

## 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: 110727DSP-Walw-222 Agency: Walworth County Dept. of Health and Human Services

### Child Information (at time of incident)

Age: 17 years Gender:  Female  Male

Race or Ethnicity: Caucasian

Special Needs: None

Age: 14 years Gender:  Female  Male

Race or Ethnicity: Caucasian

Special Needs: None

Age: 14 years Gender:  Female  Male

Race or Ethnicity: Latino

Special Needs: None

Age: 14 years Gender:  Female  Male

Race or Ethnicity: Latino

Special Needs: None

Age: 13 years Gender:  Female  Male

Race or Ethnicity: Caucasian

Special Needs: None

Date of Incident: July 27, 2011

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

On July 28, 2011, the agency received a report regarding a 17-year-old child who reported that sometime in the winter of 2010-2011, he was held down by his adoptive father and sprayed in the face with pepper spray by his adoptive mother. The child was taken into protective custody and reported that he was also concerned for the safety of the four other adopted children living in the home. All five of the adopted children in the home were interviewed and disclosed multiple incidents of past physical abuse and neglect. The children's reports included being restricted from food and water for extended periods of time, that they were made to do physical labor for extended periods of time, that there was degrading name calling by their adoptive parents, that there was physical discipline with a belt and/or stick (which has resulted in injury) by their adoptive parents. The agency determined that the five adopted children were treated differently from the biological children in the home.

The adoptive mother was criminally charged with four counts of Child Abuse-Intentionally Cause Harm and eight counts of Disorderly Conduct. The adoptive father was criminally charged with six counts of Child Abuse-Intentionally Cause Harm and six counts of Disorderly Conduct. 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 screened-in and collaborated with law enforcement to assess the allegations of physical abuse and neglect to the children. The agency substantiated maltreatment of physical abuse to the 17-year-old and substantiated maltreatment of neglect to all five adopted children. The children have disclosed multiple incidents of severe forms of discipline and neglect in the home. The children were determined to be unsafe in the home and were placed in out-of-home care by the agency. A Child in Need of Protection or Services petition was filed with juvenile court. The case remained open to provide ongoing case management services.

Yes  No Criminal investigation pending or completed?

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

**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, father, two biological teenage sons, and five adopted children. The parents also have two other biological children and one adopted child living outside of the home.

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 March 19, 2004, the agency screened-in a CPS Report alleging physical abuse to the now 14-year-old adopted daughter. An assessment was completed, the allegation was unsubstantiated, and the agency closed the case.

On January 18, 2005, the agency screened-in a CPS Report alleging physical abuse to one of the now 14-year-old adopted daughters. An assessment was completed, the allegation was unsubstantiated, and the agency closed the case.

On June 3, 2005, the agency screened-out a CPS Report alleging physical abuse to the now 13-year-old adopted son.

On January 10, 2008, the agency screened-out a CPS Report alleging physical abuse to one of the now 14-year-old adopted daughters

On February 29, 2008, the agency screened-in a CPS Report alleging emotional damage to one of the now 14-year-old adopted daughters. An assessment was completed, the allegation was unsubstantiated, and the agency closed the case.

On August 5, 2009, the agency screened-out a CPS Report alleging emotional damage to all six adopted children.

On August 6, 2009, the agency screened-in a CPS Report alleging physical abuse to the now 19-year-old adopted daughter. The allegation was unsubstantiated. The family was referred to community services and the agency closed the case.

**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 assessed the allegations of physical abuse and neglect to the children. Physical abuse to the 17-year-old and neglect to all five adopted children was substantiated. The agency removed the five adopted children and placed them in out-of-home care. A Child in Need of Protection or Services petition was filed and the case remained open to provide 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.)

- |  |   |
|--|---|
| <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 checked="" 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 complete a full records and on-site review in case #110727DSP-Walw-222.

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

None

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. DSP did determine that releasing the summary report would jeopardize an ongoing criminal/civil investigation/proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.