

6-Month Final 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: 120907DSP-Lafay-245 **Agency:** Lafayette County Department of Human Services

Child Information (at time of incident)

Age: 7 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: Speech and language issues

Age: 5 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: Developmental Disability and speech and language issues

Age: 3 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: Speech and language issues

Age: 2 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: Developmental Disorder and medical issues

Date of Incident: 9/7/12

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

On 9/9/12, the agency was notified that emergency personnel and law enforcement responded to a house fire on 9/7/12 in which three young children died. The father, the paternal uncle, the mother, and the 2-year-old daughter were able to escape the fire. The mother of the children was badly burned and admitted to the hospital for treatment. The mother was pregnant at the time of the fire, but later lost the pregnancy. The father, the paternal uncle, and the 2-year-old sustained no injuries from the fire. Law enforcement determined the fire was intentionally set. The father and the paternal uncle admitted to starting the fire. The father was criminally charged with three counts of 1st Degree Intentional Homicide, one count of 1st Degree Intentional Homicide-Unborn Child, three counts of Attempted 1st Degree Intentional Homicide, and one count of Arson of Building Without Owner's Consent and was found guilty on 4/17/13. The paternal uncle was criminally charged with three counts of 1st Degree Intentional Homicide, one count of 1st Degree Intentional Homicide-Unborn Child, two counts of Attempted 1st Degree Intentional Homicide, and one count of Arson of Building Without Owner's Consent and was found guilty on 8/22/13.

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

The agency screened in and collaborated with law enforcement and medical personnel to assess the allegations of physical abuse to the four children. Physical abuse to the children by the father and the paternal uncle was substantiated. The father and paternal uncle admitted to starting the fire with intent to harm the children and the mother. The 2-year-old was determined unsafe and placed in out-of-home care. The agency filed a Child in Need of Protection or Services Petition and is providing ongoing case management services to the family.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The father and the paternal uncle

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):

The home consisted of the mother, the father and the four children.

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.)

None

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 9/27/02, the agency screened in a report of abuse to the mother when she was a minor by a non-caregiver. The allegation was substantiated and the family was referred to community services.

On 1/27/03, the agency screened in a report of abuse and neglect to the mother when she was minor by her father and by a non-caregiver. The allegations were substantiated and the family was opened for ongoing services with the agency.

On 9/6/07, the agency screened out a report of neglect by the parents.

On 1/7/08, another county agency screened in a report of neglect by the parents. The allegation was unsubstantiated and the family was referred to community services.

On 9/5/08, another county agency screened out a report of neglect by the parents.

On 5/4/11, the agency screened out a report of neglect by the parents.

On 3/8/12, the agency screened in a report of abuse and neglect by the parents. The allegations were unsubstantiated and the agency closed the case.

On 4/9/12, the agency screened out a report of neglect by the parents.

On 5/7/12, the agency screened out a report of neglect by the parents.

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 screened in and assessed the allegations of physical abuse to the children. Physical abuse to the children by the father and the paternal uncle was substantiated. The 2-year-old was determined unsafe and placed in out-of-home care. The agency filed a Child in Need of Protection or Services Petition and is providing ongoing case management services to the family.

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:

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

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.

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 checked="" type="checkbox"/> Protective plan implemented | <input checked="" type="checkbox"/> Referral to services |
| <input checked="" type="checkbox"/> Initial assessment conducted | <input checked="" type="checkbox"/> Transportation assistance |
| <input 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 type="checkbox"/> Placement with relatives | <input type="checkbox"/> Case closed by agency |
| <input checked="" type="checkbox"/> Ongoing Services case management | <input type="checkbox"/> Initiated efforts to address or enhance community collaboration on CA/N cases |
| | <input checked="" type="checkbox"/> Other (describe): Crisis services extended to the family and community |

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 completed an on-site review in case #120907DSP-Lafay-245 and prior reports involving the family. The report found: CPS Report dated September 9, 2012 was screened within 24 hours as required by statute and standards but the response time by the agency should have been "same-day" based on the identification of Present Danger taken at Access.

The Initial Assessments completed in conjunction with the September 9, 2012 CPS report contained insufficient information in the areas of maltreatment, child functioning, adult functioning, disciplinary approaches, family functioning, and parenting practices. Collateral sources were not utilized for information gathering, the safety assessment was not supported by information within the Initial Assessment, and there was no control for safety as outlined in the standards pertaining to the documentation of safety within the placement setting.

The Quality Improvement plan implemented by the county agency included training for all workers completing the access function for the agency, all afterhours workers are required to complete the necessary training pertaining to Access and Initial Assessment before placement on the work schedule, the CPS Supervisor discusses safety assessment during regular intervals with employees who complete protective or safety plans within their scope of work, and all employees performing the function of CPS completed the confirming safety environments training offered by the Training Unit.

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

None

- Yes No Not Applicable This 6-month summary report completes the Division of Safety and Permanence (DSP) review of this case.

The agency must submit an electronic copy of the completed 90-Day Summary Report to RobertB.Williams@wisconsin.gov