

Office of Children, Youth and Families

Gabrielle Williams
Director
Central Region

1401 N. 7th St., 4th floor
Bertolino Bld.
Harrisburg, Pennsylvania, 17105

717-772-7702
Fax: 717-772-7071

REPORT ON THE NEAR FATALITY OF

[REDACTED]

DOB: 12/21/2005
Date of Near Fatality: 12/4/2010

FAMILY KNOWN TO:

York County Children & Youth Services
Adams County Children & Youth Services

DRAFT DATED 05/11/11

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.
(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 No. 1147 now known as Act 33 was signed by Governor Rendell on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatalities that were suspected to have occurred due to child abuse. DPW must conduct child fatality and near fatality reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.

Family Constellation:

Household Members:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	[REDACTED] 2005
[REDACTED]	Sibling	[REDACTED] 2004
[REDACTED]	Guardian	[REDACTED] 1988
[REDACTED]	Guardian	[REDACTED] 1962

Non-Household Members:

[REDACTED]	Sibling	[REDACTED] 2003
[REDACTED]	Sibling	[REDACTED] 2007
[REDACTED]	Mother	[REDACTED] 1986
[REDACTED]	MGM	[REDACTED] 1963
[REDACTED]	Aunt	[REDACTED] 1985
[REDACTED]	Father (1)	[REDACTED] 1981
[REDACTED]	Father (2)	[REDACTED] 1985
[REDACTED]	Father (3)	Unknown
[REDACTED]	Caretaker of [REDACTED]	Unknown

Notification of Fatality/Near Fatality:

Guardian, [REDACTED] called 911 on 12/4/10. Child was brought in by ambulance to Gettysburg Emergency Room after being found in the house unresponsive. Child came to the hospital in respiratory distress with an abrasion or burn to his forehead, soft tissue swelling to the posterior of his head, bruise to the lateral left chest extending to posterior chest, bruising on lower back and to all extremities. Child appeared very thin, malnourished and dehydrated.

The child was intubated and flown to Hershey Medical Center. [REDACTED] had [REDACTED] for extensive brain swelling and bleeding. They had to [REDACTED]. He was in [REDACTED]

[REDACTED]

Documentation Reviewed and Individuals Interviewed:

For this review Central Region interviewed:

- [REDACTED] York County Children & Youth Services
- [REDACTED] York County Children & Youth Services
- [REDACTED] Adams County Children & Youth Services
- [REDACTED] Adams County Children & Youth Services

Central Region reviewed:

- Child Death Data Tool
- Police Report
- Case file (2)

Case Chronology:

Previous referrals to York County CYS

February 15, 2006 – [REDACTED] (then 2-years-old) had burns on both his hands. The mother stated that she was making pizza in the oven and [REDACTED] burned his hands on the oven door. Mother, [REDACTED] and [REDACTED] were in the home at the time of the incident. The report was indicated with the mother listed as perpetrator for lack of supervision. The case was accepted for services by York County Children and Youth Services (YCCYS) in February 2006 and a referral made to [REDACTED] in-home team. Mother was cooperative with services. A referral was made for [REDACTED]. The case was closed in October 2006.

March 2, 2006- Child and family accepted for ongoing services due to the indicated report. Mother cooperated with YCCYS and with [REDACTED] in-home team. Her participation was deemed successful with closure by the in-home team on 10/19/2006. [REDACTED] seen by [REDACTED] and did not require further related services.

March 13, 2008 – Referral that [REDACTED], who had been born premature, was not gaining weight. Mother missed a number of medical appointments for [REDACTED] to get follow-up care for premature infants. All of the children had been discharged from [REDACTED] due to excessive missed appointments. During the assessment period [REDACTED] gained weight. The case was unfounded and closed on 4/23/2008. Family was referred to [REDACTED] in-home team and to [REDACTED].

Previous referrals to Adams CYC:

March 30, 2009 – An anonymous referral from someone who had a “feeling” that the children were not being fed, were poorly supervised, and were not getting to school. The Agency sent a letter to the mother offering services and asking her to call if she needed assistance or referrals to community agencies. The screener at that time received multiple calls from [REDACTED] caretaker. She feared that the mother would come and remove the child. Caller was referred to a self help center for custody. No one visited the home with this referral.

