



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 11/27/13
Date of Near Fatality: 12/22/13
Date of Oral Report: 12/24/13

FAMILY NOT KNOWN TO:
Delaware County Office of Children & Youth Services

REPORT FINALIZED ON:
July 3, 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. 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. Delaware County has convened a review team in accordance with Act 33 of 2008 related to this report on 02/19/14.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Bio-Mother	04/02/81
[REDACTED]	Maternal Grandmother	Age 57
[REDACTED]	Sibling	[REDACTED]/06
[REDACTED]	Victim Child	[REDACTED]/13

Non-Household Members:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Bio- Father	[REDACTED]/68
[REDACTED]	Maternal Cousin	[REDACTED]/69

Notification of Child (Near) Fatality:

The initial referral was made to Philadelphia Department of Human Services (DHS) on December 23, 2013 [REDACTED] due to the victim child being brought to CHOP on December 22, 2013 by her mother for respiratory distress and altered mental status. Upon exam, it was discovered that the child had [REDACTED]. The mother initially did not have an explanation for her daughter's injuries. The child was admitted and was certified to be in critical condition. The mother stated she dropped off the children at her cousin's home on December 21, 2013 around 3:00 pm and came back to pick the children up on December 22, 2013 around 11:00 am. When she returned to her home, the children's maternal grandmother allegedly noticed the victim child to have pale extremities, difficulty breathing, and was very lethargic. They then took the child to the hospital where the mother reported the child, was fine before she was dropped off at her cousin's home who cared for her since yesterday afternoon. The mother reported that when she picked up her child she was asleep, but it was later that she began to notice the previously described symptoms. The report was voided in Philadelphia on 12/24/13 following a determination by the [REDACTED] Police Department [REDACTED] determination that the child's injuries allegedly occurred at the home of her maternal cousin [REDACTED], whose residence was in [REDACTED], Pennsylvania. Once confirmed, the

report was registered with Delaware County Children and Youth Services. Because Philadelphia DHS had already assessed the safety of both the victim child and her sister in the home of the biological mother, DHS shared their findings with Delaware County Office of Children & Youth Services (CYS) and informed them of their decision to proceed with this case as a general report with ongoing assessment of the family situation to determine the need for supportive services since the family resided in Philadelphia County in conjunction with Delaware County's investigation. The maternal cousin was named as the alleged perpetrator based on the mother's allegations that the incident occurred at her cousin's home. The biological mother and maternal grandmother continued to provide care for the victim child and her sister during the course of the investigation as each presented as appropriate caregivers based on the initial and ongoing safety assessments that indicated no safety threats for either child; and the child had been seen by her primary care physician on 12/18/13 with no concern reported at that time.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Region Office of Children, Youth and Families (SERO) obtained and reviewed all current case record information from Philadelphia DHS and Delaware County CYC pertaining to the near fatality investigation and the outcome status of [REDACTED] provided to the family during the period of SERO's involvement in the case; which, also, included the review of the medical records from CHOP.

SERO initiated and maintained contact with the Delaware County CYC intake caseworker, [REDACTED], Intake Manager throughout the completion of the Child Protective Services (CPS) investigation; and continued to monitor the victim child and her family's progress with IHPS through DHS with [REDACTED], Multi-Disciplinary Team Social Work Supervisor (MDT SWS).

The regional office also participated in both the DHS Act 33 Review Team meeting at the City of Philadelphia's Medical Examiner's Office on 02/19/14, as well as the Act 33 Meeting conducted by Delaware County CYC; and reviewed the Near Fatality Reports from each county.

Children and Youth Involvement prior to Incident:

The family has no prior history with Delaware County Children and Youth Services, Philadelphia Department of Human Services, or in the state of Florida where the family resided prior to moving to Pennsylvania.

Circumstances of Child Near Fatality and Related Case Activity:

The child made a full recovery and [REDACTED] 12/30/2013 to her mother. Philadelphia DHS remained involved with the family in [REDACTED] to ensure the children's safety while Delaware County CYC conducted the investigation into the alleged perpetrator's family. Philadelphia DHS will continue to provide ongoing services to the family to address the concerns raised during the investigation.

