

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: 130411DSP-Milw-310 **Agency:** Bureau of Milwaukee Child Welfare

Child Information (at time of incident)

5 year old girl, two 4

Age: year old boys Gender: Female Male

Race or Ethnicity: American Indian /Caucasian-Hispanic

Special Needs: One 4 year old diagnosed with mild spastic cerebral palsy and developmental delay, and the other 4 year old diagnosed with Autism and a seizure disorder

Date of Incident: April 11, 2013

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

On April 12, 2013, the agency received a report regarding three children found deceased in a home which had been on fire. The fire reportedly burned for approximately 45 minutes before firefighters could enter the home. They found the 5-year-old girl and two 4-year-old boys deceased in an upstairs bedroom and it appeared the door was dead bolted. The children's youngest half-brother was not home at the time of the fire and was with his father. The mother arrived home from work approximately an hour later. The mother gave varying explanations, but eventually admitted to leaving the children alone at home while she went to work. She stated that she had attempted to find someone to watch her children, but was unable to do so. In order to report to work, she locked them in a bedroom and left the home. As a result of law enforcement's investigation, the mother was criminally charged with three felony counts of Neglecting a Child (Consequence is Death). 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 the allegations of neglect to the three oldest children by the mother. The mother left the three oldest children home alone and unsupervised when she went to work. A fire started in the home while the mother was gone and the children perished in the fire. Information from law enforcement indicated the fire appears to have started in the kitchen below the bedroom where the three oldest children were located. The surviving youngest half-brother was taken into temporary physical custody by the agency and placed with a relative. The agency filed a Child in Need of Protection or Services petition in children's court and is providing ongoing case management services to the family.

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 children lived with their mother and 17-month-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:

At the time of the incident, the case was open with Intensive in Home Services; the family had been receiving these services since January 2013. The worker had contact with the family at the home on April 9, 2013.

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.)

On 6/04/12, the agency screened in and assessed a report alleging neglect to the then 4-year-old girl and the then 3-year-old twin boys. The family worked voluntarily with Intensive in Home Services until September 2012. The agency closed the case as outcomes were achieved.

On 12/27/12, the agency screened in and assessed a report alleging neglect to the one-year-old half-brother. The neglect report was not substantiated. There were concerns regarding the mother's ability to meet her children's special needs, so the family was referred to Intensive In Home Services, and the agency filed a non-emergency Child in Need of Protection or Services (CHIPS) petition. The District Attorney's Office did not proceed with the petition due to the neglect allegation being unsubstantiated and based on the mother's willingness to work with services.

On 3/13/13, the agency screened in, assessed and substantiated a report alleging neglect to the then one-year-old half-brother and then 4-year-old boys by the mother. The case was open with the agency as the family was working with Intensive In Home Services at the time of the report. The assigned worker was made aware of the incident and the family continued to work with services. A second nonemergency CHIPS petition was filed by the agency in the children's court.

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 9/20/11, the agency screened in a report alleging neglect to the then 4-year-old and 2-year-old twins. Neglect was unsubstantiated. The agency referred the family to community resources and closed the case.

On 12/14/11, the agency screened in a report alleging physical abuse and neglect to the then 4-year-old, 3-year-old twins, and 6-month-old baby. Neglect and physical abuse were unsubstantiated. The agency provided the family with community resources and closed the case on February 3, 2012.

On 12/14/11, the agency screened out a report.

On 1/17/12, the agency screened out a report.

On 1/23/12, the agency screened out a report. The case was already open for assessment of the 12/14/11 report so the assigned worker was made aware of the allegation.

On 3/1/12, the agency screened out a report.

On 6/04/12, the agency screened in and assessed a report alleging neglect to the then 4-year-old girl and 3-year-old twins. The family worked voluntarily with Intensive in Home Services until September 2012. The agency closed the case as outcomes were achieved.

On 12/27/12, the agency screened in and assessed a report alleging neglect to the then one-year-old half-brother. The neglect report was not substantiated. There were concerns regarding the mother's ability to meet her children's special needs so the family was referred to Intensive In Home Services, and the agency filed a non-emergency Child in Need of Protection or Services (CHIPS) petition with the children's court. The District Attorney's Office did not proceed with the petition due to the allegation being unsubstantiated and based on the mother's willingness to work with services.

On 3/13/13, the agency screened in, assessed and substantiated a report alleging neglect to the then one-year-old half-brother and 4-year-old boys by the mother. The case was open with the agency as the family was working with Intensive In Home Services at the time of the report. The assigned worker was made aware of the incident and the family continued to work with services. A second nonemergency CHIPS petition was filed by the agency in the children's court.

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, assessed, and substantiated the allegations of neglect to the 5-year-old girl and 4-year-old boys by the mother. The mother left her children unsupervised at home when she went to work. A fire started in the home while

the mother was at work and the children at home at the time perished in the fire. The surviving younger half-sibling was taken into temporary physical custody by the agency and placed with a relative. The younger half-sibling has contact and visitation with his father. The case remains open and the family is currently receiving 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 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 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 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 Bureau of Performance Management (BPM) completed an onsite review in case # 130411DSP-Milw-310. The report found: The access reports were not in compliance with the Wisconsin Child Protective Services Access and Initial Assessment Standards in the areas of screening decisions and identification of impending danger threats; the initial assessments were not in compliance with the Wisconsin Child Protective Services Access and Initial Assessment Standards in the areas of timeframe for response, required interview contacts, review of child protective services history, substantiation decision and sufficiency of information gathered and the CPS Safety Intervention Standards in the area of safety assessment, analysis and planning; and the ongoing services were not in compliance with the Wisconsin Child Protective Services Standards in the areas of reporting a new referral to Access and the CPS Safety Intervention Standards in the area of safety assessment, analysis and planning.

The following actions have taken place that address issues identified in the review. In June 2013 the Bureau of Milwaukee Child Welfare (BMCW) completed the redesign process of the Intensive In-Home Services (IIHS) program which was initiated in July 2012. The revised IIHS program was implemented starting July 1, 2013.

BMCW supervisors participated in reviewing the Wisconsin Child Protective Services Access and Initial Assessment Standards and Safety Intervention Standards related to gathering and analyzing information, identifying present and impending danger threats, collateral contacts and response time for initial face to face contact.

The BMCW and CSSW have enhanced their quality assurance plans to review cases to ensure that there is quality information collection, analysis, identification of threats and safety plans.

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

All BMCW child protective services staff, including state staff and contracted agency staff, will be further trained in developing

safety plans for families where children have been deemed to be unsafe but can be maintained safely in their homes with intensive in-home services.

All BMCW supervisors and managers will successfully participate in a Supervising Safety Decision Making seminar, a curriculum developed by ACTION for Child Protection.

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