

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

Case Tracking Number: 111003DSP-Sauk-155 Agency: Sauk County Department of Human Services

Scope of DSP Review: No Review. The information contained in this report was provided by the agency.
 90-Day Review

Child Information: Age: 7 weeks Gender: Female Male
Race or Ethnicity: Caucasian
Special needs: None

Child's Residence: In-home Out-of-home care placement

Date of Incident: October 1, 2011

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

On October 2, 2011, the infant was taken to the St. Clare Hospital Emergency Room in Baraboo, WI at approximately 9:00 p.m. by his father. Earlier that evening, the father observed the child to be having a seizure and vomiting. The child was transferred to American Family Children's Hospital in Madison by Med-Flight and admitted to the PIC Unit. The attending pediatric physician at American Family Children's Hospital, diagnosed the child with a stellate right partial bone fracture with overlapping scalp hematoma and soft tissue swelling; a right frontal, temporal and partial subdural hematoma associated with right sided brain edema; a poor gray matter-white matter differentiation within the posterior partial lobe; and multiple right side retinal hemorrhages. The physician stated these injuries are consistent with abusive head trauma, which could have been inflicted by a combination of shaking and impact or impact alone. The physician estimated that the injury took place from approximately 1:30 p.m. to 11:00 p.m. on Saturday, October 1, 2011. According to the doctor, these injuries are consistent with non-accidental injury. A subsequent skeletal scan found three broken ribs in healing stages, consistent with the same time as the skull fracture, subdural hematoma, and retinal hemorrhages would have occurred. On October 3, the father confessed that he had injured the baby by slamming him into the wall because he was fussy when feeding him.

Findings by agency, including material circumstances leading to incident:

Substantiation by Sauk County Department of Human Services pursuant to 48.13(3) of the Wisconsin State Statutes was noted of physical abuse to the child by his father. The substantiation is based on the investigation conducted by law enforcement and Human Services ruling out all other suspects, along with the doctor's findings of non-accidental trauma. In addition, a substantiation finding of neglect pursuant to 48.13(10) of the Wisconsin State Statutes was noted concerning the child by his mother, as she failed to provide adequate care to her son who was seriously injured.

According to the mother, the father had recently undergone a medical procedure, had run out of medication earlier in the week and was complaining constantly of pain. Both parents stated that on October 1, 2011, the baby looked and was acting normal when the father took the mother to work at around 1:30 p.m., leaving the baby in the care of a family friend. Father returned to the residence to care for his two children; a half-sibling of the children was staying with his biological father and was not home at this time. At around 5:30 p.m., the father received a call from the mother, and he stated that the baby had been fussy and crying a lot while trying to feed him. Mother called again around 9:30 p.m. to check on the children, at which time Father stated that everything was fine. At around 11:00 p.m. the father and children picked up the mother from her place of employment. They went shopping for about an hour, returning home around 12:30 a.m. Mother gave the baby a bath, and while taking him out of the bath and laying him down to put lotion on him and get him dressed, she felt a bump on his head, which she described as "squishy" when she pushed on it. Mother questioned the father if he had noticed this, and he denied noticing that the child's head was swollen. They discussed if the swelling did not go down the next day, they would take the child to the doctor.

The children were taken into custody because not only did the father hurt the child, but also their mother allowed the father to have unsupervised contact with her children, knowing that there had been a substantiated finding in Illinois of physical abuse to the father's son from a previous relationship, in which he had broken his infant child's ribs, bruised his sternum, ruptured his spleen and had sexually abused his daughter, who was a toddler at the time. Additionally, at the time of the incident, the father was on probation for battery to an officer in January 2011. Interviews with family members indicated that the father was known to be violent and for "going into rages."

Additional information for children in home:

Description of the child's family:

The child lived with his sibling, half-sibling, mother, father and a relative of the mother in the parents' home.

Yes No **Statement of Services:** Were services under ch. 48 or ch. 938 being provided to the child, 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:

See following section.

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 at the age of 18 years or older:

05/30/11 - Child Welfare Service Report (Screened out)

11/15/10 - CPS Report Primary (Screened in)

Allegations: Information reported to the agency with concern for the parents' child as the father had prior substantiation of abuse and neglect in Illinois; Investigated – the half-sibling was interviewed and denied being abused or neglected and the child was too young to be interviewed. No information to suggest the children were being harmed at this time while in the parents' care. At the time of the report, the father was not having any contact with his children in Illinois because he was in non-compliance with the CHIPS conditions. Due to the father's past, a Safety Plan was implemented. The mother agreed that she would not allow any unsupervised contact between the father and her children, but then failed to comply with the plan. Unsubstantiated finding of abuse and neglect, given there was no information to suggest the children were currently being abused or neglected. Family did not feel any services were needed and given that the mother was able to protect the children, no further CPS action was taken.

