



REPORT ON NEAR FATALITY:



Date of Birth: 09/23/2014
Date of Incident: 01/21/2015
Date of Report to ChildLine: 01/21/2015
CWIS Referral ID: 

**FAMILY NOT KNOWN TO COUNTY CHILD WELFARE AT TIME OF INCIDENT
OR WITHIN THE PRECEDING 16 MONTHS:**

Allegheny County Office of Children, Youth and Families

REPORT FINALIZED ON:
08/27/2015

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:

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, 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.

Act 33 of 2008 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. Allegheny County has convened a review team in accordance with Act 33 of 2008 related to this report. The county review team was convened on 04/27/2015.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	09/23/2014
[REDACTED]	Sibling	[REDACTED] 2010
[REDACTED]	Mother	[REDACTED] 1981
[REDACTED]	Father	[REDACTED] 1983

Summary of OCYF Child Near Fatality Review Activities:

The Department interviewed Allegheny County Office of Children, Youth and Families caseworker on 02/25/2015 to receive a status report on the victim child. The caseworker reported that the injuries to the victim child were life threatening and would have caused him severe pain. The Department also reviewed the family's case record.

An Act 33 Team Meeting was held at Allegheny County on 04/27/2015 at which the Western Region Office of Children, Youth and Families were present.

Children and Youth Involvement prior to Incident:

No prior involvement with Allegheny County Children, Youth and Families.

Circumstances of Child's Near Fatality and Related Case Activity:

On 01/21/2015, Allegheny County Children, Youth and Families (CYF) received a report of suspected physical abuse of the victim child from [REDACTED]. The report indicated that the victim child was seen for a routine visit at his primary care physician's office and it was learned that his head circumference had increased from 50% to greater than 99% for his age. He was immediately taken to [REDACTED] CHP where he was found to

have [REDACTED]

[REDACTED] The victim child's parents had no explanation for these injuries. He was then admitted to [REDACTED]

[REDACTED] It was stated by the physician at CHP that the victim child would survive these injuries, but the long term prognosis was unknown.

On 02/06/2015 upon receiving the full report from the Dr. [REDACTED] from CHP, the victim child was considered to be in serious condition. Dr. [REDACTED] statements met the CHP criteria for the child abuse report to be "certified" as a near fatality. Allegheny County made the call [REDACTED] on 02/06/2015 to register the report as a near fatality.

On 01/24/2015, the father, the alleged perpetrator, was arrested for the incident. He was charged with Endangering the Welfare of Children, Aggravated Assault, and Recklessly Endangering another Person. There was also a no-contact order as part of his bond. On 01/28/2015, the victim child was [REDACTED] to his mother's care. The family was accepted for on-going services on 03/02/2015. [REDACTED] report was indicated with the father as the perpetrator on 03/23/2015.

The Mother was initially interviewed by the CYF caseworker on 01/22/2015. Mother denied any knowledge of how her son was injured. She reported no known history of trauma to her son. She also stated her son had been in good health. She did state that approximately two weeks prior her son had rolled off the couch and sustained a small cut under his lip while the father was watching him. She also noted that at approximately three weeks of age the victim child was [REDACTED], which is considered a common child illness [REDACTED]. Mother also denied that her husband had a temper and denied any concerns she might have been having with him prior and up to the time of the injury.

A forensic interview with the victim child's older sister was held on 01/23/2015. There was no disclosure of maltreatment. It was also indicated that "no grown up was mad at the baby". The sister did describe frequent fighting between her parents.

Additionally, on 01/22/2015 the father was interviewed by the CYF intake caseworker. Father also denied any knowledge of how his son was hurt. He denied any known trauma to him other than him rolling off the couch two weeks prior to his son's hospitalization. He also reported that he had no concerns with his wife or maternal grandfather who also cares for the child on occasion. Father did state that his son had been fussier than normal the past few weeks and that it was harder for him to fall asleep. The victim child vomited formula when fed. Father denied ever losing his temper or control when around his son. Father was interviewed by the Allegheny County Police on 01/23/2015 and confessed to causing his son's injuries. The father was subsequently arrested and charged with Aggravated Assault and Recklessly Endangering another Person.

The medical findings concluded that the skeletal survey was normal. [REDACTED]

[REDACTED] The overall assessment of the Hospital's Child Advocacy Clinic was that the injuries were diagnostic of physical abuse with abusive head trauma. The injuries were life threatening and caused severe pain. The victim child was expected to have temporary, if not permanent, impairment. The victim child was deemed at risk for [REDACTED]

The victim child and his sister remain in the care of their mother who recently moved back into the family home. Father has moved in with his parents, the parental grandparents. Father was permitted to attend Easter dinner at mother's home under supervision. The victim child continues to receive follow up health care and the father attends [REDACTED]

A Preliminary hearing was held on 03/19/2015, and the charges were held over for court. On 05/05/2015, a formal arraignment was scheduled. He had a non-monetary condition of bail set – initially no contact with his son. With his recent compliance of CYF recommendations, there has been an allowable supervised contact.

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

- Strengths in compliance with statutes, regulations and services to children and families: Engagement of family with CYF Family Services to include extended family supports, maternal grandparents. Referrals for mother [REDACTED] and victim child [REDACTED] were appropriately made. The agency is working with the family towards unity following the incident.
- Deficiencies in compliance with statutes, regulations and services to children and families: It was identified that the mother had multiple jobs. The identification of dual employment of a mother may inhibit adequate care for her children.
- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse: The following recommendations were made by the group following the Act 33 Meeting:
 - A treatment protocol is created for physical abuse as is in place for sexual abuse.

- A re-education for law enforcement agencies, District Attorneys' Offices, and courts regarding what constitutes child abuse in all of its forms.
- An implementation of a child abuse court for sexual offenders and domestic violence, as is currently in place for drug and alcohol offenders.
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies: No recommendations were made.
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse. No recommendations were made.

Department Review of County Internal Report:

The Department did receive and review the internal report. The Department is in agreement of the findings and recommendations made by the Act 33 Review Team.

Department of Human Services Findings:

- County Strengths:
The Act 33 Review Team Meeting was held for the child on 04/27/2015 was well attended by Allegheny County DHS staff, DHS Administration, supervisors and caseworkers. Also in attendance were hospital forensic unit physicians, local law enforcement, and the District Attorney's Office.

Since this family was unknown to Allegheny County CYF, quick response to the report resulted in appropriate follow up action and thorough investigation of this incident and referral of family to appropriate support systems.
- County Weaknesses:
There were no county weaknesses noted.
- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
No statutory and regulatory areas of non-compliance.

Department of Human Services Recommendations:

Upon review of the report, the Department makes the following recommendations:

- Identification of local pediatricians, not necessarily affiliated with the CHP and Mercy Health systems that treat children and youth of all ages. Reach out to

these physicians to offer training on the new definitions of child abuse and the new laws pertaining to child abuse reporting.