July 17, 2009 – Case not opened

[REDACTED] called because [REDACTED] feared that mother was going to pick the child up from [REDACTED]. Mother gave [REDACTED] temporary custody of the child. Caller was referred to the court’s self-help service to assist [REDACTED] in getting custody of [REDACTED]. The caller stated that [REDACTED] had to be taken to the doctor for a ruptured eardrum due to an untreated ear infection while in mother’s care.

Agency then learned that mother took the child. Mother got into an altercation at a park during which [REDACTED] was alleged to have been hit. Referent gave multiple addresses and phone numbers but Adams County Children and Youth Services (ACCYS) was unable to locate the family. The telephone numbers were out of service. Police said that mother was part of an investigation regarding prostitution activities, but also did not know where she was located. The other children were with relatives and friends.

July 21, 2009-Case not opened

A referral was called in regarding a homeless mother, possibly living in a car with the baby and fighting. It was reported that the mother was fighting and the baby was knocked out, that the mother split the child’s lip after throwing the child into the car. Caseworkers went to mother’s last known address, child’s last known address and [REDACTED] in Biglerville in search of mother and child. Caseworkers could not locate mother or child.

March 30, 2010-Case not opened

A referral was received from [REDACTED] with concerns that [REDACTED] guardian, his Maternal Grandmother, was in the hospital having suffered a stroke and the child was home with his cousin [REDACTED], age unknown. Concerns raised that the child may not be fed regularly, the home was alleged to be in bad condition and the child may be left home alone, when in maternal grandmother’s care. Child’s mother alleged to be living in an unknown motel in Gettysburg, Pa. with 3 other

children. No current safety concerns, as child is being cared for by a relative. Reporting source would call back if any further information was found. Case not opened as RS did not call back.

March 31, 2010 – Case opened and screened out (less than 10 days), no services offered.

A call was received stating that mother was living with the four children at the [REDACTED]. It was alleged that one of the children was hit with a hairbrush, the children were not fed, and there were “Mexican men in and out all the time.” ACCYS made a visit to the motel on the date of the referral. The children were there with [REDACTED]. Mom was reportedly at the hospital with her mother. ACCYS spoke with [REDACTED] who denied all the allegations. The children were in good condition and the residence was adequate.

The following day mother came to the agency and spoke with the caseworker. She denied the allegations and was quite angry about the repeated referrals to ACCYS.

November 1, 2010- Case open at intake level only, closed on 12/23/2010 [REDACTED] listed as household member with another family active at the intake level. This family offered and accepted in-home [REDACTED] assistance. Caseworkers saw child on 11/1/10, 11/12/10, and 11/15/10. Child went to another caretaker’s home on 11/22/10. Caseworker saw child in that home on 12/01/10. ACCYS was active with another family and at the time of a home visit with that family, [REDACTED] was staying/visiting there. A household member was alleged to be [REDACTED] father. In the course of the assessment of this other household, the caseworker made a visit to [REDACTED] caregiver, [REDACTED] who lives with her parents, and participates in [REDACTED] care. Mother gave her temporary custody of the child. The situation appeared to be suitable and stable.

November 23, 2010 – Custody issue, case not opened, custody information provided

[REDACTED] came to ACCYS because she was worried that mother would take [REDACTED] from [REDACTED] care. [REDACTED] was referred to the court self-help service in order to gain custody.

December 4, 2010 – The present referral, which [REDACTED] was admitted to Hershey Medical Center with multiple serious injuries and in critical condition. ACCYS made multiple visits and contacts with the hospital and took custody of [REDACTED], placing him into a foster home. [REDACTED] other sibling [REDACTED] was residing with his [REDACTED] and [REDACTED] remained with her temporary guardian [REDACTED].

Circumstances of Child's Fatality or Near Fatality:

Guardian, [REDACTED] called 911 on 12/4/10. Child was brought in by ambulance to Gettysburg Emergency Room after being found in the house unresponsive. Child came to the hospital in respiratory distress with an abrasion or burn to his forehead, soft tissue swelling to the posterior of his head, bruise to the lateral left chest extending to posterior chest, bruising on lower back and to all extremities. Child appeared very thin, malnourished and dehydrated. The child was incubated and flown to Hershey Medical Center. [REDACTED]

[REDACTED] explanation for the injuries is that [REDACTED] got his foot caught in the seat belt as they were exiting a car and he fell on his head. After the fall he appeared fine and did not require medical attention. Hershey Medical personnel state that it is difficult to get an injury like his from something like a car accident injury.

