

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: 131018DSP-Fore-378 **Agency:** Forest County Department of Human Services

Child Information (at time of incident)

Age: 1 year old Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: None

Date of Incident: 10/18/2013

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

On October 18, 2013, the agency received a report regarding a one year old child presented at a hospital with a concussion. Medical personnel diagnosed the child's injuries as significant and the child was transported via helicopter to a hospital with a Trauma Unit. At the time of transport, the child's injuries included bruising on the left side of the head, above the eye, a bruise on the left eye (top), swelling in the left eye lid, bite marks and swelling to the bottom lip, and a light colored bruise on the right side of the neck. The child was considered in critical condition. Upon presentation at the Trauma Unit, medical personnel observed additional injuries not documented as observed at the hospital where the child was first presented. The child was observed to have a cast on his right leg and additional bruising to the face and shoulder. Furthermore, the Trauma Unit diagnosed the child with a right subdural bleed to the head, a spiral fracture of the left tibia, a fractured left femur, a skull fracture, and retinal hemorrhaging in both eyes. The Trauma Unit diagnosed the injuries as life threatening and determined the spiral fracture of the tibia and retinal hemorrhaging were signs of abuse, and occurred recently.

Law Enforcement initiated a joint investigation with the agency the same day. The mother reported she lives next door to her boyfriend who agreed to care for her child while she ran an errand. The mother reported bringing the child to the residence of the boyfriend at 7:30 a.m. where she fed and changed the child. At 9:00 a.m, she laid the sleeping child on a couch wrapped in a blanket for warmth. The mother reported she left the residence at 9:30 a.m. and returned to the residence of the boyfriend at 11:00 a.m. The mother stated she observed the boyfriend playing a video game and her child was upstairs sleeping, in a bedroom. The mother stated when she tried to wake the child, he would not wake up and she called 911.

The boyfriend was interviewed and stated the child rolled off of the couch in the blanket and, while picking the child up, he dropped the child to the floor from his chest level. The boyfriend stated he picked the child up again and placed the child on the couch but the child continued to cry. The boyfriend stated the child was crying 'like a little girl' so he grabbed the child by the left leg, jerked him off the couch, and threw him approximately 12-15 feet across the floor. The boyfriend stated the child hit the floor very hard, then hit a television stand and wall. The boyfriend stated he did not mean to hurt the child, but he threw the child before he knew what occurred. The boyfriend admitted to shaking the child to try to wake him up.

As a result of the criminal investigation the boyfriend was arrested and charged with Attempted First Degree Intentional Homicide, Child Abuse Intentionally Cause Bodily Harm, and Child Abuse and Neglect Consequence of Great Bodily Harm. The mother was arrested and charged with Child Abuse Fail or Prevent Bodily Harm, Child Abuse and Neglect of a Child with the Consequence of Great Bodily Harm, and Harboring and Aiding a Felon and providing False Information. 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 medical personnel and law enforcement to complete the assessment. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate physical abuse by the boyfriend to the child. The boyfriend admitting to pulling, jerking, shaking, and throwing the child across a room, causing the injuries to the child. Medical personnel confirmed the injuries sustained were life threatening and consistent with child abuse. The agency determined both children of the mother as unsafe, took temporary physical custody, and placed the children out of the home. A Child in Need of Protection or Services petition was filed and the case was opened with ongoing services for case management.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The mother and her boyfriend.

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 child resided with his mother and five year-old sibling. The noncustodial father to the child had regularly scheduled visitation.

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.)

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.)

N/A

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 medical personnel and law enforcement to complete the assessment. Based on information collected, the Initial Assessment completed by the agency found a preponderance of the evidence to substantiate physical abuse by the boyfriend to the child. The boyfriend admitting to pulling, jerking, shaking, and throwing the child across a room, causing the injuries to the child. Medical personnel confirmed the injuries sustained were life threatening and consistent with child abuse. The agency determined both children of the mother unsafe and took temporary physical custody, placing the children out of the home. A Child in Need of Protection or Services petition was filed and the case was opened with ongoing services for case management.

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 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 checked="" 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 type="checkbox"/> Initiated efforts to address or enhance community |

Ongoing Services case management

collaboration on CA/N cases

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 DSP will complete a records review in case # 131018DSP-Fore-378.

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.