



**pennsylvania**  
DEPARTMENT OF PUBLIC WELFARE

## REPORT ON THE NEAR FATALITY OF:



**Date of Birth: 12/14/2013**  
**Date of Incident: 2/12/2014**  
**Date of Oral Report: 2/12/2014**

### FAMILY KNOWN TO:

Lackawanna County

### REPORT FINALIZED ON:

**3/6/2015**

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. Lackawanna County convened a review team on March 7, 2014 in accordance with Act 33 of 2008 related to this report

**Family Constellation:**

Name	Relationship	Date of Birth
[REDACTED]	Victim Child	12/14/2013
[REDACTED]	Father	[REDACTED] 1992
[REDACTED]	Mother	[REDACTED] 1979
[REDACTED]	Father to Lisa and Roy	[REDACTED] 1978
[REDACTED]	Half Sibling	[REDACTED] 2003
[REDACTED]	Half Sibling	[REDACTED] 2009

**Notification of Child Near Fatality:**

Police responded to a call from the family home that the child was not breathing on 2/12/2014. The Victim Child (VC) had blood in the nasal cavity and scratches on her face. The father had been alone with the VC while the mother was showering. When the mother entered the room she noticed the blood on the child and the father was standing over her as she lay on the changing table. The child was unresponsive. The VC was taken to a local hospital by ambulance. While at the hospital she coded. This happened again after the child was sent for a [REDACTED] of her head. [REDACTED] accompanied by a head injury. The VC was then life flighted to Geisinger Hospital in Danville, Pennsylvania. The father later admitted to hitting the child and throwing her down onto the couch. He stated that he punched her and shook her.

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

The Department of Children Youth and Families, Northeast Region, conducted a review of the case records at Lackawanna County Office of Youth and Family Services. The Department of Children Youth and Families, Northeast Region, met with the manager of the case, the

supervisor and caseworker. A review of the medical reports and case summary were made available for review, also. The Department attended the county Act 33 Review. A safety plan was established by the agency and reviewed by the Department.

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

There were contacts made by the agency to this family prior to this incident. No issues of neglect or abuse were noted at the time of contact. All referrals were closed at intake. These intakes were on 5/14/2008, 2/28/2011, and 2/22/2012 and were [REDACTED]. In 2008, an allegation of child abuse was reported; however, the investigation, determined that the child had a genetic condition that caused the condition. The agency had medical documentation to support the findings.

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

On February 12, 2014, [REDACTED] called 911 and reported that [REDACTED] child was injured. The reporting source stated that the child was not breathing and there was blood on her face as well as scratches. The police and ambulance responded. The VC was then taken by ambulance to [REDACTED] Hospital in Scranton where she [REDACTED]. She was then taken for a [REDACTED] to determine injuries. The infant had [REDACTED] as well as a head injury and needed to be life flighted to Geisinger Hospital in Danville, Pennsylvania. While at Geisinger it was learned that the VC had an old [REDACTED], which were healing. [REDACTED] the infant. He met with Detective [REDACTED] and confirmed that he did this and also had injured her in the past. He stated the [REDACTED] was home during these events, but [REDACTED] did not know that [REDACTED] had hurt the child. The father was incarcerated immediately and remains incarcerated. He has been charged with aggravated assault, simple assault, endangering the welfare of a child, and reckless endangerment.

The mother of the VC accompanied the child to the hospital and remained with her during the entire time she was hospitalized.

[REDACTED]

**Current Case Status**

Since her discharge from the hospital, [REDACTED] resided with her mother who is residing with the paternal grandparents. The grandparents had agreed to line of sight supervision at all times. However, at one point the mother left the residence and did not return for a week and the grandparents were not interested in providing their support any longer. [REDACTED] was then placed with a maternal great aunt, where she is presently residing. The mother was offered [REDACTED] [REDACTED] visits weekly by the agency at the visitation center. The mother was living with

friends. The mother continues to have a relationship with the father while he is in jail. The victim child gets to visit also with her grandparents and other relatives who are supportive.

The case is also referred for work with the agency's [REDACTED], which will provide [REDACTED] [REDACTED] is also [REDACTED] services and does have some [REDACTED] which are treated with the [REDACTED]. The mother will [REDACTED]. No drug or alcohol issues have been identified.

The VC presently has a positive prognosis; however, she does have numerous medical appointments that must be attended to. Lackawanna County Office of Youth and Children is providing transportation.

Detective [REDACTED] informed the county that the father has admitted to at least five assaults on the VC at different times. Bail was set at \$100,000. He is currently charged with five counts of aggravated assault and criminal attempt at homicide.

[REDACTED] are living with family members. [REDACTED] is involved in their care. [REDACTED] his children and is not open for services. [REDACTED] is employed and is a competent caregiver. He lives with his children in his own home and has always been an active parent to them. The children are adjusted and do have the option to visit with their mother.

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

The county did respond to the case immediately and worked closely with the law enforcement personnel and the medical professional as well. No case procedure deficiencies were noted. The Act 33 team members did request [REDACTED], who is a team member, examine the x rays of the child. It was recommended that the Act 33 membership be increased as well, to include another physician.

**Department Review of County Internal Report:**

The Department found the county review to be complete and accurate with regard to the findings.

**Department of Public Welfare Findings:**

The Department found the agency to have responded appropriately to the case issues. The previous referrals were reviewed and no issues of abuse or neglect were uncovered. The family had some prior housing issues and the alleged perpetrator was not involved with this family at the time. His arrival to the family was very recent.

**Department of Public Welfare Recommendations:**

A recommendation for a Child Advocacy Center evaluation could be appropriate for the two older children. The agency received this with commitment to having the children be seen.