



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



**Date of Birth: 06/12/2012:
Date of Incident: 06/09/2013
Date of Oral Report: 06/10/2013**

FAMILY NOT KNOWN TO:

Berks County Children and Youth Services

**REPORT FINALIZED ON:
12/31/13**

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. Berks County did not convene for a review team in accordance with Act 33 of 2008 related to this report. Based on the Child Abuse Investigation this case was unfounded within 30 days.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	06/12/2012
[REDACTED]	Sibling	[REDACTED]/2012
[REDACTED]	Mother	[REDACTED]/1976
[REDACTED]	Father	[REDACTED]/1977

Non-Household Members

[REDACTED]	Paternal Grandmother	[REDACTED]/1948
[REDACTED]	Half Sibling	[REDACTED]/1997
[REDACTED]	Maternal Great Grandmother	Adult

The paternal grandmother and the half sibling were both caregivers of the child prior to the date of the near fatality. The paternal grandmother and the half sibling do not live in the home with the victim child. On 06/10/13 the Berks County Social Worker conducted a safety visit and a safety plan. The sibling child lived with the maternal great grandmother until the investigation was completed.

Notification of Child Near Fatality:

On 06/10/13 The Berks County Children and Youth Services received a Child Protective Services (CPS) report that alleged the father was caring for the victim child. The victim child was transported to Reading Hospital because he was vomiting, pale and unresponsive. The victim child was medically diagnosed with a significant head injury with [REDACTED]. Dr. [REDACTED] certified the child to be in serious condition due to suspected abuse. Due to the severity of the head injuries the victim child required [REDACTED], and was transferred to Penn State Hershey Children's Medical Center. Initially the father reported the sibling hit the victim child on the head with a plastic hammer. According to the attending physician the injuries were inconsistent with the father's explanation. On 06/11/13

the father recanted his explanation and stated as he was carrying the victim child and sibling down the stairs and the victim child fell and hit his head.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office reviewed the case file for the Near Fatality investigation. On 06/12/13, the Department conducted the initial interview with Berks County Children and Youth Services Social Worker, [REDACTED]. On 06/17/13 and 06/27/13 follow up interviews with [REDACTED], Berks County Children and Youth Services Supervisor and [REDACTED], Berks County Children and Youth Services Social Worker. The Department and Berks County reviewed and discussed in-home, home of origin safety assessments, interviews, criminal status and the well-being of all the children.

Children and Youth Involvement prior to Incident:

The family had no prior history with Berks County Children and Youth Services.

Circumstances of Child Near Fatality and Related Case Activity:

On 06/10/13 the Berks County Children and Youth Services received a Child Protective Services [REDACTED] that alleged the father and the paternal grandmother were at the family's home caring for the victim child. On 06/10/13 the mother and the father transported the child to Reading Hospital. The mother reported when the child woke up in the morning and after he ate his breakfast he was vomiting, and nonresponsive. When the parents arrived at the hospital the father reported, that on 06/09/13, the sibling child hit the victim child in the head with a plastic hammer. The father's explanation of the injury was inconsistent with the injuries sustained by the victim child. The attending physician certified the child to be in serious condition and reported the incident as suspected child abuse. The victim child sustained a significant head injury, [REDACTED]. The victim child received an [REDACTED].

On 06/11/13 the victim child was [REDACTED] hospital, Penn State Hershey Medical Center. On 06/11/13 when the father arrived to visit the victim child at Hershey Medical Center he asked to speak with the Berks County social worker and the mother alone. The father recanted his explanation of what occurred with the victim child. The father was very emotional and crying. The father stated, "I hurt my son I took them upstairs for their exercise and when we go to the top I picked them both up [REDACTED] was in the right arm and [REDACTED] was in my left arm, and when we got to the second or third step from the bottom, [REDACTED] was kicking and twisting to get down". The father reported when he began to readjust [REDACTED], he dropped [REDACTED] and he hit his head on the square post at the bottom of the stairs and then he fell to the living room floor. Father reports that [REDACTED] sat up for a few seconds and then he began to scream and cry. The father reported after the victim child calmed down he put [REDACTED] in his pack and play. According to the father the victim child appeared unharmed for the rest of the night. The father stated he was afraid to tell the mother the truth, yet he was afraid that the county would take the children from them. The father stated he realized he better tell the truth because if the county took their children the mother would never forgive him.

On 06/10/13 the Berks County social worker conducted a safety visit and completed a safety plan. The safety plan completed for the twin sibling was that the child will stay with the maternal great grandmother until the investigation was completed. The Berks County social worker decided to keep the safety plan in place until the father was interviewed by the Berks County detectives.

Current Case Status:

- The final medical assessment from Penn State Hershey Children's Medical Center reported the victim child had a skeletal survey and [REDACTED] exam completed. No additional traumatic injuries were discovered. The child was expected to make a full recovery. The change in history provided by the father was a credible explanation for the victim child's injuries.
- On 06/20/13 this case was Unfounded; injuries sustained by the victim were determined to be accidental in nature and not the result of child abuse and neglect.
- The victim child [REDACTED] from Penn State Hershey Children's Medical Center and returned home with his mother and father.
- According to the documentation the child is healing. The child is eating and sitting up.
- Berks County will follow up with mother and father to ensure that the mother and father follow up on the victim child's medical care.
- There were no criminal charges filed.

Department Review of County Internal Report:

This child abuse investigation was unfounded within 30 days of receiving the report. The victim child's injuries were the result of an accident. The county was not required to convene an Act 33 review or complete an internal report.

Department of Public Welfare Findings:

- County Strengths: Initially the father reported the victim child was hit in the head with a plastic hammer. Berks County collaborated and interviewed all relevant family members, Berks County Detectives and the medical teams at Reading Hospital and Hershey's Medical Center. Berks County was consistent with following up with the family members. The father eventually recanted his initial explanation and disclosed the truth to the Berks County Social Worker.
- County Weaknesses: There were no areas of concern identified.
- Statutory and Regulatory Areas of Non-Compliance: There were no areas of concern.

Department of Public Welfare Recommendations:

The Department did not have any recommendations regarding the investigation. There were no areas of non-compliance.