



**pennsylvania**  
DEPARTMENT OF HUMAN SERVICES

## REPORT ON THE NEAR FATALITY OF:



**Date of Birth: 05/27/2014**  
**Date of Incident: 07/15/2014**  
**Date of Oral Report: 07/15/2014**

### FAMILY NOT KNOWN TO:

Bedford County Children and Youth Services

### REPORT FINALIZED ON:

December 30, 2014

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. Bedford County convened a review team in accordance with Act 33 of 2008 related to this report on July 21, 2014.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	05/27/2014
[REDACTED]	Mother	[REDACTED] 1995
[REDACTED]	Father / Alleged Perpetrator	[REDACTED] 1994
[REDACTED]	Maternal Grandmother	[REDACTED] 1969
[REDACTED]	Paramour of MGM	[REDACTED] 1961
[REDACTED]	Paternal Step Grandmother	[REDACTED] 1970
[REDACTED]	Paternal Grandfather	[REDACTED] 1975

\* Not members of the household.

**Notification of Child Near Fatality:**

On July 15, 2014, Bedford County Children, Youth and Family Services received notification [REDACTED] of the near fatality of [REDACTED] which occurred on the same date. The victim child resided with her parents. The Department of Public Welfare (DPW), Office of Children, Youth and Families (OCYF) Central Region Office was notified by Bedford County Children and Youth Services (BCCYS) of the near fatality on July 15, 2014.

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

The DPW Central Region OCYF obtained and reviewed current and past case records pertaining to the victim child's family. Engagement and follow up communications were conducted with the [REDACTED]

[REDACTED] An OCYF Central Regional Office Program Representative participated in the County Fatality Review Team Meeting on July 21, 2014. DPW reviewed BCCYS's child protective services (CPS) procedures, case notes, steps taken to ensure safety of the child, Family Service Plans, the agency's minutes from the Fatality Review Team Meeting, and relevant medical records.

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

BCCYS representatives confirmed with OCYF that the agency was not familiar with the family prior to the incident.

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

At approximately 7:00 pm, on July 15, 2014, the victim child was transported by her parents to Nason Hospital, located in [REDACTED], PA. During the child's [REDACTED], it was determined that the child had [REDACTED]. The child had [REDACTED]. Nason Hospital [REDACTED] physician, Dr. [REDACTED], certified that the child was in critical condition due to suspected child abuse. The victim child's parents stated the child's eyes rolled back into her head and that she had spasmodic movements of her lower and upper extremities. They stated that their child was fine two (2) hours before bringing her into [REDACTED] and that they did not know what happened to her.

The victim child was [REDACTED] to [REDACTED] at approximately 10:20 pm. The child was [REDACTED] to Children's Hospital's [REDACTED] and she [REDACTED] since she was [REDACTED]. It was determined the child [REDACTED] stated that there was no accidental situation that could explain the [REDACTED] revealed. Again, the parents could not or would not explain how the child received the injuries. The child [REDACTED], in the absence of a history of injury or trauma, indicated that the [REDACTED] cannot be explained by any other [REDACTED] than [REDACTED]. The child's [REDACTED], and she did not have an [REDACTED] to explain her [REDACTED]. The [REDACTED] could not have [REDACTED]. The reported [REDACTED] are [REDACTED] for physical child abuse, specifically [REDACTED].

The children and youth agency informed the Pennsylvania State Police (PSP) of the incident and respective injuries to the child and Trooper [REDACTED] was assigned to the case. Both PSP [REDACTED] and BCCYS personnel traveled to Children's Hospital to begin the investigation and to ensure safety of the victim child. On July 16, 2014, BCCYS [REDACTED]. A safety plan was developed with paternal and maternal grandparents on the same day to ensure that the parents' visitation with the child [REDACTED] was supervised. The parents also agreed to the safety plan. It is noted that there are no other children in the home or in the care of the victim child's parents. It was determined that the father was alone with the child prior to the incident while the mother was shopping at a local [REDACTED].

[REDACTED] The victim child responded well to her [REDACTED] and her [REDACTED] allowing her to be [REDACTED] to a [REDACTED] on July 18, 2014.