09/11/09 - Child Welfare Service Report (Screened in)

Allegations: Concerns noted that the home was filthy. The mother leaves her child in the care of her relative who has epileptic seizures. The mother's boyfriend (also the father in this incident) is a registered sex offender, and a relative's boyfriend is a registered sex offender and has also cared for the child on occasion. Social worker assessed the home and did not observe any concerns or supporting evidence of referral. Informal supports are firmly in place. No safety concerns were witnessed. No other services were identified as needed. Case was closed.

07/03/08 - CPS Report Primary (Screened in)

Allegations: Referral for physical abuse in which the mother's child was noted to have a swollen face. Investigated; Unsubstantiated physical abuse due to lack of information of a non-accidental injury. Concerns also noted of the home being filthy. Social worker conducted a home visit, where the home was observed to be cluttered, but not physically unsafe. No services offered, as initial concerns were not valid.

08/02/07 - Child Welfare Service Report (Screened out)

05/27/07 - Child Welfare Service Report (Screened in)

Allegations: Concerns for the welfare of the mother's child, as electricity was shut off in the home. The family spent a weekend in a motel, but is now home. The house is trashed and the refrigerator is full of moldy food. The child is currently staying with relatives due to the condition of the parental home. Follow-up conducted by DHS. The mother was adamant that she does not leave her child home alone, as the child is either with the baby-sitter or the grandmother. Social worker was told that the child is not allowed around the relative's boyfriend, who is reportedly a pedophile. No additional services are wanted at this time. No jurisdiction, so the case was closed.

02/16/07 - Child Welfare Service Report (Screened in)

Allegations: Concerns of parents' AODA issues and domestic violence. Assessed situation. The mother did not have any concerns and at that time did not want any form of assistance. No jurisdiction for follow-up, so the case was closed.

02/12/07 - Child Welfare Service Report (Screened out)

02/06/06 - CPS Report Primary (Screened in)

Needs Assessment Referral. Investigated and found unlikely to occur. Concerns were regarding domestic abuse between the mother and her husband, which led to a physical altercation where alcohol consumption appears to be the main contributing factor. The husband was arrested and ordered not to have any contact with the mother initially, with the modification condition only for the purpose of the child's custody. AODA services were offered to the father and there was no injury to their child.

Summary of any investigation conducted under ch. 48 or ch. 938 and any services provided to the family since the date of the incident:

10/03/11 - CPS Report Primary (Screened in)

Investigated; Substantiated abuse to child by his father and threat/risk of abuse to the child's sibling and half-sibling. Substantiated neglect to the child and threat/risk of neglect to the sibling and half-sibling by their mother. The child and one sibling were taken into custody and placed with relatives. CHIPS petition filed. Dispositional hearing pending.

The half-sibling was not taken into custody, as by all accounts during the course of the investigation, the injured child's father appeared to be appropriate around the child, helping with homework, playing games, etc. Given the father's history and the baby's current injuries, it was felt that supervision was necessary by Sauk County Department of Human Services to monitor child safety. The father was placed on a probation hold, and since the father was in jail, there was no imminent danger. Also, the half-sibling is significantly older than his two siblings and could be monitored safely through an Informal Dispositional Agreement, with which mother and child's biological father were both in agreement. The Informal Disposition Agreement was entered into for a period of six months.

The ongoing social worker worked to expedite the reunification of the children to the parental home due to the father being incarcerated and the immediate threat was no longer present. The mother was allowed to stay in the relatives' home with two of her children under supervised visitation at all times, so

that she could adequately bond with her infant and toddler. During this time, the half-sibling stayed with his biological father, who resides with his relatives. Unsupervised contact between the children and their mother was attempted, but the plan quickly dissolved after the ongoing social worker received numerous calls of concerns about the mother and home. These concerns necessitated further assessment and evaluation, and the children were taken into custody. Due to limited availability of a relative, the two full siblings were placed in a foster home, where they remained for four nights. Eventually, relatives determined it was best for the children to return back to their care, rather than with non-relatives, expressing that they could care for all of the children with the understanding that they did not want the mother living with them.

The family is receiving various services. There is frequent contact with the family by the ongoing social worker, in addition to regular case management. Check-in visits were occurring while visits were unsupervised and contact was extended. Supervised visitation was again implemented due to reports of concerning activities of the mother. Due to her decline in progress, it was felt that supervised visitation was needed to insure the safety of the children until the mother achieved progress through services. The half sibling was placed with his biological father.

Additional information for children 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 actions taken by agency in response to the incident:

Filed for CHIPS action on children. Still pending, as mother is now disputing neglect finding.

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

N/A. No DSP review

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

N/A. No DSP review

*This 90-day summary report completes the Division of Safety and Permanence (DSP) review of this case.

Yes No Not Applicable

* If this case is undergoing a review that was not completed within 90 days, the DSP will complete and submit the final summary report within 6 months.