

## **REPORT ON THE FATALITY OF:**

**Navaydius Marciniak**

**Date of Birth: 03/18/2013**

**Date of Death: 06/03/13**

**Date of Oral Report: 06/03/13**

### **FAMILY KNOWN TO:**

Union County Children and Youth Services and Northumberland County  
Children and Youth Services

**REPORT FINALIZED ON: 10/17/13**

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. Northumberland County has not convened a review team in accordance with Act 33 of 2008 related to this report as they [REDACTED] before the 31st day of the oral report to ChildLine.

**Family Constellation:**

Household Members:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Mother of victim child	[REDACTED]/92
Navaydius Marciniak	Victim child	03/18/13
[REDACTED]	Brother of victim child	[REDACTED]/10
[REDACTED]	Brother of victim child	[REDACTED]/12

Non-Household Members:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Father of victim child	[REDACTED]/94

**Notification of Child Fatality:**

The parents reported that the child was crying at 9:40AM on 06/03/13. The parents gave the child his pacifier and the child stopped crying. The parents went back to bed. The child and his siblings, three and one year old respectively, were all sleeping on the floor of the parent's bedroom. At 10:28AM the parents woke and found the one year old on top of the victim child. The victim child was not breathing. The child was transported to Shamokin Hospital while in cardiac arrest. The child was pronounced dead on arrival. The [REDACTED] and reported the incident to Northumberland County Children and Youth Services. Northumberland County Children and Youth Services called [REDACTED] who registered the death as child abuse for the County. [REDACTED] Upon autopsy on 06/03/13, the coroner found no signs of child abuse, and suspects the child may have had a genetic condition that lead to his death. Complete autopsy results will not be available for at least 12 weeks. Autopsy results are not available at the time of writing of the report.

The fatality occurred in Northumberland County, at the home of the father of the child, while the mother and the children were visiting. The mother and children are residents of Union County.

### **Summary of DPW Child Fatality Review Activities:**

For this review, the Central Region Office of Children, Youth and Families reviewed Northumberland County Children and Youth Services (NCC&YS) investigation file, which included medical records from the hospital that pronounced the child dead on 06/03/13. In addition, records from Union County Children and Youth Services were reviewed.

The Central Region Office of Children, Youth and Families communicated with [REDACTED] (Agency Director), [REDACTED] Director), [REDACTED] (Supervisor) and [REDACTED] (Caseworker) from Northumberland County Children and Youth Services multiple times by telephone and met with agency staff on June 13, 2013. The Central Region Office of Children, Youth and Families also communicated with [REDACTED] (Agency Director) at Union County Children and Youth Services on multiple occasions.

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

The family was known previously to Union County CYS (UCC&YS) and to Northumberland (NCC&YS) County Children and Youth Services.

On 4/5/10 UCC&YS received a General Protective Service referral which alleged that the Maternal Grandmother gave a two month old sibling of the victim child iced tea. There was also concern expressed that the family may have needed formula. The intake was screened out on 4/8/10 as family had ten cans of formula on hand.

NCC&YS received a referral on 09/29/10 regarding the oldest child in the home. It was alleged that the child was seen at the Sunbury [REDACTED] for evaluation following an incident in which the mother, while at a public office, walked away from the child while he was on a changing table. The child fell off the changing table. Concerns were expressed regarding mother's young age and parenting knowledge. The child sustained no injury and was released. The agency monitored the family throughout the intake process and closed the case on 11/8/10.

UCC&YS received another referral on 06/19/12. Allegations were that the parents stayed up too late, keeping the kids up late, that the children were yelled/screamed at, that the apartment was only a 1 bedroom, without beds/cribs for the young children. The intake was closed on 7/16/12. The home was appropriate with appropriate sleeping arrangements for the children.

On 12/5/12, UCC&YS received another referral in which it was alleged that the mother was neglecting the medical needs of the children. A sibling of the victim child had an [REDACTED] and mother did not [REDACTED] for the child. The agency determined that the family needed support and monitoring, so the family was opened for Protective Services on 01/28/13.

The family was open with UCC&YS at the time of the death of the victim child and remains open currently. Services include CYS case management/ [REDACTED]

[REDACTED] Probation for both parents. The mother is on probation for retail theft. The father is on probation for theft.

### **Circumstances of Child Fatality and Related Case Activity:**

The parents reported that the child was crying at 9:40AM on 06/03/13. The parents gave the child his pacifier and the child stopped crying. The parents went back to bed. The child and his

siblings, three and one year old respectively, were all sleeping on the floor of the parent's bedroom. At 10:28AM the parents woke and found the one year old on top of the victim child. The victim child was not breathing. The child was transported to Shamokin Hospital while in cardiac arrest. The child was pronounced dead on arrival. [REDACTED] and reported the incident to Northumberland County Children and Youth Services. Northumberland County Children and Youth Services called [REDACTED] for the County. Upon autopsy on 06/03/13, the coroner found no signs of child abuse, but suspects the child may have a [REDACTED] that lead to his death. Complete autopsy results will not be available for up to 12 weeks.

The fatality occurred in Northumberland County, at the home of the father of the child. The mother and children reside in Union County.

Northumberland County Children and Youth Services [REDACTED] on 06/21/13 as the doctor and Coroner cannot determine if neglect played a role in the infant's death until they receive results of the autopsy, which could take as long as 12 weeks to receive.

**Current Case Status:**

Union County Children and Youth Services initiated a safety plan that required both parents to be supervised around the children at all times. In addition, three relatives were identified who would monitor that the children sleep in a bed each night. Union County Children and Youth Services lifted the safety plan on 06/26/13 after consultation with Northumberland County Children and Youth Services and after [REDACTED].

As of 08/15/13 UCC&YS was still providing [REDACTED] to the mother and the surviving siblings. [REDACTED] will continue through February of 2014. The mother is working two jobs and the children's [REDACTED] provides babysitting when the mother works. The mother must remain in her apartment in [REDACTED] per her probation officer. The children's father has been incarcerated since 07/05/13 for probation violation and new charges that are unrelated to the child fatality.

[REDACTED] services began in September of 2013 with one child and the other child will be referred to [REDACTED]. The mother is still enrolled [REDACTED] however, she is not currently attending sessions due to her work schedule.

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

Northumberland County Children and Youth Services [REDACTED] prior to the 31<sup>st</sup> day, therefore, a County Fatality Review was not held.

**Department Review of County Internal Report:**

Northumberland County Children and Youth Services [REDACTED] prior to the 31<sup>st</sup> day, therefore, a County Fatality Review was not held.

### **Department of Public Welfare Findings:**

- County Strengths:
  - The investigation completed by Northumberland County Children and Youth Services was conducted timely and in collaboration with law enforcement services. The agency continues to maintain contact with law enforcement regarding the outcome of their investigation.
  
- County Weaknesses:
  - There were no areas of weakness noted.
  
- Statutory and Regulatory Areas of Non-Compliance:
  - There were no issues of non-compliance noted.

### **Department of Public Welfare Recommendations:**

Northumberland County Children and Youth Services should continue to conduct thorough and timely investigations in coordination with law enforcement officials. Safety assessments and plans should also continue to be conducted in a timely fashion.