

## 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:** 131030DSP-Rock-379      **Agency:** Rock County Department of Human Services

**Child Information** (at time of incident)

Age: 2 months old      Gender: Female   Male

Race or Ethnicity: White

Special Needs: None

**Date of Incident:** 10/30/2013

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

On October 30, 2013, the agency received a report regarding the unexplained death of a two month old infant. Paramedics arrived at the residence of the infant and found her with cool skin and in asystole. CPR was started immediately and the infant was transported via ambulance to the hospital where she was pronounced deceased. Law Enforcement initiated a joint investigation with the agency the same day.

The boyfriend of the infant's mother reported he arrived at the residence, from work, with a friend, at approximately 10:30 p.m. on October 29, 2013. The boyfriend stated he and the friend ate dinner and the friend left the residence at approximately 11:00 p.m. The boyfriend reported he sat down in the recliner chair and fed the infant a four ounce bottle, burped her, and she fell asleep in his arms. The boyfriend reported the mother of the infant approached him and stated that he was falling asleep and needed to place the infant in her crib. The boyfriend admitted he ignored the infant's mother and fell asleep, in the chair, with the infant in his arms. The boyfriend reported he awoke to a shout from the mother, looked down at the infant, and observed redness on her face and eyes. The boyfriend stated he could not recall where his arm was or where the infant was lying when he awoke. The boyfriend reported he got up placed the infant in her bassinet and proceeding to wipe the infant's face with a baby wipe. The boyfriend reported he observed blood coming from the infant's nose and he directed the mother to call 911 and he began to perform CPR. The boyfriend denied intentionally harming the infant.

The mother reported that on October 29, 2013, she and her infant were home alone and her boyfriend arrived home from work at approximately 10:30 p.m. The mother reported the infant was fine and at 11:00 p.m. the infant had a bowel movement and was smiling while the boyfriend held her and fed her a bottle. The mother reported having a migraine headache, taking medication, and lying on the loveseat next to the boyfriend and the infant. The mother stated she advised the boyfriend to place the infant in her bassinet before he fell asleep but she also fell asleep. The mother reported that on October 30, 2013, at 4:00 a.m. she woke-up and found the boyfriend asleep in the chair. The mother also observed the infant with blood on her face from her eyes and nose. The mother stated she woke up the boyfriend and tried to administer CPR but there was too much blood. The mother stated she called 911 while the boyfriend administered CPR. The mother denied any intentional harm to the infant.

The Medical Examiner's preliminary report found no signs of trauma to the infant and the preliminary cause of death was listed as a result of asphyxia by occlusion of the mouth and nose and compression of the neck and chest.

No criminal charges were filed in this case and the investigation remains open.

**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. Based on information gathered, the Initial Assessment completed by the agency had insufficient evidence to substantiate the maltreatment of neglect to the infant by the mother or the mother's boyfriend. The medical examiner's report concluded the infant died as a result of asphyxia by occlusion of the mouth and nose and compression of the neck and chest. The joint investigation reenactment found the infant's head, neck, and torso were compressed by the boyfriend's arm after they both fell asleep in a chair recliner. Toxicology testing, virology testing, and cerebrospinal fluid cultures did not reveal any pathology caused the death. This information combined with the joint investigation provides the manner of death was accidental.

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:**

**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 resided with her mother and the mother's boyfriend. The legal father's status to the infant was pending DNA results.

**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:**

On September 3, 2013, the agency received a CPS report with allegations of threatened physical abuse and neglect towards the infant by the mother and the mother's boyfriend. The report specified concerns the mother was using marijuana while breast feeding the infant. The report also stated concerns related to the mother's prior CPS history with another child who was removed from her care in 2012. The report was screened-in and assigned for an Initial Assessment on September 4, 2013. The agency had contact with the infant, the mother, and the boyfriend of the mother on September 6, 2013. Services were offered by the agency but refused by the mother and the boyfriend.

**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 May 10, 2012, the agency received a CPS report with allegations of physical abuse involving a four year old child. The report listed the alleged maltreater as the mother of the child. The report was screened-in for an Initial Assessment, which found a preponderance of the evidence to substantiate maltreatment of abuse to the child by the mother. The child was assessed unsafe and temporary physical custody was taken of the child. The child was placed in out-of-home care with a relative and a Child in Need of Protection or Services was filed and granted. On-Going Services were opened for case management purposes. Guardianship was granted to a relative and the child remains with that relative and the on-going case was closed on October 15, 2012.

**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 9/10/2008, the agency screened in a CPS Report alleging neglect to the infant's older half-brother (then age four months) by the mother and the half-brother's father. An assessment was completed which determined the infant's half-brother safe. The allegation of neglect was unsubstantiated. The family was referred to community services which the father accepted but the mother declined, and the agency closed the case.

On 12/3/2008, the agency screened out a CPS Report. A Services Report was screened in based on the CPS Report. The agency offered the family referrals to services but the mother declined and the agency closed the case.

On 5/3/2012, the agency screened in a CPS Report alleging neglect by the mother as well as physical abuse by the mother's boyfriend to the infant's older half-brother (then four years old). An assessment was completed pertaining to this report as well as the report received on 5/10/2012 (see details below). The allegations of neglect and physical abuse were unsubstantiated for this report.

On 5/10/2012, the agency screened in a CPS Report alleging physical abuse to the infant's older half-brother by the mother. An assessment was completed pertaining to this report as well as the report received on 5/3/2012. Physical abuse to the infant's half-brother by the mother was substantiated for this report. The agency determined the half-brother unsafe, so he was taken into temporary physical custody and placed in out-of-home care. A Child in Need of Protection or Services

petition was filed in juvenile court and the case was opened for ongoing services.

On 9/3/2013, the agency screened in a CPS Report alleging neglect and physical abuse to the newborn infant by the mother. At the time of the incident, an assessment of this report by the agency was nearly complete but still pending. The assessment found no unsafe conditions but identified service needs for the family. The agency provided the family with referrals to community resources. Upon completion of this assessment, the allegations of neglect and physical abuse were unsubstantiated.

**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 gathered, the Initial Assessment completed by the agency has insufficient evidence to substantiate the maltreatment of neglect to the infant by the mother or the mother’s boyfriend. The medical examiner’s report concluded the infant died as a result of asphyxia by occlusion of the mouth and nose and compression of the neck and chest. The joint investigation reenactment found the infant’s head, neck, and torso was compressed by her father’s arm after they both fell asleep in a chair recliner. Toxicology testing, virology testing, and cerebrospinal fluid cultures did not reveal any pathology caused the death. This information, combined with the joint investigation, provides the manner of death was accidental. The family was given contact information for community services and an offer of any other services from the agency.

**B. Children residing in out-of-home (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.

**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. In accordance with the DCF memo Series 2010-13, dated December 7, 2010 pertaining to the Child Welfare Case Review Protocol, the DSP completed a records review in case # 131030DSP-Rock-379. The DSP did not identify practice issues in the review of this incident.

**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.

The agency must submit an electronic copy of the completed 90-Day Summary Report to: [RobertB.Williams@wisconsin.gov](mailto:RobertB.Williams@wisconsin.gov)