



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

**OFFICE OF CHILDREN, YOUTH AND FAMILIES**

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**REPORT ON THE FATALITY OF**

**Madison Evans**

**BORN: 05/04/2000**

**DATE DIED: 03/26/2012**

**FAMILY NOT KNOWN TO:**

Berks County

**DRAFT DATED: 10/22/2012**

**Reason for Review**

Senate Bill No. 1147, now known as Act 33 was signed 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 child near-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.

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. Berks County has convened a review team in accordance with Act 33 of 2008 related to this report.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Madison Evans	Victim Child	05/04/2000
██████████	Mother	██████████ 1972
██████████	Father	██████████ 1969

**Notification of Fatality:**

Berks County Children and Youth were notified on March 28, 2012 that ██████████ the child victim’s mother, and the child victim were pronounced dead at their home at 1:42 am. on March 26, 2012. At the autopsy, the child had a bruise on the left temple, three bruises on the top of the right hand, a laceration to the right frontal area of the scalp, ligature marks on the neck, twelve lacerations to the back of the head and five lacerations to the right side of the head consistent with blunt force trauma. ██████████ hit the child in the head with a bottle and a hammer causing the injuries to the head. ██████████ then strangled the child with a cell phone charger which caused asphyxiation. It was determined that the child was alive when she was subjected to multiple blunt injuries to the head. ██████████ then started a fire in the home and subsequently she died due to smoke inhalation. Child was not alive during the fire and was deceased for several hours prior to the fire.

The father, ██████████, lives at his own residence with his family. He had no knowledge of the ██████████ intentions, and was not part of the investigation. He is not facing criminal charges.

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

DPW review activities included meeting with the agency administrator for Intake, the Child Protective Services Supervisor, and caseworker assigned. Additionally, a record review was completed.

**Summary of Services to the Family:**

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

No Children and Youth involvement prior to the incident.

**Circumstances of child’s near fatality and related case activity:**

Berks County Children and Youth Services was not active with this family. The mother is ██████████

██████████ and is deceased. The child victim was the only daughter of ██████████ and she is also deceased. The case was handled as a murder suicide by law enforcement.

██████████ and child were found deceased in their home on March 26, 2012. The child, as previously stated had blunt trauma to the head and various other injuries perpetrated by her mother, ██████████ subsequently set fire to the home they shared and both of them died. The child victim was deceased for several hours before the fire, however. The report that the county made was contingent upon the coroner's report as the agency was banned by the District Attorney's office from doing an investigation as per the Child Protective Services Law as the case was considered a murder suicide and required extensive law enforcement activity. The case was ██████████ on 5/24/2012.

**Current/most recent status of case:**

The case has an ██████████ completed on 5/24/2012.

**County strengths and deficiencies as identified by the County's fatality report:**

**County Strengths:**

The county did not have any activity on this case prior to the death of the mother and child. The county did file a ██████████ at the conclusion of the investigation but was unable to assess safety or risk as all family members who were living in this household are deceased. The father who has his own residence is still living. The father was contacted by the county but he was not cooperative and did not want to discuss the matter with the agency. He obtained the services of an attorney who did not allow agency interviews to occur. The case is being handled as a murder suicide by the District Attorney and the agency was not allowed access to information during the investigation.

**County Weaknesses:**

Berks County Children and Youth does not present any weakness as the county agency was not aware of the family and was not allowed access to assess the case as ordered by the District Attorney's office who was conducting a murder suicide investigation.

The county did not have any activity on this case prior to the death of the family.

The County held the Act 33 meeting on 06/12/2012.

**County recommendations for changes at the local (County or State) levels as identified in County's fatality report:**

No recommendations have been made. Berks County Office of Children, Youth and Families normally has an excellent working relationship with law enforcement but due to the nature of this case, law enforcement required the lead and asked the agency not to proceed until their investigation was completed.

The county held an Act 33 meeting at which time only newspaper details were allowed by court to review the case.

**Department of Public Welfare Findings:**

**County Strengths:**

The county completed all required administrative documentation and submitted a ██████████.

**County Weaknesses:**

Since the county had no prior knowledge of the family and the perpetrator and victim child are deceased there was no county weakness identified. The case is being handled as a criminal case.

**Statutory and Regulatory Compliance Issues:**

The county did not conduct the Act 33 meeting in a timely manner within the thirty day time period.