the date of the report and as such was not required to convene an Act 33 reievw meeting.

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

NA

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

NA

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

NA

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

NA

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

NA

Department Review of County Internal Report:

Even though an Act 33 review was not required, the CROCYF received an internal Cambria County CYS' Child Near Fatality Child Report on 03/27/2019. Upon review of the documentation, CROCYF assessed that the information efficiently described the incident, the actions taken by the agencies involved, and the status of the case. There were no issues or concerns regarding the content of the report.

Department of Human Services Findings:

- County Strengths:

At the time of this report, the CROCYF has not identified areas of strength.

- County Weaknesses:

At the time of this report, the CROCYF has not identified areas of weakness.

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

At the time of this report, the CROCYF has not identified areas of regulatory non-compliance.

Department of Human Services Recommendations:

The CROCYP has no recommendations in regards to this incident and the subsequent investigation by Cambria County CYS County.