

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: 130906DSP-Burn-365 **Agency:** Burnett County Department of Health and Human Services

Child Information (at time of incident)

Twin males, ages 4
weeks and a 3 year old

Age: female Gender: Female Male

Race or Ethnicity: American Indian

Special Needs: None reported

Date of Incident: September 6, 2013

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

On September 7, 2013, the agency received a report of a car accident, which occurred on September 6, 2013, and three children were seriously injured. The mother was driving while intoxicated with a blood alcohol level of .242. The mother lost control of her vehicle and hit a tree. The twin four-week-old infants suffered head injuries. They were airlifted to the hospital and admitted to the pediatric Intensive Care Unit. The three-year-old female was taken to the hospital and was admitted and diagnosed with a concussion. The mother was charged with three counts of Cause Injury/OWI (Passenger<16 Years) and three counts of Cause Injury-Operating w/PAC-Passenger as well as Failure to Keep Vehicle Under Control and Operating a motor vehicle without insurance. The mother eventually pled guilty to one count of Cause Injury/OWI (Passenger<16 Years).

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 county agency found a preponderance of evidence to substantiate physical abuse to all three children, by the children's mother. The agency determined the children unsafe and took temporary physical custody and placed them with relatives. A Child in Need of Protection or Services petition was filed with juvenile court and the case was opened with the agency for on-going case management services. The children were returned to the care of their mother on October 7, 2013.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The children's 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 three children resided with their mother and maternal aunt. The children's father was not in the home at the time of the incident.

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.)

None

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.)

None

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 the children by the children’s mother. The Initial Assessment completed by the county agency found a preponderance of evidence to substantiate physical abuse to all three children, by the children’s mother. The agency determined the children unsafe and took temporary physical custody and placed them with relatives. A Child in Need of Protection or Services petition was filed with juvenile court and the case was opened with the agency for on-going case management services. The children were returned to the care of their mother on October 7, 2013.

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 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. The DSP completed an incident review in case #130906DSP-Burn-365. The review found: The Child Protective Services (CPS) report dated September 7, 2013 and the corresponding Initial Assessment and safety assessment were not completed in accordance with standards. In addition, the case transition process was not conducted according to standards.

The plan implemented by the county agency includes a review of the CPS Access, Initial Assessment, and On-going standards and discussions on safety assessment during regular intervals with employees who complete protective or safety plans within their scope of work.

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

None

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.