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**REPORT ON THE FATALITY OF**

**Baby Kalina C**

**Born: 04/29/10**

**Date of FATALITY: 04/29/10**

**FAMILY KNOWN TO:**

**Berks County Children and Youth**

Report Finalized: August 29, 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 went into effect on December 30, 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 reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.

**Circumstances of Fatality:**

Baby Kalina C was a Caucasian male baby determined to be between 38 and 43 weeks and was a live birth according to medical professionals. It was determined that the child died violently and was consistent with asphyxia, poisoning or neglect. The remains were found in a green plastic container in a closet in the mother's apartment at [REDACTED] Reading, PA on July 29, 2010.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Baby Kalina [REDACTED], C, [REDACTED]	Child Victim	04/29/2010
[REDACTED]	Child Victim	[REDACTED] 2010
[REDACTED]	Mother	[REDACTED] 1966
[REDACTED]	Father	[REDACTED] 1957
[REDACTED]	Husband to [REDACTED]	[REDACTED] 1965
[REDACTED]	Adult daughter [REDACTED]	[REDACTED] 1991

**Notification of Fatality:**

Berks County Children and Youth was notified [REDACTED] on 10/26/2010 of the death of Baby Kalina C. The infant's remains were found in a green plastic container in a closet in the mother's apartment at [REDACTED], Reading, PA. The remains were found with other containers and a total of 5 remains of babies were located. They are subsequently referred to as [REDACTED], Baby Kalina C, [REDACTED]

**Documents Reviewed and Individuals Interviewed:**

The [REDACTED] was the only document the agency had submitted due to the criminal investigation that was being conducted. No other documents were reviewed as the agency had not been given permission by the District Attorney's Office to investigate the case. Berks County did conduct an Act 33 review of the case, and a representative of the Northeast Regional Office was present. This occurred on January 4, 2011. Routine agency documentation such as the [REDACTED] and the Screening and Intake forms were reviewed, however; due to the sensitive nature of this situation, Berks County Children and Youth Services does not have a complete file and had been ordered by the District Attorney's Office not to investigate.

A CY-104 was sent to law enforcement on 10/27/2010. The Children and Youth Caseworker did not meet with Law Enforcement. Report was made over the phone on 10/26/2010 at which time the county was told not to investigate.

**Previous Children and Youth Involvement:**

The family was active with Berks County Children and Youth Services from 1996 to 1998. There were two children in the home at that time. On 10/11/1996 the agency received a report that the apartment was dirty and there was a physically handicapped, wheelchair bound child with [REDACTED] living in the home. He was alleged to be dirty and smelled of urine. The house was cluttered. The agency accepted it for investigation. The case was opened by the county for services to support the [REDACTED] of the child. However, it was closed after the family indicated that they were able to utilize the support offered. The family did receive [REDACTED] during this period.

The agency responded to several complaints throughout the period from 1996 to 04/26/2001 which is when there was the last of agency involvement. The agency provided the family with [REDACTED] services, drug and alcohol testing, domestic violence services and supportive [REDACTED] services. The mother and father were also [REDACTED] on their son Jeffery and struggled with his care due to father's [REDACTED] history and mother not being home a lot due to long working hours.

The family has had a variety of services provided, specifically to assist with the care of the child who was born with [REDACTED] with numerous medical conditions. He died of natural causes on June 9, 2000 at the age of 14. His condition was always a challenge for the family but they did respond to agency intervention and [REDACTED] services that were provided. Berks County Children and Youth was active sporadically with the family and did not provide extensive services to the family. The case was reflective of [REDACTED] issues for the father and an absent mother due to excessive time spent at work. The other child in the home did not present difficulties other than adolescent parent /child demands. There were no reports of problematic behaviors at school and she is now a working adult. The family was closed for services on 04/26/01.

**Case Chronology:**

This current case came to the attention of Berks County Children and Youth on 10/26/2010 as a result of a report filed by [REDACTED]

The mother was charged with abuse of corpse, criminal homicide, aggravated assault, endangering the welfare of children, recklessly endangering another person and concealing the death of a child, according to the Reading Eagle and the filed [REDACTED] report. There is no information available other than these reports as the agency did not conduct a full investigation as per the order of the District Attorney's Office.

10/26/2010 A report of [REDACTED] was faxed to agency at 10:45am.

12/07/2010 case status is [REDACTED] based on medical evidence, based upon the Coroner's report even though no interviews or investigation was conducted.

Case was closed for services on 1/14/2011 with an [REDACTED] Status.

### **Berks County Act 33 Review**

This was a challenging case for the county given the restraints upon investigation and review due to the criminal nature of the case. The county conducted an Act 33 Death Review as required and submitted their report to Northeast Regional Office. The review restated what the newspaper reported as any additional information or discussion was quelled as required by the District Attorney's Office. The team was constrained to reviewing the article in the Reading Eagle and no comment or input from team members was sought.

It should be noted that the Berks' County Fatality Review Team consists of a large cross section of professionals and agencies throughout Berks County.

### **Statutory and Regulatory Compliance by the County Agency:**

Berks County Children and Youth Agency had not investigated this case as it is a criminal case, and has been directed by the District Attorney's Office to not proceed. The case was subsequently given a [REDACTED] status as the mother has pled guilty to one count of murder. The agency did not interview the mother or the alleged father, or any family members, by order of the district attorney. The agency was unable to complete safety assessment or assess the home environment of the family. The mother received a 20 to 40 year sentence for one charge of murder. She did not admit to the murder of all of the infants.

### **Findings and Recommendations:**

Given the limited activity that could occur regarding the agency involvement in this investigation and review, Berks County made effort to comply with the requirements of the statute. It is noted that the agency [REDACTED] this case based on information from the coroner and little, if any, criminal information shared by law enforcement rather than making the initial status determination on the [REDACTED].