



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

OFFICE OF CHILDREN, YOUTH AND FAMILIES

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REPORT ON THE NEAR DEATH OF



BORN: January 12, 2007
Date of Near Death Incident: February 11, 2009

**The family was not known to Children and Youth Services.
The family was not known to other public/private social service
agencies**

REPORT FINALIZED: 02/09/10

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 fatalities that were suspected to have occurred due to child abuse. DPW must conduct child fatality and near fatality reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.

Circumstances of Child's Near Fatality:

On February 11, 2009, the child, [REDACTED], and his sister were in the care of the mother's paramour while the mother left her McKeesport home to walk and pick up an older sibling from school. The mother's paramour contacted the mother via cellular phone prior to the mother returning home and stated the child was shaking and having a seizure. When the mother returned home, the child had bruises on his face and head, and had acute head trauma. [REDACTED]

During the course of the investigation, [REDACTED] refused to be interviewed by the [REDACTED] investigator, but admitted to law enforcement officials that he caused the injuries to the child. The [REDACTED] investigator was able to interview [REDACTED] who was able to report that [REDACTED] hit the child and threw the child against a wall.

Summary of Review

Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Child	01/12/2007
[REDACTED]	Sibling	5 years old
[REDACTED]	Sibling	4 years old
[REDACTED]	Mother	[REDACTED] 1984
[REDACTED]	Father	[REDACTED] 1985
[REDACTED]	Mother's Paramour	[REDACTED] 1990

Documents Reviewed and Individuals Interviewed:

The OCYF Program Representative reviewed the 2009 case file provided by Allegheny County CYF for the intake investigation on this family. The file included the investigation summary, demographic information, risk/safety assessment and safety plan, and progress notes. Interviews were conducted with Allegheny County CYF staff, including the former intake caseworker in 2008, the current intake caseworker and the current intake supervisor. Also reviewed

were the medical and forensic records provided by the Children's Hospital of Pittsburgh.

Case Chronology

Twenty-five month old [REDACTED] was [REDACTED] by his mother's 18 year old boyfriend who was a household member and caring for [REDACTED] and his four year old sister while their mother left their home to pick up their five year old sister at school. [REDACTED] sustained life-threatening injuries, was evaluated to be in critical condition upon arrival at Children's Hospital of Pittsburgh, and faced

[REDACTED]

Both birth parents were involved with Allegheny County CYF as children and have received [REDACTED] as children and as adults. Birth father was convicted of assault against mother, which father denied. Mother's boyfriend who [REDACTED] had involvement with juvenile probation and [REDACTED] as a child and adolescent.

[REDACTED] and [REDACTED] two older sisters resided in McKeesport with their mother and her boyfriend at the time of the near fatality. ([REDACTED] father is also the birth father of the three year old, middle child who resided with mother but who now resides with her birth father.) Mother was the primary caregiver for [REDACTED] and the two older girls at that time, although [REDACTED] and middle child's father had been [REDACTED] primary caregiver until one month prior to the near fatality incident. [REDACTED] returned to mother's care because father and his girlfriend were having difficulties with their relationship. However, father visited [REDACTED] and his daughter daily, as father also resided in McKeesport with his girlfriend and their six month old son.

Mother's boyfriend remains in the Allegheny County Jail, charged with Aggravated Assault and Endangerment of a Child.

After [REDACTED] hospitalizations at Children's Hospital of Pittsburgh and [REDACTED], CYF returned [REDACTED] to the care of his birth father and father's girlfriend. [REDACTED] received [REDACTED] through [REDACTED], and his function greatly improved, although he had limited mobility with his left arm. CYF referred [REDACTED] to the Alliance for Infants and Children prior to case closure.

██████████ four year old sister was placed with her birth father (who is also ██████████ father) and father's girlfriend immediately after the abuse incident, where she remains at the time of this review.

██████████ oldest sister, who was temporarily placed with a maternal relative after the abuse incident, was returned to mother's care, with supports from mother's extended family and Mon Yough Community Services. Mon Yough Community Services offer ██████████, vocational support, and aids those with ██████████.

Previous CY involvement

Allegheny County CYF had previous involvements with mother and the two girls in 2005 and 2006 due to alleged neglect and again in 2008 due to ██████████. ██████████ Allegheny County CYF referred mother to community supports in 2005 and 2006. ██████████

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

- 1) Review and reissue of Allegheny County OCYF protocol related to requirement for plan of intervention (including medical examination) to be completed when a child makes a disclosure of sexual maltreatment. The protocol includes consultation with the County Law Department in the event that parents do not agree with any part of plan of intervention to determine the need for court intervention.
- 2) Review of Child Protective Services Law mandate for hospitals to make an additional report of suspected abuse when, upon examining a child for a previously reported suspected abuse, medical evidence indicates a separate incident of suspected abuse that is unrelated to the initial abuse report.
- 3) Domestic violence assessment training for OCYF staff.

Compliance with Statutes and Regulations

The Office of Children, Youth and Families review did not identify compliance issues with regards to statutes and regulations.

Office of Children, Youth and Families Findings and Recommendations

According to the documentation and interviews, the mother left the child with her paramour while she left the home to walk her other child home from school. This was an unfortunate incident that resulted in the child suffering severe injuries and being in critical condition. [REDACTED],

who is currently in the Allegheny County jail awaiting trial.

While there was a previous history of investigations with this family, there was not an active case at the time of the child's near death. In one of the prior investigations, the family was referred for [REDACTED]

[REDACTED] and Allegheny County CYF.

Allegheny County CYF did an excellent job ensuring the safety of the children after the report of a near fatality, assessing caregivers and placing children in appropriate homes to ensure permanency. Allegheny County CYF also did an excellent job linking the family to community services where it was appropriate. The Office of Children, Youth and Families is in agreement with the internal review completed by Allegheny County CYF. While there were not any statutory or regulatory issues noted in the case, it would benefit the county to provide mandated reporting training to area hospitals to assure reporting procedures are done appropriately.

It is recommended that Allegheny County CYF revisit their protocol related to intervention with respect to disclosures of child sexual abuse not only to include a forensic interview, but to keep the case open until a medical examination is completed for each of the alleged victims.