

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: 130707DSP-Milw-341 **Agency:** Bureau of Milwaukee Child Welfare and Marathon County Department of Social Services

Child Information (at time of incident)

Age: 3 months Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: None known

Date of Incident: July 7, 2013

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

On July 7, 2013, the Bureau of Milwaukee Child Welfare (BMCW) received a report regarding a three-month-old infant pronounced deceased in his home. The mother reported she attempted to feed the infant early that morning. She placed the infant in her arms and fell asleep; when she awoke, an hour later, the infant was unresponsive. She stated she attempted CPR and blood came from the infant's nose. The paramedics were unable to revive the infant and he was pronounced deceased. Law enforcement initiated an investigation into the infant's unexplained death. No criminal charges were filed but the investigation remained open due to toxicology results still pending.

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

The BMCW collaborated with law enforcement and medical personnel to complete the assessment. Based on information gathered for BMCW's Initial Assessment, insufficient evidence existed to substantiate neglect to the infant by the mother. Medical professionals stated the infant did not show any signs of trauma or maltreatment. The Medical Examiner's office ruled the case a Sudden Infant Death, pending receipt of toxicology results. The mother has five other children in the care of their maternal grandmother at the time of the incident, through a family-arranged plan.

- Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom?

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:

The infant was residing with his mother at the time of the incident. The infant has five siblings who are residing with a maternal grandmother through a family-arranged plan.

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 infant resided with his mother and had five siblings who were residing with their maternal grandmother.

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:

BMCW was providing courtesy on-going case management services at the request of Marathon County Department of Social Services, the mother's prior county of residence at the time of the incident. The last face-to-face contact by BMCW's assigned worker with the mother and child occurred at a home visit on July 1, 2013, and in a follow-up telephone call the same day. On June 28, 2013, Marathon County Department of Social Services, the mother's prior county of residence, requested the BMCW conduct the home visit due to concerns the mother had missed required counseling sessions the prior two days.

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 4/02/2009, Marathon County Department of Social Services screened in a Services Report requesting services for the family. The agency provided the mother with community resources. The agency closed the case after the mother stopped responding to agency attempts to refer for services.

On 10/12/2009, Marathon County Department of Social Services screened in a Services Report and referred the family to the local Community Response Program for services.

In March 2011, petitions were filed in juvenile court by Marathon County Department of Social Services alleging the infant's three older sisters were Children in Need of Protection or Services. Marathon County Department of Social Services opened the case for on-going case management services under a consent decree order from April 2011 until December 2011, at which time the agency closed the case.

In October 2012, Marathon County Department of Social Services filed a petition for Protection or Care of an Unborn Child in juvenile court in the mother's original county of residence. The petition requested emergency custody and placement of the adult expectant mother due to her use of heroin while pregnant with the infant. The mother was found to be in the jurisdiction of the court and was ordered to reside in an inpatient treatment facility (located in Milwaukee County, the county where the infant's death occurred). The agency opened the case for on-going case management services. In February 2013, the unborn child was found in need of protection or services by the court. The mother's anticipated due date was April of 2013 and the duration of the court order was six months or until further order of the court. In late March 2013, Marathon County Department of Social Services requested courtesy on-going case management services by the agency for the family. The BMCW started providing these services in early April 2013, and there had been no safety concerns noted regarding the mother's care of the infant.

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 3/16/2004, Marathon County Department of Social Services screened out a CPS Report.

On 2/27/2007, Marathon County Department of Social Services screened out a CPS Report.

On 8/12/2008, Marathon County Department of Social Services screened out a CPS Report.

On 11/07/2008, Marathon County Department of Social Services screened in a CPS Report alleging sexual abuse to one of the infant's older siblings by a relative. An assessment was completed and sexual abuse was unsubstantiated. The agency referred the family to community resources and closed the case.

On 4/02/2009, Marathon County Department of Social Services screened in a Services Report requesting services for the family. The agency provided the mother with community resources. The agency closed the case after the mother stopped responding to agency attempts to refer for services.

On 10/12/2009, Marathon County Department of Social Services screened in a Services Report and referred the family to the local Community Response Program for services.

On 11/10/2009, Marathon County Department of Social Services screened out a CPS Report.

On 10/19/2010, Marathon County Department of Social Services screened out two CPS Reports.

On 11/23/2010, Marathon County Department of Social Services screened in a CPS Report alleging neglect to the infant's five older siblings by the mother. An assessment was completed and neglect was unsubstantiated. The family was referred to community resources and the agency closed the case.

On 11/30/2010, Marathon County Department of Social Services screened out a Services Report.

On 12/17/2010, Marathon County Department of Social Services screened in a CPS Report alleging neglect to the infant's three older sisters by the mother. An assessment was completed and neglect was unsubstantiated. The family was referred to community resources and the agency closed the case.

On 12/27/2010, Marathon County Department of Social Services screened out a CPS Report.

