

90-Day Summary Report for Child Death, Serious Injury or Egregious Incident

Reports submitted to the Division of Safety and Permanence (DSP) that do not include all of the required information will be returned to the agency for proper completion. Do not identify individuals by name when completing this report. Individuals may be referenced by relationship or position; e.g., mother, father, child, sibling, physician, detective, etc.

Case Tracking Number: 131004DSP-Rock-373 **Agency:** Rock County Human Services Department

Child Information (at time of incident)

Age: 3 years Gender: Female Male

Race or Ethnicity: Black/African American

Special Needs: None

Date of Incident: 10/04/2013

Description of the incident, including the suspected cause of death, injury or egregious abuse or neglect:

On October 4, 2013, the agency received a report regarding a three year old presented at the hospital with second and third degree burns on the top of his forehead, face, chest, and buttocks. The child also had linear marks on his buttocks and inside thigh. Due to the severity of the burns, the child was transferred via ambulance to a Children's Hospital. Medical personnel diagnosed the child with burns and markings conducive with inflicted injury. Medical personnel determined the marks and locations of the burns as consistent with submersion burns inflicted by holding the child head first under scalding water. Medical personnel completed a skeletal survey of the child and discovered rib fractures diagnosed as 10-14 days old.

Law Enforcement initiated an investigation the same day. The mother reported she works several jobs and leaves her child with her boyfriend as the primary caregiver. The mother stated she was in a relationship with the boyfriend for seven months, but only resided with the boyfriend and his family for two weeks prior to the incident. The mother reported she was at work at the time of the incident. The mother stated the home has only a shower and the boyfriend and child showered together. The mother stated the boyfriend told her he got out of the shower and dried off and then took the child out of the shower. The mother reported she was told the boyfriend took the child to another room to dry and dress him. While drying the child, his skin started to peel off his face. The mother stated it was possible the boyfriend flushed the toilet while the child was in the shower, an action which caused the water temperature to increase and burn the child. The mother had no explanation for the rib fractures, but admitted to witnessing the boyfriend hit the child with a belt, hit the child on the head, and threaten the child with physical violence. In addition, the boyfriend physically abused the mother. The boyfriend was interviewed. He denied inflicting the injuries, stating the child must have turned up the temperature of the water and caused the injuries. The boyfriend stated the child's face began to peel while dressing the child, at which time the boyfriend called other family members for assistance. A family member called 911, but instead of waiting for emergency personnel, the boyfriend and other family members put the child in the car and then stopped to pick up the mother on the way to the hospital. The child arrived at the hospital, according to the boyfriend, within 20 minutes of the incident.

As a result of the criminal investigation, the mother was arrested and charged with Child Abuse-Failure to Prevent Bodily Harm. The charges against the mother were dismissed. The boyfriend was arrested and charged with Child Abuse Cause Great Bodily Harm. A criminal charge is merely an allegation and a defendant is presumed innocent until and unless proven guilty.

Findings by agency, including maltreatment determination and material circumstances leading to incident:

The agency collaborated with law enforcement and medical personnel to complete the assessment. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate physical abuse by the boyfriend to the child. Medical professionals confirmed the injuries pertaining to the burns were conducive with inflicted injury by another person. The marks and locations of the burns were determined consistent with submersion burns and medical professionals diagnosed the injuries as consistent with intentionally submerging the child into scalding water head first and holding the child under the scalding water. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate neglect by the mother to the child. The agency found the mother did not demonstrate necessary care to protect her child from the abuse by the boyfriend. The agency determined the child unsafe, took temporary physical custody, and placed the child in out-of-home care. The agency filed a Child in Need of Protection and Services petition and provided ongoing case management services.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The mother and boyfriend.

Child's residence at the time of incident: In-home Out-of-home care placement

Complete the appropriate following section (A. or B. based on the child's residence at the time of the incident).

A. Children residing at home at the time of the incident:

Description of the child's family (includes household members, noncustodial parent and other children that have visitation with the child and / or in the child's family home):

At the time of the incident, the child resided with his mother, her boyfriend, the boyfriend's mother, and two other adults. The biological father of the child is deceased.

Yes No **Statement of Services:** Were services under ch. 48 or ch. 938 being provided to the child, any member of the child's family or alleged maltreater at the time of the incident, including any referrals received by the agency or reports being investigated at time of incident?

If "Yes", briefly describe the type of services, date(s) of last contact between agency and recipient(s) of those services, and the person(s) receiving those services:

N/A

Summary of all involvement in services as adults under ch. 48 or ch. 938 by child's parents or alleged maltreater in the previous five years: (Does not include the current incident.)

