



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 09/15/2012
Date of Incident: 03/26/2015
Date of Oral Report: 03/26/2015

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

Lycoming County Children and Youth

REPORT FINALIZED ON:

12/08/2015

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. Lycoming County Children and Youth Services (LCCYS) had convened a review team in accordance with Act 33 of 2008 related to this report. The county review team was convened on 04/14/2015.

Family Constellation:

<u>First and Last Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	09/15/2012
[REDACTED]	Half-Sister	[REDACTED] 2014
[REDACTED]	Mother	[REDACTED] 1990
[REDACTED]	Mother's Paramour	[REDACTED] 1994
[REDACTED]*	Father	[REDACTED] 1989

* [REDACTED] was not a household member at the time of the incident, but is relevant to the report as the victim child's father.

Summary of OCYF Child Near Fatality Review Activities:

The Central Region Office of Children, Youth and Families (CROCYF) obtained and reviewed all case records pertaining to the family, which included medical records, court records, and the county agency casework dictation that outlined contact with the family. Follow up interviews were conducted with the Caseworker, Supervisor, and Case Management Director on 03/27/2015, 04/06/2015, 04/14/2015, and 06/26/2015. The regional office also participated in the county internal Near Fatality Review Team meeting on 04/14/2015 where details of medical reports, criminal interviews and case history were presented.

Children and Youth Involvement prior to Incident:

There is no known prior involvement of any family member with LCCYS or in any other county in Pennsylvania.

Circumstances of Child Near Fatality and Related Case Activity:

On 03/26/2015, LCCYS received a child abuse report [REDACTED] concerning the victim child. According to the information, the child's mother and her paramour were upstairs in the home taking a shower together leaving the victim child downstairs in the living room to watch cartoons. While the adults were showering, the child went upstairs to the mother's bedroom where her paramour had a loaded handgun (45 caliber) on the floor next to the bed. The victim child took the handgun downstairs to the living room and sat on the couch where the gun went off shooting the victim child in the leg. The child's half-sister was reported to be in her own bedroom at the time of the incident. The victim child went into shock while at the home. He was taken to Janet Weis Children's Hospital at Geisinger Medical Center.

Additional information received from the medical center confirmed the victim child had sustained a gunshot wound to the lower quadrant of his abdomen. He was initially transported to Williamsport Regional Medical Center then transferred by ambulance, accompanied by the Life Flight ground crew, to Geisinger Medical Center.

[REDACTED]

[REDACTED]

On 03/27/2015, the attending physician provided information that led to the certification of the incident as a near fatality due to the seriousness of the victim child's condition and the circumstances surrounding its occurrence.

On 03/27/2015, the half-sister was observed to be adequately cared for and supervision was being shared between her maternal and paternal grandparents. An emergency home assessment of the half-sister's paternal grandparent's home occurred that same day and the environment was determined to be appropriate. A visit to the maternal grandparent's home on 4/8/15 found the residence to be adequately prepared to meet the needs of victim's child's sister.

[REDACTED] Police Department filed charges against both the mother and her paramour on 04/08/2015. The mother was charged with endangering the welfare of a child. Her paramour was charged with aggravated assault, simple assault, reckless endangerment, and endangering the welfare of the child. Both were released on supervised bail.

The mother submitted to a LCCYS interview on 04/15/2015 with her attorney present. The mother's paramour declined an interview with LCCYS. Investigative interviews revealed that the mother's paramour wears his handgun on his person consistently at home as well as in the community. He has a permit to carry a concealed weapon as does the mother who possessed a separate smaller caliber handgun. The mother's paramour's handgun is left on the floor beside the bed at night. When in the shower, the handgun is usually placed in the bathroom sink or above the bathroom cabinet out of reach of the children and in close proximity to its owner. The mother's firearm is usually locked in her glove compartment of her vehicle. The home has a large gun safe with a digital lock with ample storage. When police entered the home on the date of incident, other firearms were found unsecured in the home as well as ammunition left out and within reach of the victim child. The other firearms were rifle style weapons. Law enforcement interviews revealed that the handgun was cocked and loaded at the time of the incident allowing the possibility for easy discharge.

The LCCYS investigation was made unfounded against the mother as a perpetrator on 05/08/2015. It was determined that she did not meet culpability standards as the mother did not know the paramour had left the weapon within reach of the child. The mother's paramour was made indicated, as he acted recklessly when he left the loaded and cocked handgun where the child was not being directly supervised.

The victim child was transferred to Hershey Medical Center [REDACTED] on 04/13/2015 and [REDACTED] on 04/23/2015 to the care of his father. The child was able to walk independently and continues to make progress in increased mobility. The victim child's father filed for a protection from abuse order that prohibits contact between the child and the mother's paramour. The PFA against the mother's paramour was dismissed; however, the child's father has refiled in attempts to prohibit contact between the child and the mother's paramour. The victim child's parents maintain 50/50 custody of the child; however, the father maintains primary care of the child at this time. The father has filed for a motion of custody for primary care and custody of the victim child.

Upon release on bail, the mother moved to the home of the victim child's maternal grandmother in [REDACTED], PA. The victim child's half-sister has shared visitation between her mother and father. LCCYS made a referral to Northumberland County Children and Youth Services to determine if services are warranted in their jurisdiction. No specific concerns were identified for the victim's half-sister at the mother's home and the referral was screened out without further assessment in Northumberland County.

The mother's paramour retains residence with his parents in Lycoming County and the family was opened for ongoing services on 04/29/2015 to provide parenting education and home safety guidance. A family group conference was held on 05/31/2015 to help with the development of the service plan and to identify supports for the family. The mother and her paramour maintain a relationship and

are both actively participating in services with LCCYS although the mother's formal residence is in another county. Both the mother and the paramour are expected to maintain compliance with the supervised bail directives throughout the criminal proceedings stemming from the incident.

[REDACTED]

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:
The Near Fatality Review team did not make any notations in this area.
- Deficiencies in compliance with statutes, regulations and services to children and families:
The Near Fatality Review team did not identify any concerns in regards to this area.
- 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 Near Fatality Review team recommended offering voluntary services to families. It was also recommended that the family receive education on gun safety and parenting.
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies:
The Near Fatality Review team did not make any recommendations in this area. The group did make a determination that the near-fatality could not have been prevented by the county CY5.
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse:
The Near Fatality Review team did not make any recommendations in this area.

Department Review of County Internal Report:

The County Internal Near Fatality Review Team held an Act 33 meeting on 04/14/2015 where medical information and case history was presented. The County report was received on 04/21/2015. On 05/08/2015, CROCYF notified LCCYS Director of Case Management Services, via letter, that the report on the victim child was reviewed and the regional office accepted the recommendations of the Act 33 review team.

Department of Human Services Findings:

- County Strengths:
 - LCCYS worked in collaboration with local law enforcement as well as with attending medical providers to conduct a thorough investigation.
 - LCCYS utilized Family Group Conferencing to identify family support and develop an ongoing service plan.
 - LCCYS made a referral to neighboring county children and youth to make determination of needs when mother relocated.
 - LCCYS met time frames and other regulatory requirements within the investigatory process.

- County Weaknesses:
 - No weaknesses were identified.

- Statutory and Regulatory Areas of Non-Compliance by the County Agency:
 - No areas of non-compliance were noted.

Department of Human Services Recommendations:

LCCYS should continue to work in collaboration with partnering community agencies to complete a comprehensive and timely investigation.