



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

**OFFICE OF CHILDREN, YOUTH AND FAMILIES**

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**REPORT ON THE NEAR FATALITY OF**



**Date of Birth: April 6, 2011**  
**Date of Near Fatality Incident: June 9, 2011**

**The family was not known to  
Bedford County Children and Youth Services**

**Date of Report: May 2, 2012**

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. 6349 (b))

**Reason for Review**

Senate Bill No. 1147, now known as Act 33 was signed 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**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Subject Child	04/06/11
[REDACTED]	Mother	[REDACTED]/92
[REDACTED]	Father	[REDACTED]/93
[REDACTED]	Paternal Grandfather	Unknown
[REDACTED]	Paternal Aunt	[REDACTED]/89
[REDACTED]	Paternal Uncle	[REDACTED]/61

**Notification of Fatality**

The parents and child resided with paternal grandfather. The mother was not at home; she was at graduation practice on June 9, 2011, when the child was found unresponsive in his crib by his father. The father called the paternal grandmother to his home. The paternal grandmother performed CPR on the child. The child was transported by ambulance to [REDACTED] Bedford. He was seen in the [REDACTED]. [REDACTED] determined that the child was in [REDACTED] possibly due to an abusive act and he noted suspicious contusions on the child's face. A report of [REDACTED] was called into [REDACTED] on June 9, 2011 with [REDACTED] listed.

The next day, June 10, 2011, a call was made to [REDACTED] and the [REDACTED] was listed as the [REDACTED] after he confessed to shaking the child. The child was life flighted to [REDACTED] on June 9, 2011 where he was admitted to the [REDACTED]. At [REDACTED] the child was treated by [REDACTED]. She reported that the child had to be [REDACTED] a second time. The infant had [REDACTED]. He had contusions on both sides of his face and on his chin. [REDACTED] suspected [REDACTED]. The child was in stable condition.

**Documents Reviewed and Individuals Interviewed**

For this review, the Central Regional Office of Children, Youth and Families reviewed Bedford County Children and Youth Services' investigation file which included medical records from both hospitals that treated the child from June 9, 2011 as well as prior medical records for the child.

The Central Regional Office communicated with Bonnie Clark (Supervisor) and Bonnie Bisbing (Program Specialist) from Bedford County Children and Youth Services.

### Case Chronology

#### Previous CY involvement

Bedford County Children and Youth Services had no involvement with the family prior to receiving the Child Protective Services (CPS) report on June 9, 2011.

#### Circumstances of Child's Near Fatality

When the child was discharged from the hospital after his birth, he and the natural mother went to live with the maternal grandmother. At the time, the natural father was living with the paternal grandfather. The natural father did not like the living arrangements because he was not able to provide care for his child. On June 4, 2011 the natural mother and child moved into the paternal grandfather's residence, where the natural father was also residing.

On June 9, 2011, the mother was not at home, she was at graduation practice, when the child was found unresponsive in his crib by his father. The father called the paternal grandmother to his home. The paternal grandmother performed CPR on the child. The child was transported by ambulance to [REDACTED], Bedford. He was seen in the [REDACTED]. [REDACTED] determined that the child was in critical condition due to an abusive act and he noted suspicious contusions on the child's face. A report of [REDACTED] was called into [REDACTED] on June 9, 2011 with unknown perpetrator listed.

The next day, June 10, 2011, a call was made to [REDACTED] and the [REDACTED] was listed as the [REDACTED] after he confessed to shaking the child. The child was [REDACTED] on June 9, 2011 to [REDACTED] where he was admitted to the [REDACTED]. At [REDACTED] the child was treated by [REDACTED]. She reported that the child had to be [REDACTED] a second time. The infant had [REDACTED]. He had contusions on both sides of his face and on his chin. [REDACTED] suspected [REDACTED]. The child was in stable condition.