All involved individuals were interviewed by [REDACTED] detectives and Delaware County CYC. Both households had inconsistencies in their statements of what occurred during the time period that the child sustained her injuries. She was in the care of her mother until around 3 p.m. on December 21, 2013, at which time she, along with her seven-year-old sibling, were placed in the care of the aunt. The mother arrived at the home of the aunt around 11:00 a.m. on December 22, 2013 and stayed for about an hour. It was reported that she then left the cousin's home and dropped the children off to the care of her mother, [REDACTED], maternal grandmother, who lives with her. The maternal grandmother was interviewed and found it curious that the mother would take the children to this particular cousin for care, stating she always watched the children for her, and was planning on watching them the evening of December 21, 2013.

The victim child's sibling was interviewed as well, and reported that she did not see anything happen to her sister, but that she was crying more than usual. The sibling reported that she slept downstairs, and her sister slept upstairs while at the aunt's home.

The hospital reported that the child suffered [REDACTED] and that the injuries could not have occurred at birth due to them not healing. Hospital staff also stated the injuries likely happened within a day or two.

[REDACTED]

Both households deny causing the injuries. The members of the alleged perpetrator's household deny that the child suffered any trauma or received any injuries before the mother left with her. As a result of this investigation, Delaware County CYC and other professionals involved in this case concur that the child sustained a serious bodily injury resulting in being a victim of child abuse; though it has not been determined who caused the injuries. CHOP reported that the victim child suffered [REDACTED] and that the injuries could not have occurred at birth due to them not being in any stage of healing. CHOP also stated the injuries likely happened within hours or up to twenty-four hours of the child exhibiting symptoms but they could not be more specific. [REDACTED] Police Department continues with their investigation but have not made an arrest or charged anyone with a crime. A CY48 was filed on 02/21/14 with a determination of pending criminal court action. A formal determination defining the perpetrator is pending further police investigation and criminal court action. A subsequent CY48 was updated on 05/01/14 with a case status determination of Unfounded based on the investigation not being able to obtain sufficient information to substantiate the identity of a perpetrator. The child's mother initially stated the injuries occurred at the alleged perpetrator's home but the doctor's at CHOP have explained that, following the incident that caused the injuries, symptoms could have occurred immediately or taken up to twenty-four hours to become observable. Furthermore, CHOP was unable to provide a smaller timeline of when the injuries occurred in order to assist in determining who was caring for the child when it happened because the child's mother also cared for her during that time in [REDACTED] and the incident may have occurred there.

Current Case Status:

As of submission of this report, Philadelphia DHS continues to have [REDACTED] implemented with victim child's family targeting the following objectives in their current plan of action: (1) [REDACTED] for the mother; (2) Plan for proper supervision and child care strategies; and (3) Ongoing medical care follow-up for the victim child. The [REDACTED] Police Department continues with their criminal investigation.

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

- Strengths:

Delaware County Children and Youth Services received the case from Philadelphia Department of Human Services in December 2013. There was good communication between the agencies and sharing of information was timely. The agency made good efforts to engage the family and ensure the parents' cooperation.

- Deficiencies:

None

- Recommendations for Change at the Local Level:

The MDT recognized the exemplary work done by CYS and DHS to collaborate on this case. The MDT recommended that when abuse crosses two county lines law enforcement officials need to develop a protocol of collaboration until the investigation can become more clearly defined and county responsibility can be determined.

- Recommendations for Change at the State Level:

There were no recommendations made for changes at the State level relative to this near fatalities report.

Department Review of County Internal Report:

SERO received both County Act 33 reports on a timely basis following its participation and input at those meetings on 02/19/14.

SERO concurs with the findings and follow-up recommendation for services to the victim child's family.

Department of Public Welfare Findings:

- County Strengths:

The success and thoroughness of this investigation relied on the cooperation, collaboration and timely communication of both the County CYS agencies and the police departments in each county.

- County Weaknesses:

None

- Statutory and Regulatory Areas of Non-Compliance:

None

Department of Public Welfare Recommendations:

SERO needs to facilitate a regional review of current protocol that exists within each County that specifically identifies a policy and procedure that outlines how inter-county fatality and/or near fatality reports are being coordinated to ensure the most effective outcome of an investigation.