

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: 121122DSP-Dane-295 **Agency:** Dane County Department of Human Services

Child Information (at time of incident)

Age: 1 year Gender: Female Male

Race or Ethnicity: African American

Special Needs: None

Date of Incident: 11/22/12

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

On 1/22/13, the agency learned the child was taken to a medical clinic by its mother for treatment of a burn the mother alleged to have occurred in November 2012 while the child was living with relatives out of state. No need for immediate medical care existed because the severe burn healed and the child's fingers fused together. Because of the assessment for surgery, the child was referred to a hospital; there, medical personnel raised neglect concerns. Family member explanations regarding the origin of the burn did not match the nature of the injuries or the healing process. On 2/4/13, the agency received a report alleging the child's older half-brother was physically abused by the child's father, and the child's older half-sister was sexually abused by the child's father. At interview the children also provided different explanations regarding how the child sustained the burn to the hand. It was discovered the child was burned while living in the parental home, and the parents concealed the burn from agency staff; the parents sent the child out of state to stay with relatives and chose to not seek appropriate medical treatment for the child's burn. The mother was criminally charged with one count of Neglecting a Child (Consequence is Great Bodily Harm). The father was criminally charged with one count of Neglecting a Child (Consequence is Great Bodily Harm), one count of 1st Degree Sexual Assault-Sexual Contact with a Person under Age of 13, and one count of Child Abuse-Intentionally Cause Harm. 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 collaborated with law enforcement and medical personnel to complete the assessment. The agency substantiated neglect of the child by both parents; sexual abuse of the older, half-sister by the child's father; physical abuse of the child's older, half-brother by the child's father, and neglect of the child's two older half siblings by the mother. The two oldest children, ages 6 and 7, provided consistent statements that the child sustained the burn to her hand while living in the family home. The children reported the child put her hand on a heating element in a bedroom, and their parents fabricated a story about the child sustaining the burn while staying with a relative out of state. The older, half-sister reported multiple incidents of sexual abuse by the child's father over a period of time. Both older children described incidents of the child's father using a belt to physically discipline them, with the most recent incident leaving marks on the child's half-brother's back. The children were reportedly told to lie to people about their young sister's burn. The children were determined unsafe and placed in out-of-home care. The agency filed Child in Need of Protection or Services petitions in juvenile court.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The 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 child lived with mother, father, 2-year-old sister, 6-year-old half-brother, and 7-year-old half-sister.

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 family's case was open for CPS Ongoing services at the time of these reports in 2013. The family was working with an in-home parenting program focused on teaching age-appropriate parent/child interaction, and recently completed work with a Reunification Team through the agency so the father could return to the home. The assigned Social Worker was at the home on 12/19/12. In addition, the agency made phone contact with the mother on 1/7/13 and 1/22/13.

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.)

The family's case was open with the agency since October of 2010 when the agency screened in and assessed a report alleging the mother was using marijuana and both parents were yelling at their baby (the child's now 2-year-old sister). On 11/16/10 the agency screened in and assessed a report alleging Physical Abuse to the child's now 2-year-old sister. The child's sister sustained a spiral fracture to her arm and multiple rib fractures in various stages of healing. The father admitted to handling the child in a rough manner. This child was taken into custody and placed out of the home, eventually moved to the home of a relative. The father was criminally prosecuted and received probation. The family received ongoing case management services by the agency. In April of 2011, the agency learned the mother's two older children had been returned to her care after staying with relatives out of state. The now 2-year-old child was returned to the home in June of 2011. The focus child in this report was born in August of 2011. The agency extended court supervision with this family until December of 2012. In July of 2012, the agency learned the youngest child had been sent to stay with a relative in another state. The father worked with the agency Reunification Team, and began overnight visits in August of 2012. The father returned to the home in November of 2012. The family was still open for ongoing case management services at the time the agency learned of the injuries to the 1-year-old child.

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.)

10/14/10-Services Intake Report, screened out.

10/19/10-Report alleging Neglect screened in for assessment

11/16/10-Report alleging Neglect screened in for assessment. Initial Assessment for both reports completed and approved on 12/21/10. The child was found in need of protection or services through the Juvenile Court, and the family was referred for ongoing case management services.

1/22/13-Report alleging Neglect screened in for assessment.

1/23/13-Report alleging Neglect screened in for assessment.

2/4/13-Report alleging Physical Abuse, Sexual Abuse and Neglect screened in for assessment. Initial Assessment for these reports was completed and approved on 3/5/13. The children were removed from the home and the case remains open for ongoing case management services.

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 reported allegations. The agency substantiated neglect of the child by the parents, sexual abuse of the older half-sister by the child's father, physical abuse of the child's older half-brother by the child's father, and neglect of the child's two older half siblings by the mother. All four children were taken into custody and placed into foster care. An out of state relative expressed interest in placement of the children and a foster care licensing study was requested through the Interstate Compact on the Placement of Children (ICPC). Petitions alleging all four children are in need of protection or services were filed in juvenile court. On 3/19/13, the agency received a report with additional information regarding previous incidents of violence within the home. The agency screened out the report with the information to be used in ongoing case management.

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 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 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 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 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 an on-site review in case # 121122DSP-Dane-295.

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.

The agency must submit an electronic copy of the completed 90-Day Summary Report to Tara.Muender@wisconsin.gov