The natural father was arrested by [REDACTED] of the Bedford State Police on June 9, 2011 at 9:00 p.m. and admitted to shaking the baby. The natural father later changed his story and said that he shook the baby when he found the baby not breathing and thought shaking him would make him take a breath. The criminal investigation is still pending and the father is free on bail. Initially the mother admitted to being aware of the father having anger issues but later denied those admissions. Bedford County Children and Youth Services [REDACTED] on July 6, 2011, listing the [REDACTED]

The agency [REDACTED] while the child was still at [REDACTED]. The mother was not considered a resource as she continued to reside with the natural father, who was released on bail and living with his father. On

July 6, 2011, upon release from the hospital, the child [REDACTED] while the agency attempted to approve a maternal aunt as a kinship care home.

The child was placed with the maternal aunt on July 15, 2011, and the mother received supervised visits as she continued to reside with the natural father. In addition, the natural mother requested the aunt take the child to a public place where the father could see the child. As such, the agency did not consider the mother to be a resource for the child as they felt she could not, or would not follow the court's order and the safety plan in which father was to have no contact with the child. The agency was not able to fully approve the kinship home as the family was not able to [REDACTED] and they were not [REDACTED]. The child was moved [REDACTED] on September 7, 2011 where he presently remains.

The paternal great-grandmother wanted to be considered as a kinship foster home but had [REDACTED] her as a kinship foster parent. Those people eventually left the home and the natural mother moved in with the paternal great-grandmother in February 2012. Since then, the agency has provided parenting and visitation to the mother at the home of the paternal great-grandmother. Visits were eventually unsupervised and increased to include overnights. Beginning in May 2012, visits will occur for three days a week until the child can be safely returned to the mother's custody. Per court order and a safety plan through Bedford County Children and Youth Services, the natural father is to have no contact with the child.

On January 30, 2012, [REDACTED]

#### **Current /Most Recent Status of Case**

In February 2012, the mother moved into the home of the paternal great-grandmother. The safety plan provides that the natural father will have no contact with the child. At a [REDACTED] in June 2011 all parties agreed that the child will eventually be returned to the mother with the safety plan staying in place that requires the father will have no contact with the child. The agency monitors the safety plan through unannounced visits when the child is with the mother and through verbal communication with the paternal great-grandmother. A parenting instructor is in the mother's home weekly. The agency will request that the mother also participate in community parenting classes when they resume in June 2012. The agency opened the family for services when [REDACTED] on June 10, 2011.

## **Services to Children and Families**

The agency has offered parenting services to the family, but the attorney for the natural parents has continued to decline the offer. [REDACTED]

[REDACTED] Bedford County Children and Youth Services parenting worker has been providing mother with those services since January 2012.

The child had an [REDACTED] assessment in December 2011 that determined he had no delays and, therefore, no need for services. They have, however, put him on a tracking plan for an assessment to occur every other month and will provide services if necessary.

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

The Emergency Response Team held a meeting on June 22, 2011. The Central Region Program Representative for Bedford County attended the meeting. The meeting was required under Act 33. The county strengths include the agency's collaboration with law enforcement, safety planning completed by the agency, and agency attempts to place the child with relatives.

There were no deficiencies noted.

## **County Recommendations for Changes at the Local Levels as Identified by Near Fatality Report**

There were no recommendations for change at the local level identified by the Near Fatality Report.

## **Recommendations for Changes at the State Level**

Recommendations for change at the state level included increased funding for prevention programming.

## **Central Region Findings**

The investigation completed by Bedford 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.

The agency attempted to place the child in kinship care upon release from the hospital, but efforts had to be aborted when the kinship family was not able to [REDACTED]

Safety assessment and planning was completed thoroughly. The safety plans were timely, inclusive of family/care providers input and signatures. The agency provided and continues to maintain close monitoring of compliance with the safety plan.

**Statutory and Regulatory Compliance Issues**

Bedford County Children and Youth Services conducted a thorough and timely investigation in coordination with law enforcement officials. Safety assessments and plans were completed and efforts were made to place the child in kinship care. Referrals for services were completed and necessary services were coordinated.