

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: 130122DSP-Keno-289 **Agency:** Kenosha County Department of Human Services

Child Information (at time of incident)

Age: 1 Year Gender: Female Male

Race or Ethnicity: Hispanic

Special Needs: Downs Syndrome and was born with an underdeveloped rectum

Date of Incident: January 24, 2013

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

On January 24, 2013, the agency received a report regarding a one-year-old child who presented at the hospital with multiple fractures. The child is under legal guardianship of the maternal grandfather. The grandfather allowed the child to visit overnight with the child's mother and alleged father. The child was in the care of the mother and alleged father when the incident occurred. The mother reported that on January 23, 2013, she noticed the child's leg appeared swollen. The mother contacted the maternal grandfather, who came to the home and saw the swelling. The maternal grandfather contacted the child's physician and an appointment was scheduled for the next day. Medical personnel determined the child had six fractures; multiple fractures to both legs and one fracture to his upper right arm. Medical personnel reported the injuries were non-accidental in nature and in different stages of healing. Law enforcement was contacted to investigate the cause of the injuries. The mother, alleged father, and maternal grandfather initially reported no knowledge of how the injuries occurred. The mother later admitted becoming frustrated with the child and causing the injuries. The mother explained that she grabbed the child by the ankles and twisted his legs until hearing the noise of his leg breaking. The mother stated that swelling occurred shortly after this incident. The mother also admitted she did this to the child in the past when frustrated.

The mother was criminally charged with one count of Child Abuse-Intentionally Cause Great Bodily 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 Initial Assessment completed by the agency found a preponderance of the evidence to substantiate maltreatment of physical abuse to the child by mother. Medical personnel confirmed the child sustained six fractures to his arms and legs in various stages of healing. The mother admitted to becoming frustrated with the child and twisting the child's limbs on more than one occasion which caused the injuries. The child was determined unsafe and was placed 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.

Yes No Criminal investigation pending or completed?

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

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 resided with the maternal grandfather and the grandfather's significant other. The maternal grandfather has legal guardianship of the child. The child would visit the mother and alleged father one to two nights per week.

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 May 25, 2011, the agency screened-out a CPS Report alleging the juvenile mother was pregnant by a 20-year-old male. The report was referred to law enforcement.

On December 8, 2011, the agency screened-in a CPS Report alleging neglect to the child by the mother. The allegation of neglect was unsubstantiated and the maternal grandfather obtained legal guardianship of the child.

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 collaborated with law enforcement and medical personnel to complete the assessment. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate maltreatment of physical abuse to the child by mother. Medical personnel confirmed the child sustained six fractures to his arms and legs in various stages of healing. The mother admitted to becoming frustrated with the child and twisting the child's limbs on more than one occasion which caused the injuries. The child was determined unsafe and was placed 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 checked="" 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. The DSP did not identify practice issues during the review of the incident.

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

N/A

- 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. After consulting with the DA's Office Office, DSP did determine that releasing the summary report would jeopardize an ongoing criminal investigation, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.