On 2/25/2011, Marathon County Department of Social Services screened out a CPS Report.

On 3/11/2011, Marathon County Department of Social Services screened in a CPS Report alleging neglect to the two youngest older sisters of the infant by the mother. During the course of the agency's assessment for this report, the agency received a new CPS Report on 3/15/2011, alleging physical abuse to the youngest older sister of the infant by the mother. The agency screened in the new CPS Report and completed an assessment pertaining to both reports. Neglect to the

youngest older sister by the mother was substantiated. The allegation of neglect to the next oldest sister and the allegation of physical abuse to the youngest sister were unsubstantiated. The agency determined the three older sisters unsafe in the mother's care (the infant's two older brothers were not residing with the mother at the time). Petitions were filed in juvenile court alleging the three older sisters were Children in Need of Protection or Services, and the agency opened the case for ongoing case management services.

On 6/29/2011, Marathon County Department of Social Services screened in a CPS Report alleging sexual abuse to an older sibling of the infant by a relative. An assessment was completed and sexual abuse was unsubstantiated. The mother was assessed as willing and able to protect her children. The case remained open and the family continued to receive ongoing case management services.

On 9/16/2011, Marathon County Department of Social Services screened out a CPS Report.

On 10/03/2011, Marathon County Department of Social Services screened in a CPS Report alleging neglect of the second youngest oldest sister of the infant by the mother. An Alternative Response Assessment was completed and the agency determined the infant's five older siblings safe in the mother's care. The case remained open and the agency continued providing the family with ongoing case management services.

On 11/16/2011, Marathon County Department of Social Services screened out a CPS Report.

On 1/05/2012, Marathon County Department of Social Services screened in a CPS Report alleging neglect to the three older sisters of the infant by the mother. The other agency completed an Alternative Response Assessment. The children were determined safe in the care of a relative.

On 1/10/2012, Marathon County Department of Social Services screened out a CPS Report.

On 4/5/2012, Marathon County Department of Social Services screened in a CPS Report alleging unborn child abuse by the mother. An assessment was completed and the allegation was unsubstantiated. The mother's pregnancy miscarried and she did not have the five older children in her care as they were residing with other relatives. The mother did not respond to later attempts by the agency to refer her to services and closed the case.

On 5/1/2012, Marathon County Department of Social Services screened out a CPS Report.

On 5/25/2012, Marathon County Department of Social Services screened out a CPS Report.

On 8/2/2012, Marathon County Department of Social Services screened in a CPS Report alleging neglect to the infant's two youngest half-sisters by the mother. An Alternative Response Assessment was completed. The children were determined safe in the care of a relative. The agency referred the relative caregiver to community resources and closed the case.

On 10/24/2012, Marathon County Department of Social Services screened in a CPS Report alleging unborn child abuse during the mother's pregnancy with the infant. An assessment was completed and the allegation of unborn child abuse to the infant by the mother was substantiated. An Unborn Child in Need of Protection or Services petition was filed in juvenile court in the mother's original county of residence due to her use of heroin while pregnant with the infant.

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. Based on information gathered for the agency's Initial Assessment, there was insufficient evidence to substantiate neglect to the infant by the mother. Medical professionals stated the infant did not show any signs of trauma or maltreatment. The Medical Examiner's office indicated a preliminary finding of Sudden Infant Death, pending receipt of toxicology results.

On July 8, 2013, the agency screened out a second CPS Report regarding the infant's death, as this information was already screened in for assessment. On July 24, 2013, the agency screened in a new report alleging neglect by the mother to the deceased infant's four-year-old sister. An assessment was completed and the allegation of neglect was unsubstantiated. The agency determined the four-year-old safe in the mother's care. The family continued to access services in the community, so the agency closed the case.

B. Children residing in out-of-home care (OHC) placement at time of incident:

N/A

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 type="checkbox"/> Temporary physical custody of child | <input checked="" type="checkbox"/> Collaboration with medical professionals |
| <input 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 type="checkbox"/> Case remains open for services |
| <input type="checkbox"/> Placement with relatives | <input checked="" type="checkbox"/> Case closed by agency |
| <input 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 found: CPS Report dated July 7, 2013 and July 24, 2013 were screened within 24 hours as required by statute and standards. The July 7, 2013 Initial Assessment pertaining to the infant’s death and the subsequent Initial Assessment dated July 24, 2013, do not contain sufficient information regarding the mother’s five older children. The documentation does not meet requirements for information that must be gathered and analyzed in Primary Assessment cases, according to Wisconsin’s Child Protective Services Access and Initial Assessment Standards. Specifically, the assessment does not show the worker fully determined the presence of any/all other children in the household.

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

The DSP will review state-wide policies and procedures pertaining to courtesy supervision and Primary and Secondary assignments for Initial Assessments.

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 RobertB.Williams@wisconsin.gov