COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE DEATH OF

DANIEL SLUTSKY

BORN: 11/02/2006
DIED: 07/01/2009

FAMILY KNOWN TO:
Family NOT known to agency.

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 by Governor Rendell on July 3, 2008 and went into effect 180 days from that date, December 28, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review and provide a written report on any child fatality or near fatality where child abuse is suspected.

Circumstances of Child's Fatality or Near Fatality:

According to the [redacted] dated 07/02/2009, the AP[redacted], has been responsible for taking two year old Daniel Slutsky to daycare where [redacted] is the General Manager since 2008. On 07/01/2009 [redacted] neglected to bring Daniel into the daycare. Daniel was left in [redacted] vehicle for 6.5 hours; he was found unresponsive; was transported to St. Mary's Medical Center and was pronounced dead on arrival.

Family Constellation:

Name	Relationship	Date of Birth
Daniel Slutsky	Victim Child	11/02/2006
[redacted]	Mother	[redacted]/1973
[redacted]	Father	[redacted]1966
[redacted]	Half Brother	[redacted]/2000

Significant Parties	
[redacted]	Day Care Provider

Documents Reviewed and Individuals Interviewed:

For this review, the SERO reviewed: the Bucks County case notes for the [redacted] family; Report of the Fatality Review Team dated August 4, 2009, Risk Assessment dated August 26, 2009; Commonwealth Court of Pennsylvania petition- [redacted], vs Department of Public Welfare; Data Collection Form and attended the County Fatality Review and spoke with the assigned caseworker's supervisor, [redacted]

Previous CY involvement:

There was no prior Children and Youth involvement with the family of Daniel Slutsky.

Case Chronology:

The [redacted] family's first involvement/contact with Bucks County Children and Youth came on July 2, 2009 through a report in the PA Justice Net Work (JNET). At 9:00 am on July 2, 2009 Bucks County Children and Youth (BCCY) contacted [redacted]

from the County Detectives to request the name of the child who was located in the car outside the daycare in Penndel. The County Detectives then provided all identifying information to the County. stated that he did not believe that there were any other children in the home and that the parents were at St Mary's Hospital. stated that the family is very upset. colleague stated that the alleged perpetrator is distraught and now has an attorney. He stated that she gave her initial statement to the Penndel police. The County discussed not sending initial letters until both the family and the alleged perpetrator had further police contact. The BCCY contacted the Department of Public Welfare, Office of Developmental Early Learning (OCDEL) and spoke with a supervisor in the OCDEL. stated that his office was aware of the report and is currently at the daycare site assessing the safety of all the other children at the daycare.

On July 15, 2009 when the assigned caseworker, made telephone contact with Daniel's father, for the purpose of inquiry into the well being of , the surviving 9 year old half brother of Daniel Slutsky. Due to the relative newness of Daniel's death, asked that the family be given some time before she made her visit. The home visit was scheduled for 07/22/2009; at the conclusion of that home visit; determined that there were "No Existing Safety Threats." Prior to 07/22/2009, the family was not known to Bucks County Children and Youth or any other agency.

Account of the Circumstances Leading to Daniel Slutsky's death; as told by her

After advising case worker, , that his client is a attorney, gave the following account on : received a call on the evening of 06/30/2009, from her doctor alerting her that her blood levels were "off." went on to explain that on 07/01/2009 (the date Daniel died as a result of being left in van brought Daniel to for her to take him to daycare (as she transported the child occasionally.) said that put Daniel in the back of the car, and discussed niece who lives with 5 days per week. said that on the day in question, took her niece to camp and then went to work at the daycare. Upon arrival into the daycare, was "trembling" and was handed a crying 17-month-old child to "soothe" after which she went about her workday. said that forgot Daniel Slutsky was in her car; and at approximately 4:45 PM, she saw Daniel in the van, took him into the daycare and had 911 called~ Daniel was pronounced dead at 5:17 PM.

Account of the Circumstances Leading to Daniel Slutsky's death

During her 07/22/2009 home visit to the home, caseworker, obtained account of 07/01/2009, the day his son died: said

