

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: 120809DSP-Racin-231 **Agency:** Racine County Human Services Department

Child Information (at time of incident)

Age: 3 Weeks Gender: Female Male

Race or Ethnicity: African American

Special Needs: None

Date of Incident: August 9, 2012

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

On August 9, 2012, the agency received a report regarding a three-week-old infant who presented at a local hospital emergency room with two broken legs, as well as bruising on her body and head. The mother reported she left her infant twin girls in the care of their father from approximately 6:00 p.m. until 12:30 a.m. The mother was across the hall with a neighbor between 6:00 p.m. – 12:30 a.m. and went in and out of the home to check on the infants. When the mother returned at 12:30 a.m., she attempted to feed the infant and found her to be fussy. The mother then proceeded to change the infant's diaper. The infant's legs did not look right and she was screaming in pain when the mother touched them. The mother called her sister who instructed her to call 911. The infant was seen at the local emergency room and was transferred to another hospital for further evaluation. The infant was found to have femur fractures in both of her legs, bruising on her right leg and both thighs, bruising to her jaw and cheek, and bruising/injury to her brain. Medical personnel stated the fractures had an appearance suggesting a violent twisting or cracking of the bones. Law enforcement was contacted to investigate the injuries to the infant. The father reported he fell down the stairs while holding the child; however, medical personnel reported that a fall down the stairs would not produce the type of injuries the infant sustained.

The father was criminally charged with one count of Child Abuse-Intentionally Cause Great Bodily Harm and one count of Child Abuse-Recklessly Cause Great Harm. The father was found guilty of two counts of Child Abuse-Recklessly Cause Great Harm.

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

The agency collaborated with law enforcement and medical personnel to assess the allegation of physical abuse to the infant. Maltreatment of physical abuse to the infant by father was substantiated. The infant was in the care of her father and when the mother returned to the home, she found the infant with injuries. The father denied the allegations of intentionally hurting the infant and maintained he fell down the stairs with the infant; however, medical personnel reported that the infant's injuries were not consistent with a fall down the stairs. The mother's four children were taken into temporary physical custody. Three of the children were placed in foster care and the oldest child was placed with his paternal grandmother in another state. A Child in Need of Protection or Services petition was filed and 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 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):

At the time of the incident, the infant resided with her mother, her father, her three-week-old twin sister, her four-year-old half-sister, and her eight-year-old half-brother.

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 November 13, 2010, the agency screened-in a CPS Report alleging neglect to the six-year-old (now eight-year-old). An assessment was completed, neglect was unsubstantiated and the agency closed the case.

On July 21, 2011, the agency screened-in a CPS Report alleging neglect to the three-year-old (now four-year-old). An assessment was completed, neglect was unsubstantiated 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 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 infant. Maltreatment of physical abuse to the infant by the father was substantiated. The children were determined unsafe and placed in out-of-home care. A Child in Need of Protection or Services petition was filed and the case remains open for ongoing case management services.

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.)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Screening of Access report | <input type="checkbox"/> Attempted or successful reunification |
| <input 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 checked="" 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 type="checkbox"/> 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 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 case record review in #120809DSP-Racin-231.

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

None at this time.

Yes No Not Applicable This 90-day summary report completes the Division of Safety and Permanence (DSP) action on 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.