

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: 130813DSP-Milw-355 **Agency:** Bureau of Milwaukee Child Welfare

Child Information (at time of incident)

Age: 7 months Gender: Female Male

Race or Ethnicity: African American

Special Needs: None known

Date of Incident: August 8, 2013

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

On August 13, 2013, the agency received a report regarding a seven-month-old infant admitted to the hospital with suspicious injuries. Law enforcement initiated a criminal investigation into circumstances leading to the infant's condition. The father told emergency responders the infant fell off the couch while the father was in another room. He reported finding the infant unresponsive on the floor when he returned 10 minutes later. The father said he was unable to revive the infant and called 911. Medical professionals determined the infant sustained severe traumatic brain injury occurring just prior to the infant's loss of consciousness and respiratory failure in the father's care. The child's head injury was not consistent with the father's explanation and considered highly diagnostic of physical abuse. Medical tests revealed older bleeding in the infant's brain from prior head trauma. Medical professionals determined the infant was brain dead as a result of his injuries. The infant died after removal from the ventilator. The father provided conflicting statements to law enforcement; law enforcement determined the father was the last person to have contact with the infant. The father was arrested and criminally charged with one Felony count of 1st-Degree Reckless Homicide and one Felony count of Neglecting a Child (Consequence is Death). The father was found not guilty at jury trial.

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 and neglect to the infant by the father. The father severely injured the infant then failed to seek medical attention for the infant in a timely manner. The child's head injury was not consistent with the father's explanation and considered highly diagnostic of physical abuse. The mother was assessed to be protective and unaware of threats to the infant's safety when the infant visited the father at his residence.

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):

At the time of the incident, the infant lived primarily with the mother and the infant's 12-year-old half-brother, his 10-year-old half-brother, and his eight-year-old half-sister. The infant's 17-year-old half-brother and 15-year-old half-sister live with their father, out of state. The infant's five-year-old half-brother was residing with his father, who shares physical placement of the half-brother with the mother.

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:

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 10/09/08, the agency screened out a CPS Report.

On 10/29/08, the agency screened in a CPS Report alleging physical abuse to the infant's five-year-old (now 10-year-old) half-brother. The agency completed an assessment, which found no indication of maltreatment. Physical abuse was unsubstantiated and the agency closed the case.

On 2/11/09, the agency screened out a CPS Report.

On 3/09/10, the agency screened in a CPS Report alleging sexual abuse of children in the home by another child's father. An assessment was completed and sexual abuse was unsubstantiated. The family was already accessing community resources, 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 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 physical abuse and neglect to the infant by the father. The father severely injured the infant then failed to seek medical attention for the infant in a timely manner. The child's head injury was not consistent with the father's explanation and considered highly diagnostic of physical abuse. The mother was assessed to be protective and unaware of threats to the infant's safety during the infant's visits with the father at his residence. The mother appeared protective and unaware the father posed a threat to the infant's safety. Based on information gathered during the assessment, the agency determined the infant's older half-siblings safe in the mother's care. The family was referred to community services and the agency closed the case.

B. Children residing in out-of-home care (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 or other actions that constitute 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 checked="" 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 type="checkbox"/> Petitioned for court order / CHIPS (child in need of protection or services) | <input checked="" 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 IF RECORD OR ON-SITE REVIEW WAS UNDERTAKEN:

Summary of policy or practice changes to address issues identified based on the record or on-site review of the incident:

N/A

Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues based on the record or on-site review:

N/A

Yes No Not Applicable This 90-day summary report completes the Division of Safety and Permanence (DSP) action on this case.

This 90-Day Summary Report was previously delayed. DSP did determine that releasing the summary report would jeopardize an ongoing criminal proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.