



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

**OFFICE OF CHILDREN, YOUTH AND FAMILIES**

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**REPORT ON NEAR FATALITY OF**



**BORN: 04/02/2007**

**Date of Near Death Incident: 02/12/2009**

**FAMILY WAS NOT KNOWN TO:**

**Delaware County Department of Children, Youth and Families**

**REPORT DATE: 08/28/2009**

**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 December 30, 2008 and went into effect 180 days from that date. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatalities and near child fatalities 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.

**Circumstances of Near Death:**

On February 12, 2009 [REDACTED], two years of age, was brought to the Emergency Room of Fitzgerald Mercy Hospital with head injury. [REDACTED], mother's paramour, initially reported that [REDACTED] fell off a chair onto a brick. Later, the mother's paramour admitted [REDACTED] was standing on the table and he back handed her. Biological mother, [REDACTED] was working at her full time job. Through further [REDACTED] investigation it became known that [REDACTED] had been to the same emergency room on January 14, 2009 for a head injury, which was explained that she ran into a wall while chasing a cat, which has been called in to question by the police. This incident was not reported to Delaware County Office of Children and Youth because the doctor found that the parent's explanation for the injury was consistent with the injury.

**Summary of Review:**

**Family Constellation.**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	victim child	April 2, 2007
[REDACTED]	biological mother	[REDACTED]
[REDACTED]	mother's paramour	[REDACTED]
[REDACTED]	biological father	[REDACTED]

**Documents Reviewed and Individuals Interviewed.**

For this review the, Southeast Regional Office (SERO) reviewed the [REDACTED], progress notes, email notes, medical records, FSP, risk assessments, and internal review. The county did not contract with any providers during the time the case was opened. On July 30, 2009 SERO spoke with [REDACTED] intake supervisor at Delaware County Office of Children and Youth to discuss the current whereabouts and the legal status of the [REDACTED]. On 8/6/09 the SERO spoke with Delaware County Office of Children and Youth caseworker [REDACTED] to assure that SERO had the current update information for [REDACTED].

### Case Chronology.

The [REDACTED] families did not have any prior contact with Delaware County Children and Youth Agency, or any other social service agencies. However, mother's paramour was involved with numerous agencies as a child.

According to the [REDACTED], this case was [REDACTED] on 03/06/2009, naming mother's paramour [REDACTED] in this report due to [REDACTED] suffering from severe pain and impairment; and the fact that medical evidence determined that the [REDACTED] sustained non-accidental trauma on February 12, 2009. [REDACTED] sustained traumatic brain injuries. Mother's paramour admitted that the child was standing on the kitchen table screaming and he struck her in the face with an open hand. [REDACTED] stated that the child fell backwards and struck her head. [REDACTED] is currently incarcerated and charged with aggravated assault, simple assault and endangering the welfare of child.

Currently [REDACTED] and [REDACTED] reside at [REDACTED]. The mother no longer has any contact with [REDACTED].

During the county agency investigation it was revealed that at age 5, the mother's paramour was kicked out of preschool and that he was also sexually abused at age 4 by a neighbor. He attended [REDACTED] for several years. From grade 3 through 5 he attended Wordsworth Academy because of behavior problems and [REDACTED]. He was also violent with his siblings. In 6th grade, while attending Beverly Hills Middle School he threatened to shoot a teacher and continued to have violent outbursts. He attended [REDACTED] and received [REDACTED] services. During 7th and 8th grade he was [REDACTED] and at age 13 he was [REDACTED] twice and when released returned to Wordsworth Academy. At age 16, he attempted suicide. In 2002, Delaware County Children and Youth Services received a [REDACTED] referral and case remained open because of parent child conflict. The family was referred to the Family Preservation Program and they worked with the family until they recommended an RTF for [REDACTED]. In 2004, there was [REDACTED] and the police charged him. The victims were his biological sister and his cousin. The incident occurred at his home in the bedroom. At this time [REDACTED] was 17 years old. Delaware County Children and Youth Services closed the [REDACTED] case on June 17, 2005. In 2005, [REDACTED] attended [REDACTED] through JPO. During CYS involvement, [REDACTED] mother reported a history of [REDACTED] and [REDACTED] with in the [REDACTED] family.

**County Recommendations:**

**RECOMMENDATIONS FOR CHANGES AT THE STATE AND LOCAL LEVELS  
ON COLLABORATION OF COMMUNITY AGENCIES AND SERVICE  
PROVIDERS TO PREVENT CHILD ABUSE AND NEGLECT:**

The County review team felt that if a referral had been made to the Child Welfare Agency after the January 14, 2009 incident involving this paramour and [REDACTED], the February 12, 2009 incident may have been able to be prevented, or would have at least given the Child Welfare Agency an opportunity to initiate an intake assessment.

**OCYF Findings:**

1. The case was accepted for services on April 8, 2009 at which time in-home services were implemented.  
[REDACTED]
3. On March 10, 2009, [REDACTED] received [REDACTED] for approximately 8-12 weeks.
4. Delaware County Office of Children and Youth developed a verbal safety plan with the biological mother for the [REDACTED] return home. However; this was not needed as [REDACTED] was incarcerated. No other children were in the home.
5. On July 23, 2009 [REDACTED] plead guilty for Aggravated Assault and will serve two years incarcerated and three years of probation.
6. OCYF discussed the case with caseworker at Delaware County Office of Children and Youth and was informed that [REDACTED] is currently receiving [REDACTED] at CHOP Day Hospital once a week (on Thursday's)
7. [REDACTED] is involved with [REDACTED] services through Delaware County Office of Children and Youth and this occurs once a week (on Monday's).
8. This case remains opened with in home services through Delaware County Children and Youth Services, Services for Children in their Own Home (SCOH) services.

**OCYF Recommendations**

The county expressed concern that community representatives did not make a report about the initial injury. The county should consider the need for more training for mandated reporters in the community to address this concern.