

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: 130409DSP-Sheb-312 **Agency:** Sheboygan County Health and Human Services Department

Child Information (at time of incident)

Age: 6 (F), 8 (F), 10 (F), 12 (F), and 14 (M) years Gender: Female Male
Race or Ethnicity: White
Special Needs: 10 year old is diagnosed with a seizure disorder

Date of Incident: April 9, 2013

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

On April 9, 2013, the agency received a report alleging physical abuse to five children, ages six through 14 years, by their father. Law enforcement was called to investigate an allegation concerning alleged threats to the 12-year-old's safety by the father. The father reportedly picked up a gun and told the child, "You should be in pain if I am in pain, you should die if I am going to die." The father allegedly threatened to kill the child and the rest of the family if the child disclosed. In addition, the report disclosed prior incidents of physical abuse by the father to the child and the child's four siblings. Specific events involving cruel, dangerous or humiliating treatment of the children by the father were alleged. Long-term domestic violence in the home was described, including numerous occasions when the father threatened the mother with a gun.

As a result of law enforcement's investigation, the father was criminally charged with the following felonies: one count of Child Abuse-Intentionally Cause Great Harm (E); two counts of Child Abuse-Intentionally Cause Harm (H); five counts of Causing Mental Harm to Child (F); one count of Strangulation and Suffocation (H); one count of Intimidate Victim/Threaten Force (G) with Domestic Abuse modifier; one count of 1st-Degree Recklessly Endangering Safety (F) with Domestic Abuse modifier; two counts of 2nd-Degree Recklessly Endangering Safety (G), one with Domestic Abuse modifier; and one count of Possession of a Short-barreled Shotgun/Rifle (H).

The father was found guilty of one count of Possess Short-barreled Shotgun/Rifle, two counts of 2nd Degree Recklessly Endangering Safety, five counts of Causing Mental Harm to Child, one count of Child Abuse-Intentionally Cause Great Harm, one count of Intimidate Victim/Threaten Force, two counts of Child Abuse-Intentionally Cause Harm, one count of Strangulation and Suffocation, and one count of 1st Degree Recklessly Endangering Safety.

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 physical abuse by the father to the 14-year-old, 12-year-old, 10-year-old and six-year-old children. Based on the information gathered, physical abuse by the father to the eight-year-old child was unsubstantiated. Interviews conducted by the agency and law enforcement revealed the three oldest children and the youngest child suffered multiple non-accidental injuries caused by the father over several years. The agency determined all five children as unsafe and took Temporary Physical Custody and placed them with the mother. The agency filed Child in Need of Protection or Services petitions in juvenile court and the case was opened for on-going 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):

The five children resided at home with the mother and father at the time of the incident. The children are ages six, eight, 10, 12 and 14 years old.

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 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 06/15/2006, the agency screened in a CPS Report alleging neglect by the father to the middle child when she was four years old (now age 10). An assessment was completed, and the allegation was unsubstantiated. No service needs were identified and the agency closed the case.

On 02/01/2008, the agency screened in a CPS Report alleging physical abuse to all five children by the father. The children were ages one, three, five, seven and nine years old at the time. An assessment was completed, and the allegations were unsubstantiated. No service needs were identified and the agency closed the case.

On 03/23/2012, the agency screened in a CPS Report alleging physical abuse to the middle child (then age nine years) by the father. The agency completed an assessment, and the allegation was unsubstantiated. The family declined any referrals to 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 screened in and assessed the allegations of physical abuse to all five children. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate physical abuse by the father to the 14-year-old, 12-year-old, 10-year-old and six-year-old children. Based on the information gathered, physical abuse by the father to the 8-year-old child was unsubstantiated. Interviews conducted with the children by the agency and law enforcement revealed the three oldest children and the youngest child suffered multiple, non-accidental injuries caused by the father over several years. The agency determined all five children as unsafe and took Temporary Physical Custody and placed them with the mother. The agency filed Child in Need of Protection or Services petitions in juvenile court and the case was opened for ongoing case management services. The agency referred the family to community resources for counseling. The children continue to reside with the mother. The father remains incarcerated and is court-ordered to have no contact with any of the children or the family's residence.

On August 13, 2013, the agency received a new report alleging sexual abuse by the father, which was screened in by the agency. Additional interviews conducted by law enforcement revealed past sexual abuse to the second oldest child by the father. An Initial Assessment was completed by the agency and a preponderance of the evidence existed to substantiate the allegation against the father. The agency continues to provide the family with on-going 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 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 type="checkbox"/> Supervised visitation |
| <input 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 will conduct an on-site review in case #130409DSP-Sheb-312.

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

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.