

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: 121121DSP-Oneida-267 **Agency:** Oneida County Department of Social Services

Child Information (at time of incident)

Age: 2 years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: None

Date of Incident: 11/21/12

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

On 11/21/12, the agency received a report regarding a 2-year-old child who presented at the hospital with a head injury. The child was brought to the hospital by the mother and the mother's fiancé. The mother's fiancé reported that the child had been outside running with a ball and tripped. The child reportedly hit his nose on the concrete. The mother's fiancé put an ice pack on the child's nose, but thought the child was otherwise okay. Approximately an hour and a half later, the mother's fiancé heard a thud from the other room. The mother's fiancé went into the room and found the child on the floor having what appeared to be a seizure. The child's eyes were rolled back and his jaw was clenched. The child then became unresponsive. The mother's fiancé then put the child in the car, picked up the mother from work, and transported the child to the emergency room. The child was later transported to St. Joseph's Hospital in Marshfield. Medical personnel determined the child had bleeding in the frontal lobe area of the brain, as well as, bleeding near the falx in the back of the child's head. The child had loose teeth and retinal hemorrhaging that would be consistent with being shaken. The child was also found to have an abrasion and bump on the top of his head, a fingertip shaped bruise near his left jaw, and a linear mark to the right side of his neck. The child was admitted to the intensive care unit and needed to be intubated. Medical personnel indicated the explanation given by the mother's fiancé was not consistent with the extent of injuries to the child. Law enforcement was contacted to investigate the cause of the injuries to the child. No criminal charges have been filed in this case.

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

The agency collaborated with law enforcement to complete the assessment. Physical abuse to the child by an unknown maltreater was substantiated. Medical personnel determined the child was the victim of non-accidental trauma as indicated by the severity of injuries, varying ages of injuries and a lack of a plausible mechanism to explain the injuries. The mother and the mother's fiancé were unable to provide any explanation, beyond the child falling, for how the child was injured. The child and his three siblings were determined to be unsafe in the home and were placed in out-of-home care. Child in Need of Protection or Services petitions were filed in juvenile court; however, a judge dismissed the petitions during a fact finding hearing. The children were ultimately returned to the mother's care.

Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom?

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 child lived with his mother, the mother's boyfriend, his 7-month-old half-brother, 6-year-old brother, and 9-year-old sister. The child had regular visitation with his father.

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.)

The family participated in voluntary services through an Informal Disposition Agreement from 11/18/11 until 5/17/12. The mother's 9-year-old daughter was determined to be a victim of abuse by a relative in 2007 and services were needed to address issues as a result of the abuse.

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 9/20/07, the agency screened in an allegation of abuse to the 4-year-old (now 9-year-old) child by a relative.

Maltreatment was substantiated. The child was determined safe in the home and the agency closed the case.

On 1/22/09, the agency screened out an allegation of abuse to the 5-year-old (now 9-year-old) child by a relative as the allegations had previously been assessed and substantiated.

On 11/08/11, the agency screened in a referral for services.

On 11/18/11, the agency screened in an allegation of abuse to the 8-year-old (now 9-year-old) child. Maltreatment was unsubstantiated, but the agency provided voluntary services to the family until 5/17/12.

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 allegation of physical abuse to the child. The agency substantiated physical abuse to the child by an unknown maltreater. The four children in the home were determined to be unsafe and were placed in out-of-home care. The agency filed Child in Need of Protection or Services petitions in juvenile court; however, the petitions were later dismissed by a judge. The children were ultimately returned to the mother's care and the agency closed the case.

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 checked="" 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 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 type="checkbox"/> Case remains open for services |
| <input checked="" type="checkbox"/> Placement with relatives | <input checked="" 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 completed an on-site review in #121121DSP-Oneida-267.

The review found agency practice in Access was compliant with screening standards. The report was correctly screened-in within the required timeframe. The Access report contained insufficient information in multiple areas of the report per Standards.

Agency practice in Initial Assessment was not compliant with information gathering, contact requirements and safety planning per Standards. The required contacts and assessment of household members were not completed according to Standards.

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

DSP is working with the agency on an action plan to address the practice issues identified during the review. The plan consists of training and technical assistance for the CPS supervisors and staff.

Yes No Not Applicable This 6-Month Final 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.