Due to how well the victim child responded [REDACTED], she was [REDACTED] Children's Hospital on July 21, 2014. The victim child [REDACTED] into the care of Maternal Grandmother and her paramour. [REDACTED]

[REDACTED] Due to the [REDACTED] work schedule, it was decided that [REDACTED] would have physical custody of the child. A stipulation on this arrangement was that [REDACTED] had to leave the residence since he was not approved as a care giver for the victim child. [REDACTED] has an indicated sexual report from Greene County that involved a four (4) year old child. He is currently living in [REDACTED] near the locale of his employment.

The victim child is currently residing in a kinship arrangement with Paternal Step Grandmother. The children and youth agency and caretakers ensured that the child attended [REDACTED] appointments at [REDACTED]. Follow up [REDACTED] indicate that the child is progressing quite well. After the last [REDACTED] which occurred during September 2014, [REDACTED] want to see the victim child in one (1) year to see how she has progressed.

Both of the victim child's parents deny harming the child. Mother provided those investigating the abuse with a receipt from [REDACTED] indicating that she indeed was not present when it was assessed that the child was injured. The caregiving at the time was the child's father. On August 11, 2014, based on medical evidence and the CPS investigation, BCCYS indicated the father for the abuse of his daughter.

#### **Current Case Status:**

At the conclusion of the agency's CPS investigation, the decision was made to [REDACTED] with the family. A referral was made for [REDACTED] for the victim child, and Bedford County's [REDACTED] has initiated services.

[REDACTED] The victim child's father has also agreed to participate in [REDACTED] that have yet to be arranged. BCCYS documentation and conversations with agency personnel indicate that the agency has been effective in ensuring that the child is safe and that visitation with the child's parents are supervised by approved relatives. There are concerns that the victim child's mother is still in denial that the child's father harmed the infant. Due to this concern, supervised visitation will continue at the present time. It is also noted that the parents were initially inconsistent with visiting their daughter, but that has improved as services continue. At the time of the writing of this report, the child continues to reside in a kinship arrangement with Step-Paternal Grandmother.

On September 7, 2014, the Pennsylvania State Police charged the child's father with aggravated assault, simple assault, and endangering welfare of children. On September 24, 2014, he waived his preliminary hearing. His case proceeds to the Bedford County Commonwealth Court. He is currently out of jail on a \$250,000 unsecured bond. The father continues to state that he did not harm his daughter. No trial date has been set.

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

Strengths:

- The Agency has shown commitment to this child as evidenced by spending the night in the [REDACTED] on the date of the incident in question.

Deficiencies:

- No deficiencies were identified

Recommendations for Change at the Local Level:

- No recommendations

Recommendations for Change at the State Level:

- No recommendations

**Department Review of County Internal Report:**

The report from BCCYS was received by the Regional Office on August 13, 2014. The report details the topics that were discussed during the Near Fatality Review Team Meeting held on July 21, 2014. The children and youth agency conducted the investigation and ensured that [REDACTED] with the Pennsylvania State Police was apprised of their progress and case status. BCCYS followed the team's recommendations regarding implementation of services for the family. There were no deficiencies identified.

**Department of Public Welfare Findings:**

County Strengths:

- On the day of the incident, BCCYS made the decision to travel to Allegheny County [REDACTED] to ensure safety of the victim child.
- BCCYS was expedient in informing OCFY Central Region Office of the near fatality of the child.
- The agency developed an effective community Multidisciplinary Team (MDT) / Near Fatality Review Team; members of which represent a wide array of community services, education and law enforcement.
- Collaboration was evident between the agency, Pennsylvania State Police, medical practitioners, and hospital personnel.
- The agency was diligent working with the victim child's parents to arrange kinship living arrangements for the victim child upon [REDACTED] from the hospital
- The agency was expedient in developing a safety plan involving the family that allowed for the parents to have supervised visitation.
- The agency maintained consistent communication with the OCYF Central Region Office.

County Weaknesses:

- No deficiencies were identified.

Statutory and Regulatory Areas of Non-Compliance:

- At the time of the writing of this report, the OCYF Central Region Office has not identified areas of non-compliance.

**Department of Public Welfare Recommendations:**

The Regional Office completed interviews and obtained records as required. The agency provided appropriate services to the family during the investigation and ensured the safety of the identified child. The case is currently active with Bedford County Children and Youth Services and the agency has developed a family specific Family Service Plan to assist in the goal of reuniting the child with her parents. Therefore, there are no further recommendations.