that on 07/01/2009 [redacted] called approximately 5 minutes before departure and said she would be leaving in 10 minutes. [redacted] said he and Daniel walked over to her home; where he said [redacted] "rushed" out of the home. [redacted] said [redacted] put Daniel in the car seat, buckled him in and drove off with her niece in the van, saying she had to drop her off at camp. [redacted] said it appeared to be a "normal interaction" except for her appearing to be in a hurry and appearing "frazzled"; he denied she said anything about [redacted] or problems. [redacted] said that [redacted] worked a full day at which he was surprised because her husband was home. [redacted] said that [redacted] called him for help with a light switch in the home, which [redacted] helped him with. [redacted] denied they discussed any medical issues. [redacted] said that [redacted] called him close to 5:00 PM on 07/01/2009 and told him in a "hysterical voice, come quickly, I locked your son in my car!" [redacted] said that [redacted] kept crying and telling him to come to the daycare; he said he drove there and someone from the daycare called him and told him to go to St. Mary's Hospital where the caller said Daniel was being given CPR. [redacted] said he kept calling [redacted] to find out what was happening and she said he kept saying, "I forgot him in the car," over and over. [redacted] said he asked her: how long, and she didn't answer. He asked her if Daniel was "alive" and she told him "yes", but unconscious and that CPR was being done. [redacted] said when he asked, "how many hours", she told him "since morning" at which point [redacted] began to "cry" because he then realized Daniel could be "dead" because it had been a "hot day." [redacted] said the doctor at St Mary's told him that Daniel arrived with "constricted pupils", which meant he was "brain dead." Daniel's body was 108 degrees Fahrenheit. [redacted] said she [redacted] "boiled my son." [redacted] said she knew Daniel suffered and must have wondered what he did wrong to deserve what was happening to him.

[redacted] said that Daniel was able to unbuckle himself from his car seat and open car doors; he said when he spoke to [redacted], she told him that Daniel was on the floor of the van when she found him. [redacted] said that [redacted] came to his home later the evening of 07/01/2009 when friends and family were there. [redacted] said that [redacted] sat next to him, asked for forgiveness and said she didn't know how she was going to live; [redacted] said he told her to ask God for forgiveness and told her to pray for Daniel's soul~ [he said she soon left the home.]

County Strengths:

- On 07/24/2009, Caseworker, [redacted] made a home visit to the home of the AP, [redacted], for the purpose of determining if Safety Threats existed for any children that may reside with or be cared for by [redacted] also met with the father of her niece, [redacted] in his home; his daughter ([redacted] niece) was also present during the visit [redacted] stated that he had no concerns with [redacted] caring for either of his children; he said [redacted] cares for his daughter "like she is her own.

[redacted] conferred with her supervisor, [redacted]. Both decided that the home of [redacted] was safe for children.

Current / most recent status of case:

- Assigned Caseworker, [redacted] met with her supervisor, [redacted] where it was determined that referral would be filed as [redacted]; it was also determined that the referral would be closed as "there are no other apparent child welfare concerns at this time."
- [redacted] completed 08/26/2009 shows a Case Status of [redacted]
- According to an article in the October 15, 2009 edition of the Intelligencer Newspaper, Alleged Perpetrator, [redacted] had been charged with **Involuntary Manslaughter** in the death of Daniel Slutsky. On March 22, 2010, Mrs. [redacted] was found **Not Guilty** by a Bucks County Court Jury.

SERO Findings:

The [redacted] family did seek and receive [redacted] as a family, through their insurance company. Per Bucks County C &Y, [redacted] for adults is not offered through the county.

Statutory and Regulatory Compliance issues:

- Referral Accepted for [redacted] Investigation on 07/02/2009 and Investigation began.
- Case was [redacted] on 08/25/2009; notice sent on 08/26/2009
- Risk Assessment completed on 08/26/2009; No Safety Threats Present; the AP does not reside in the household and will have no contact with the surviving child in the [redacted] household.
- Referral was Closed on 08/28/2009

County Recommendations for Changes at State and Local Levels:

Recommendations from the Team for changes at state and local levels on reducing the likelihood of future child fatalities related to this particular situation include:

- The possibility of installing some type of sensor in cars or car seats that would notify a driver that a child remains in a vehicle (e.g. the type of sensor that beeps if a seatbelt is not buckled).

Recommendations on monitoring and inspection of county agencies actually revolved around the monitoring and inspection of day care facilities.

- The team questioned what types of safeguards were in place to ensure that a part-time child, like Daniel, would be signed in each time he attended the day care or that someone would review the children's attendance. Even though [redacted] was a neighbor and friend of the [redacted] family, all rules and regulations regarding Daniel's attendance at the day care should have been followed. There was a concern from the team that rules regarding Daniel's

attendance might have been relaxed or more casual due to the nature of the relationship between the parties.

- The Team questioned whether there are state day care regulations that would address attendance recording of children in day care facilities. Would an attendance recording procedure have reminded [redacted] or another day care employee of Daniel's status that day?
- The Team also suggested that state day care inspectors perform unannounced visits to day care facilities, especially after the facility has been cited for non-compliance in some way; the [redacted] had been cited in February, but when day care inspectors arrived after Daniel's death, they found several more violations at the day care.