

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: 140521DSP-Milw-445 **Agency:** Bureau of Milwaukee Child Welfare (BMCW)

Child Information (at time of incident)

Age: 6 Years Gender: Female Male

Race or Ethnicity: White, Mexican/Chicano/Mexican American

Special Needs: Autistic, non-verbal

Date of Incident: May 21, 2014

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

On 5/21/14, the agency received a report regarding an autistic 6-year-old boy who had been hit by a school bus. The mother of the child was home with him prior to the incident occurring. The mother reported that she realized that he was no longer in the home and went to find him; however, it was too late. The child had a history of unlocking the door and leaving the home. The child reportedly ran into a crosswalk to greet his friends returning from school. The bus was stopped at a light; when the light turned green, the bus driver was unable to see the child and hit him. The child suffered severe injuries and died instantly.

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

The Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of neglect to the 6-year-old by the mother. The case is being closed; the remaining children in the home do not have special needs and the agency did not identify any safety concerns.

- 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):

At the time of the incident, the child lived with his mother, 12-year-old half-sister, 10-year-old half-sister, and 7-year-old half-brother. The household also consisted of the mother's adult friend, and the friend's 17-year-old and 3-year-old daughters.

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:

The case was open in initial assessment at the time of the incident, due to a 12/05/13 screened in referral alleging neglect to then 5-year-old (now 6-year-old) by the mother. The Initial Assessment was completed by the agency subsequent to the child's death on 5/21/14. The Initial Assessment Specialist made contact with the 5-year-old at his school on 12/12/13.

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 12/05/13 the agency screened in a referral alleging neglect to the 5-year-old autistic child. The Initial Assessment was completed by the agency subsequent to the child's death on 5/21/14. The assessment found insufficient evidence to substantiate neglect by the mother associated with the 12/05/13 referral.

On 12/4/13, the agency screened out a CPS report.

An 8/16/13 referral alleging neglect to the 5-year-old (now 6-year-old) by the mother was screened in, assessed, and unsubstantiated. The mother was offered Intensive In-Home services, but declined. The mother was utilizing community resources. The children were assessed as safe and the case was closed.

An 8/2/12 referral alleging neglect to the 10-year-old (now 12-year-old) and physical abuse to an unknown child by the mother was screened in and assessed. The Initial Assessment completed by the agency found insufficient evidence to substantiate neglect by the mother, and insufficient evidence to substantiate physical abuse to an unknown child. The children were assessed as safe and the case was closed.

On 5/27/12 and 6/5/12 referrals alleging neglect to the 4-year-old autistic child (now 6-year-old) by the mother were screened in and assessed. The agency found insufficient evidence to substantiate neglect by the mother. The mother was working with community resources for the 4-year old autistic child. The mother indicated that she did not need additional agency assistance. The children were assessed as safe and the case was closed.

A 2/16/12 referral alleging neglect to the 9-year-old (now 12-year-old), 7-year-old (now 10-year-old), 5-year-old (now 7-year-old), and 3-year-old (now 6-year-old) by the mother was screened in and assessed. The agency found insufficient evidence to substantiate neglect by the mother. The mother denied the need for additional services and was provided with a community resources information packet. The children were assessed as safe and the case was closed.

A 6/3/11 the agency screened out a CPS report.

A 4/6/11 referral alleging neglect to the 8-year-old (now 12-year-old), 6-year-old (now 10-year-old), 3-year-old (now 7-year-old), and 1-year-old (now 6-year-old) was screened in and assessed. The Initial Assessment completed by the agency found insufficient evidence to substantiate neglect by the mother. The children were assessed as safe and the case was closed.

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

The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate maltreatment of neglect to the 6-year-old by the mother, which resulted in the child's death. The child had a history of unlocking the door and leaving the home. The case is being closed; the remaining children in the home do not have special needs and there are no safety concerns.

B. Children residing in out-of-home care (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 or other actions that constitute 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.)

- Screening of Access report Attempted or successful reunification

- Protective plan implemented
- Initial assessment conducted
- Safety plan implemented
- Temporary physical custody of child
- Petitioned for court order / CHIPS (child in need of protection or services)
- Placement into foster home
- Placement with relatives
- Ongoing Services case management

- Referral to services
- Transportation assistance
- Collaboration with law enforcement
- Collaboration with medical professionals
- Supervised visitation
- Case remains open for services
- Case closed by agency
- Initiated efforts to address or enhance community collaboration on CA/N cases
- Other (describe):

FOR DSP COMPLETION IF RECORD OR ON-SITE REVIEW WAS UNDERTAKEN:

Summary of policy or practice changes to address issues identified based on the record or on-site review of the incident:

Under 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 Bureau of Performance Management (BPM) completed an on-site review of case 140521DSP-Milw-445 and determined that the Access processes for the three Access reports reviewed were conducted in accordance with CPS Access Standards. BMCW practice in Initial Assessment was not compliant with standards related to required interview contacts and information gathering, substantiation decision making, and safety assessment for the first of the two assessments reviewed. The BMCW updated their Child Welfare Access/Initial Assessment Quality Assurance Plan and allocated additional supervisory staff and oversight processes to ensure compliance with the practice concerns identified in the on-site review.

Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues based on the record or on-site review:

None

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