N/A

Summary of actions taken by the agency under ch. 48, including any investigation of a report or referrals to services involving the child, any member of the child's family living in this household and the child's parents and alleged maltreater. (Does not include the current incident.)

(Note: Screened out reports listed in this section may include only the date of the report, screening decision, and if a referral to services occurred at Access. Reports that do not constitute a reasonable suspicion of maltreatment or a reason to believe that the child is threatened with harm are not required to be screened in for an initial assessment, and no further action is required by the agency.)

On June 3, 2013, the agency screened-in a CPS report containing allegations of neglect and physical abuse to a two-year-old child. The report stated the child had bed bugs and was dirty and the home was "nasty and disgusting." The report stated that the child had asthma and was supposed to use a breathing machine. The CPS report stated that the child is frequently seen with scratches and bruises on his body. The CPS report was screened-in for response within 5 days. The Initial Assessment worker made two unannounced home visits in early June and early July with no contact and one scheduled home visit in mid-June after a phone call with the mother, which also resulted in no contact. The worker sent the mother counseling and parenting resources by mail, then closed the case with a finding of "Unable to Locate."

Summary of any investigation involving the child, any member of the child's family and alleged maltreater conducted under ch. 48 or ch. 938 and any services provided to the child and child's family since the date of the incident:

The agency collaborated with law enforcement and medical personnel to complete the assessment. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate physical abuse by the boyfriend to the child. Medical professionals confirmed the injuries pertaining to the burns were conducive with inflicted injury by another person. The marks and locations of the burns were determined consistent with submersion burns and medical professionals diagnosed the injuries as consistent with intentionally submerging the child into scalding water head first and holding the child under the scalding water. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate neglect by the mother to the child. The agency found the mother did not demonstrate necessary care to protect her child from the abuse by the boyfriend. The agency determined the child unsafe, took temporary physical custody, and placed the child in out-of-home care. The agency filed a Child in Need of Protection and Services petition and provided ongoing case management services.

B. Children residing in out-of-home (OHC) placement at time of incident:

Description of the OHC placement and basis for decision to place child there:

N/A

Description of all other persons residing in the OHC placement home:

N/A

Licensing history: Including type of license, duration of license, summary of any violations by licensee or an employee of licensee that constitutes a substantial failure to protect and promote the welfare of the child.

N/A

Summary of any actions taken by agency in response to the incident: (Check all that apply.)

- | | |
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| <input checked="" type="checkbox"/> Screening of Access report | <input type="checkbox"/> Attempted or successful reunification |
| <input type="checkbox"/> Protective plan implemented | <input checked="" type="checkbox"/> Referral to services |
| <input checked="" type="checkbox"/> Initial assessment conducted | <input type="checkbox"/> Transportation assistance |
| <input checked="" type="checkbox"/> Safety plan implemented | <input checked="" type="checkbox"/> Collaboration with law enforcement |
| <input checked="" type="checkbox"/> Temporary physical custody of child | <input checked="" type="checkbox"/> Collaboration with medical professionals |
| <input checked="" type="checkbox"/> Petitioned for court order / CHIPS (child in need of protection or services) | <input checked="" type="checkbox"/> Supervised visitation |
| <input checked="" type="checkbox"/> Placement into foster home | <input checked="" type="checkbox"/> Case remains open for services |
| <input checked="" type="checkbox"/> Placement with relatives | <input type="checkbox"/> Case closed by agency |
| <input type="checkbox"/> Ongoing Services case management | <input type="checkbox"/> Initiated efforts to address or enhance community collaboration on CA/N cases |
| | <input type="checkbox"/> Other (describe): |

FOR DSP COMPLETION ONLY:

Summary of policy or practice changes to address issues identified during the review of the incident:

Under the Child Welfare Disclosure Act (Section 48.981(7)(cr), Stats.), the DSP completes a 90-day review of the agency's practice in each case reported under the Act. In accordance with the DCF memo Series 2010-13, dated December 7, 2010 pertaining to the Child Welfare Case Review Protocol, the DSP will conduct a records review in case # 131004DSP-Rock-373.

Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues:

None at this time.

Yes No Not Applicable This 90-day summary report completes the Division of Safety and Permanence (DSP) review of this case.

If the case review was not completed within 90 days, the DSP will complete and submit the final summary report within 6 months.

This 90-Day Summary Report was previously delayed. After consulting with the DA's Office, DSP did determine that releasing the summary report would jeopardize an ongoing criminal proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.