



Edward Coleman
Regional Director

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

(570) 963-4376
Fax (570) 963-3453

OFFICE OF CHILDREN, YOUTH AND FAMILIES
NORTHEAST REGIONAL OFFICE
Scranton State Office Building
100 Lackawanna Avenue
Scranton, Pennsylvania 18503

REPORT ON THE NEAR DEATH OF



BORN: 7/08/2008
DATE OF NEAR FATALITY: 1/22/09

FAMILY KNOWN TO:

The Family was not known to Northampton County CYS prior to 1/22/09.
Mother was had past involvement with Children's Services in New York.

REPORT DATE 01/11/10
REPORT FINALIZED 02/04/10

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 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 review and provide a written report on any child fatality or near fatality where child abuse is suspected.

1. Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
██████████	Father	██████████ 1972
██████████	Mother	██████████ 1978
██████████	victim	7/08/08

Notification of Near Fatality:

On 1/22/09, father reportedly put 6-month-old child on the bed and put pillows around child and then went downstairs to get milk. Father heard a loud "thump" and went upstairs. Baby had fallen off the bed and was crying. RS reports that child has head trauma on posterior scalp and also has scratches and a dime sized bruise on right cheek bone. ██████████

2. Documents Reviewed and Individuals Interviewed:

Both mother and father were interviewed by Northampton County CYS as well as law enforcement. NERO reviewed the file including interviews and medical reports.

Circumstances of Child's Near Fatality:

On 1/22/09 ██████████ went to the hospital with head trauma reportedly from falling off the bed. At the hospital, several old injuries were detected. Father provided a written statement to CYS stating that at times when arguing with the baby's mother, he may have projected his anger on the child. He stated he is often overwhelmed by having full responsibility of the baby (██████████ did not work and ██████████ did). He described one incident where he hit the child's shin against a table after arguing with ██████████ (reportedly unintentional). Another incident was described where the baby was not strapped into the car seat and pitched forward out of the car seat. He described yet another incident where he forgot the child was in bed with him and he turned in bed and "flung him into the door and he had fallen in between the bed and the door head first". Another incident occurred when the couple was arguing and he did not realize how hard he was squeezing and patting the baby. The child was taken into CYS custody and the father was denied visitation until such time as he completed ██████████.

Previous CY involvement:

██████████ was open with King County Administration of Children's Services for custody issues. There was no history of child abuse. She was arrested in the summer of 2007 for assaulting the father of her 2 children and was ordered to attend ██████████. New York did not have a record of whether or not she completed ██████████. This information was obtained on 1/26/09 when the Northampton County caseworker contacted King's County New York for background information after the paternal grandmother was contacted as a collateral and she told the caseworker that ██████████ had a past history in New York.

Northampton County Case Chronology:

1/23/09-County caseworker received case and made collateral contact with ██████████ and ██████████ both from Children's Hospital of Philadelphia (CHOP). ██████████ reported injuries are consistent with ██████████. Child's prognosis is good.

Later-County Interview with ██████████, mother, and ██████████, father.

1/26/09-County caseworker completed a CY-104 (referral to law enforcement) and sent it to the District Attorney's office and Bethlehem Police Department.

Later-County caseworker requested medical history [REDACTED].

Later-County caseworker contacted King's County ACS for information on [REDACTED]. [REDACTED] was involved for custody issues. [REDACTED] was incarcerated for assaulting the father of her other 2 children in the summer of 2007. She was on probation and was reportedly cooperative. They have no further information regarding this case.

Later-Second interview with [REDACTED] and [REDACTED] separately, at the agency.

1/27/09-Agency staffing for the [REDACTED] case. Present were Supervisor, [REDACTED], Supervisor [REDACTED], Program Director [REDACTED], and [REDACTED], Program Specialist, Attorney [REDACTED], and caseworker [REDACTED]. Northampton County has a policy that all children being considered for placements are staffed. It was decided that upon [REDACTED], the baby should be placed in foster care.

1/30/09-[REDACTED] placed in foster care and referrals for [REDACTED] and [REDACTED] were made.

2/19/09-Follow-up appointment at CHOP for [REDACTED].

3/06/09-Visit at the foster home by caseworker to see [REDACTED] and foster parents.

3/18/09-Office visit with [REDACTED] and Caseworker.

3/19/09-[REDACTED]

Current / most recent status of case:

- The case was accepted for services.
- The child was placed into Foster Care on 01/30/09 and was subsequently returned to the mother's custody on 8/26/09, with the agency keeping dependency. The county continues to monitor the child's safety. The last formal safety assessment was done on 8/26/09 (when child was returned) and child was found to be safe without a need for a plan. The caseworker assesses safety at every contact. The mother no longer resides with the father [REDACTED] and mom also is attending parenting classes and continues to be monitored by both the parenting instructor and the county caseworker.
- [REDACTED] Child receives services through [REDACTED]. Mother is receiving parenting through [REDACTED]. Mother is also receiving services from [REDACTED].
- Criminal charges are being pursued against [REDACTED]. [REDACTED] was arrested on 1/22/10, and charged with endangering the welfare of a child, reckless endangerment, simple assault, and aggravated assault. He is being held in the county prison.

Services to children and families:

The family is still open for ongoing services and [REDACTED] has custody of [REDACTED]. She is involved in the above mentioned services. [REDACTED] was ordered to begin parenting and [REDACTED] prior to starting visits with [REDACTED]. [REDACTED] has not been compliant with parenting or [REDACTED] and therefore does not see the child as per court order.

County Recommendations for changes at the Local (County or State) Levels as identified by way of County's Near Fatality Report:

Based on the file review and county contacts, there were no recommendations for change at the county level. This case was not known to the agency prior to [REDACTED]. The Northeast Regional Office is awaiting the internal review notes for this case.

NERO Findings and Recommendations:

County required to complete an internal review. Review not received from county.

Statutory and Regulatory Compliance issues:

Northampton County actions in this case were consistent with regulatory practice:

- An immediate safety assessment was done regarding this child. Because the child was immediately hospitalized, there was no need for a safety plan. The child's safety was assessed prior to discharge and child was found to be unsafe if returned home. Child was subsequently placed into foster care upon discharge from the hospital.
- The investigation was completed in a timely manner. All letters and CY104 were sent out in a timely manner.
- All parties were interviewed on more than one occasion.
- Risk assessment was completed and accurate. Child was initially risked high based on injuries sustained while in the care of his parents. The current risk is moderate. The mother has received services (such as parenting) to mitigate the risk.
- The family was accepted for service and a placement amendment was completed. The placement plan identifies a need for parenting, [REDACTED], daycare for [REDACTED], and maintaining stable housing for the mother. [REDACTED] is court ordered to comply with parenting, [REDACTED], and random urine screenings.