



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE NEAR FATALITY OF:



BORN: April 4, 2008

DATE OF INCIDENT: July 24, 2012

Not known to any public or private child welfare agency

REPORT FINALIZED ON: 05/23/2013

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 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. Philadelphia County has convened a review team on August 17, 2012 in accordance with Act 33 of 2008 related to this report.

Family Constellation:

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
[REDACTED]	Victim Child	4/4/08
[REDACTED]	Sibling	[REDACTED]/11
[REDACTED]	Mother	[REDACTED]/83
[REDACTED]	Mother's Paramour	[REDACTED]/77
[REDACTED]	[REDACTED] Father	[REDACTED]/72
[REDACTED]	half Sibling	[REDACTED]/04
[REDACTED]	Case Father	[REDACTED]/82
[REDACTED]	half Sibling	[REDACTED]/02
[REDACTED]	Case Father	[REDACTED]/77

*Signifies that the individual does not live with the child

Two of [REDACTED] brothers, [REDACTED] live with their fathers, listed above. Both children have spent time with the mother's paramour, [REDACTED] during visits with the mother.

Notification of Child Near Fatality:

On 7/24/12, the Philadelphia Department of Human Services received a General Protective Services (GPS) report [REDACTED] concerning [REDACTED], age 4. The report stated that [REDACTED] mother had brought him to the hospital, "complaining of belly pain, and appeared

lethargic." St. Christopher's Hospital staff reported that diagnostic studies indicated that [REDACTED] had a [REDACTED] mother, [REDACTED], stated that she did not know how the injury had occurred, and she appeared to be appropriately concerned. This report was taken as a [REDACTED] report.

On 7/26/12, Dr. [REDACTED] certified the report as a near-fatality: ChildLine was called, and the report was upgraded to a Child Protective Services report. It was also reported that [REDACTED] had 3 brothers, including 1 brother, [REDACTED] in his mother's care.

Summary of DPW Child Near Fatality Review Activities:

The Southeast Regional Office of Children, Youth and Families obtained and reviewed all current case records pertaining to the [REDACTED] family. Follow-up interviews were conducted with [REDACTED] DHS Supervisor, on 8/8/12, [REDACTED] DHS intake on 8/10/12 and 8/17/12, [REDACTED] foster care social worker for Friendship House, on 12/10/12, and the ongoing DHS worker, [REDACTED] on 12/14/12.

The regional office also participated in the Community Fatality Review Team Meeting on August 17, 2012.

Summary of Services to Family:

The family was not known to any public or private social service agency prior to this report.

Children and Youth Involvement prior to Incident:

Circumstances of Child Near Fatality and Related Case Activity:

- On 7/23/12, maternal grandmother [REDACTED] took [REDACTED] home early from a block party because he was not feeling well. [REDACTED] gave [REDACTED] medicine and tea. She stated that he was able to walk unassisted when he went home to his mother's care that evening.
- On 7/24/12, at 11:20am, [REDACTED] mother [REDACTED] brought [REDACTED] to St. Christopher's Hospital for Children because he had stomach pain and appeared lethargic. Diagnostic tests revealed that he had a [REDACTED], a large [REDACTED]. [REDACTED] DHS was not able to speak with him because he [REDACTED]. DHS also learned that [REDACTED] could not have any food by mouth, and that he was [REDACTED].
- On 7/26/12, DHS arranged for [REDACTED] 10-month-old brother, to stay with his paternal grandparents.

- On 7/31/12, [REDACTED] to a Friendship House foster parent, with no medications or procedures.
 - On 8/2/12, [REDACTED] had a forensic interview at the Philadelphia Children's Alliance. His statement was considered to be very credible. In the interview, he said that the AP, [REDACTED] hit him, while his mother held him down.
 - On 8/16/12, DHS indicated the report for [REDACTED] and [REDACTED] based on [REDACTED] statement during his forensic interview and other evidence.
- [REDACTED] DHS Social Worker [REDACTED] interviewed relevant medical and hospital professionals, the Special Victims Unit detective, the mother, her paramour (the Alleged Perpetrator), her other children and their fathers and caregivers, [REDACTED] maternal grandmother, his 16-year-old aunt, and the victim child, [REDACTED]

Current Case Status:

- [REDACTED] has been reunified with his father, [REDACTED], who has moved into a 2-bedroom apartment in Chester. Friendship House is providing foster care aftercare to [REDACTED] and his father [REDACTED]. Mr. [REDACTED] other children are in the custody of his ex-wife.
 - [REDACTED] has seen a [REDACTED] at St. Christopher's Hospital for Children, where he had [REDACTED]. He had restricted physical activity for one month, and then he was cleared after a CAT scan showed that he would be able to be active without restrictions again.
 - [REDACTED] attends [REDACTED] at the [REDACTED] in Center City Philadelphia.
 - DHS is attempting to reunify [REDACTED] with his mother, [REDACTED]. He is currently in a Friendship House kinship home. Ms. [REDACTED] has reportedly been "very compliant" with DHS efforts at reunification. His mother has unsupervised visits, and she takes care of him during the day, when the foster parents are at work.
- [REDACTED] There are no plans to reunify [REDACTED] with his father, [REDACTED]
- [REDACTED] is being held at [REDACTED] Correctional Institution while awaiting trial, because he violated probation.
 - [REDACTED] has not visited his father in jail due to a Restraining Order.
 - [REDACTED], as [REDACTED] was returned to his father's care. The foster care worker is providing aftercare services to [REDACTED] and his father, [REDACTED]
 - [REDACTED] and the foster care worker will provide aftercare services.
 - [REDACTED] has been charged with the following offenses: Aggravated Assault, Conspiracy Aggravated Assault, Endangering the Welfare of a Child, Simple Assault, and Recklessly Endangering another Person. He pled guilty to Aggravated Assault, and the other charges were dismissed. He was sentenced to 11-23 months.

- [REDACTED] was charged with Aggravated Assault, Conspiracy Aggravated Assault, Endangering the Welfare of a Child, Simple Assault, and Recklessly Endangering another Person,; those charges were withdrawn by the District Attorney's Office, and have not impacted the plan for her to be reunified with [REDACTED] in June.

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

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- Strengths:
The team felt that the county did an excellent job investigating the case.
The team felt that there was good collaboration between the DHS worker and SVU detective.
The team felt that the social worker did a good job engaging [REDACTED] father, and in actively assessing and involving him in permanency planning for [REDACTED]

- Deficiencies: None

- Recommendations for Change at the Local Level:

The team felt that a member with specific expertise in domestic violence would be an asset to the Act 33 Team.

The team recommended that the Department of Human Services issue clarifications regarding the different types of medical examinations that would be recommended when assessing the siblings of victim children. DHS will arrange a meeting with DHS supervisors to discuss the information.

- Recommendations for Change at the State Level: None

Department Review of County Internal Report:

The Department has received and reviewed the report, and we concur with the report.

Department of Public Welfare Findings

- County Strengths: The DHS MDT unit completed an excellent investigation.
- County Weaknesses: None
- Statutory and Regulatory Areas of Non-Compliance: None

Department of Public Welfare Recommendations:

The Department recommends that the Department of Parole and Probation develop a means of communicating to county children and youth agencies, information about individuals on probation for assault or domestic violence-related charges who are in contact with children during their day to day activities and living environments.