[REDACTED] Both [REDACTED] were living in the home of [REDACTED]. The two parties met the children's mother, [REDACTED] while all were residing in the homeless shelter. The couple has had [REDACTED], age 6 since June 2010 and [REDACTED] came to live with them in September 2010 when [REDACTED], biological mother left. [REDACTED] works 6 days a week and the children were in the care of [REDACTED]. [REDACTED] left her children to go to Florida with her boyfriend to pick oranges.

Current/Most Recent Status of Case:

- Child has 3 spinal fractures: [REDACTED] fractures happened 6-8 weeks prior to most recent incident). Multiple stages of healing evident.
- Child called the "Miracle Child" He is walking, talking, can see despite eye injuries and doing very well. Child was [REDACTED] from Physical and Occupational therapy
- Child has some brain damage- can perform single commands but is unable to perform consecutive commands
- [REDACTED] provided clear and consistent statements at the CAC interview on 1/25/11. He stated that [REDACTED] banged him, hit him, and put his head

under hot water causing the burns to his face. The doctors also report that the child was malnourished.

- Child disclosed to foster parents that [REDACTED] threw him down the stairs and held his head under water.
- [REDACTED] and [REDACTED] are placed together in a foster home that is able to be an adoptive resource.
- [REDACTED] has gained legal custody of the other two children, [REDACTED].
- [REDACTED] was out on bail (\$50,000) put up by his mother and sister. He currently resides with [REDACTED], his paramour.
- Biological mother has not visited children since [REDACTED] was released from hospital; she has made 2 telephone calls to the children.
- No current address for mother, she is on her 4th address in Pa.
- [REDACTED] was indicated on 1/31/2011 as a perpetrator by commission in that he was the main caretaker for the child. The doctors are able to date the head injury to when he had sole custody of the child. [REDACTED] has been charged with two counts of aggravated assault and two counts of endangering the welfare of a child.
- [REDACTED] was indicated as perpetrator by omission on 1/31/2011 due to [REDACTED] injuries occurring while he was living in the home with [REDACTED]. She is also being indicated as perpetrator [REDACTED].

siblings report that [REDACTED] would hit them with a hair brush. The Ophthalmologist reported that the child's eye injury is consistent with having been hit with a hair brush. [REDACTED] had several cigarette burns on his back. It is reported that [REDACTED] is the only one that smokes

- Both parties were indicated based on the medical evidence and the CPS investigation.
- Police charging the mother with endangering the welfare of her children. Mother has had one visit with the kids about 2 weeks ago and is not cooperating with the agency.
- Siblings are visiting each other regularly.
- Family Finding for relatives is taking place
- No adjudication yet-court scheduled twice and continued twice. Next hearing date is 3/18/11
- On 3/9/2011 ACCYS took custody of [REDACTED] and [REDACTED]. The children were turned over to ACCYS through the cooperation with the Maryland Police and DHS. The [REDACTED], took 60 Ativan over a three day period, sending her to the ER early Sunday morning. [REDACTED] stressors were caring for 4 children, the break up with her boyfriend and her 7 year old [REDACTED].
- [REDACTED] mother was jailed on Saturday night for a DUI in Baltimore; the children were not with her.

Services to Children and Families:

York County Children & Youth Services
Adams County Children & Youth Services
York-Safe Kids-

[REDACTED]	Car seats
[REDACTED]	Milk
[REDACTED]	Groceries/Clothing
[REDACTED]	Furniture
[REDACTED]	Diapers
[REDACTED]	Daycare
[REDACTED]	Children's coats
[REDACTED]	Furniture
[REDACTED]	Family doctor
[REDACTED]	Parenting skills
[REDACTED]	Budgeting/ stability
[REDACTED]	Parenting skills
[REDACTED]	Education
[REDACTED]	Utility bills
[REDACTED]	Lodging

County Strengths and Deficiencies as identified by the County's Near Fatality Report:

The county held the MDT on January 4, 2011 from 10 -1pm at the Adams County Library. Information from both counties' involvement was reviewed.

A number of relatives and kin have been identified and were sent the kinship care information letters in compliance with Fostering Connections. Currently both [REDACTED] and [REDACTED] are in the same resource family home.

County Recommendations for changes at the Local Levels as identified by Fatality Report:

None

Central Region Findings:

York County CYS provided mother with in-home services when the children were very young. Both counties' interventions at the time of the referrals were immediate and appropriate to the referral information. There has been wide support from community organizations in the investigation as evident with the MDT participation.

Statutory and Regulatory Compliance Issues: None