



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

REPORT ON THE FATALITY OF:

Bryan Duda

Date of Birth: 3/29/97
Date of Death: 9/15/11
Date of Oral Report: 5/1/12

FAMILY KNOWN TO:

Somerset County Children and Youth Services

REPORT FINALIZED ON:
Completed by State Reviewer

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 not 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. Somerset County has convened a review team in accordance with Act 33 of 2008 related to this report.

1. Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Bryan Duda	Victim Child	03/29/97
[REDACTED]	Mother	[REDACTED]/74
[REDACTED]	Father	[REDACTED]/68
[REDACTED]	Sibling	[REDACTED]/93
[REDACTED]	Sibling	[REDACTED]/00
[REDACTED]	Niece	[REDACTED]/11

Notification of Fatality:

[REDACTED]
[REDACTED] Immediate contact was made with the County Coroner [REDACTED]
[REDACTED]
[REDACTED]

2. Documents Reviewed and Individuals Interviewed:

The Central Region Office of Children, Youth and Families (CROCYF) reviewed [REDACTED]
[REDACTED] The file was
inclusive of medical reports, Police Criminal Complaint, and agency dictation. [REDACTED]
[REDACTED]

Case Chronology:

Previous CY involvement:

[REDACTED]

[REDACTED]

Circumstances of Child's Near Fatality:

[REDACTED]

his armpit and traveled to his jugular. The child was transported to [REDACTED] treatment but died shortly after arrival due to his injuries.

The Pennsylvania State Police Department conducted a criminal investigation. The child's father was charged with Involuntary Manslaughter and Recklessly Endangering Another Person.

Current / most recent status of case:

[REDACTED] determined that the child's father was responsible for the child's injuries/death. [REDACTED]

[REDACTED] On 12/4/12 the father was sentenced to 5 years supervised probation for involuntary manslaughter in the death of his son, Bryan Duda. He also was sentenced to 10 hours of community service and to pay the costs of prosecution and supervision and a fine of \$500.00.

[REDACTED]

Services to children and families:

[REDACTED]

[REDACTED]

County Strengths and Deficiencies as identified by the County's Fatality Report:

A Child Death Review Team Meeting was conducted on June 4, 2012. The agency conducted this investigation in collaboration with law enforcement. There were no deficiencies noted however the following recommendations were made:

- 1) Children and Youth Services Intake Assessment to include the questioning of families regarding firearms in the home and how they are being safely maintained.
- 2) The Assistant District attorney suggested that the police and Somerset Children and Youth Services continue to work closely on these cases and contact the District Attorney's Office if any question(s) arise regarding the status of the case as CPS or not.
- 3) A determination regarding this report was not made by the 30th day (May 30, 2012) of the investigation. A Child Death Review Team Meeting was not held by the 31st day of the investigation due to scheduling difficulties with law enforcement officials. The Meeting was held at the earliest possible date which was June 4, 2012. The timeline requirements regarding the scheduling of The Child Death Review Team Meeting were reviewed with the agency and they relate understanding of this requirement.

County Recommendations for changes at the Local (County or State) Levels as identified by Fatality Report:

A Child Death Review Team Meeting was conducted on June 4, 2012. The team recommended that change be made at both the local and state levels that all persons applying for a permit to carry a firearm be required to complete a safety course prior to being granted a permit.

Central Region Findings:

[REDACTED]

Although this contact was made the Central Region Office recommends that contact also be made with law enforcement to verify the case status. [REDACTED]

[REDACTED] and took the necessary steps to ensure the safety of the child remaining in the home. The agency was also preparing to petition the court for access to the child remaining in the home when the father initially refused to allow the safety assessment/interviews. The investigation was conducted timely and in close collaboration with the Pennsylvania State Police. Case documentation was comprehensive including medical reports, interviews, risk and safety assessments, criminal complaint documents and case dictation.

Statutory and Regulatory Compliance issues:

There were no regulatory compliance issues.