

## 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:** 131225DSP-Rock-417      **Agency:** Rock County Department of Human Services

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

Age: 1 year      Gender:  Female    Male

Race or Ethnicity: White/Caucasian

Special Needs: None

**Date of Incident:** 12/25/2013

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

On February 11, 2014, the agency received a report pertaining to an unexplained death of a child. On December 26, 2013, paramedics responded to a home where it was reported a one year child was not breathing. Paramedics transported the child via ambulance to a local hospital where the child was later pronounced deceased.

Law Enforcement and medical personnel initiated an investigation on December 26, 2013. Medical personnel provided information when the child arrived at the hospital that the child showed no outward signs of trauma to indicate a cause of death. Law Enforcement observed discoloration on the child's forehead, purple discoloration on the left cheek, and blood present around the child's mouth. An autopsy was performed on December 27, 2013, with a cause of death not determined pending toxicology reports. Later, toxicology reports determined the child positive for Methadone in blood and urine. The blood results of the child showed levels of 276 ng/mL, a lethal dose. The agency initiated a joint investigation with law enforcement the same day of the CPS Report.

The mother of the child reported the father of the child dropped off the child for a visit at approximately 6:00 p.m. on December 25, 2013. The child appeared healthy and normal with no indications of any abnormalities. The mother reported putting the child to bed at approximately 8:30 p.m. The mother stated on December 25, 2013, she gave a piece of a Methadone pill (10 mgs) to the child to aid her in sleeping. The mother reported she used Methadone obtained from relatives or friends as well as prescription pain medication. The mother admitted she has no prescription for Methadone or pain medication from a physician. The mother reported the child slept through the night and she checked on the child on December 26, 2013, at 9:30 a.m. and found the child on her left side with her head facing down and she observed the child was not breathing. The mother stated she picked up the child and the child's skin was cool to the touch and there was a small stain on the mattress where the child's face had rested. The mother stated she ran into another room where another adult was sleeping and gave the child to the adult while she called 911. The mother stated the other adult started CPR until the paramedics arrived.

The father of the child was interviewed and reported he provided care for the child from December 23, 2013, until December 25, 2013, and the child sustained no injuries and denied the child was injured while in his care.

The mother was arrested, taken into custody, and charged with 1st Reckless Homicide/Administer Drugs. 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 evidence to substantiate maltreatment of physical abuse to the child by the mother. The Initial Assessment completed by the agency found insufficient evidence to substantiate maltreatment of neglect to the other two children in the home by the mother. The agency deemed the two other children in the home unsafe and temporary physical custody was taken. Both children were placed in out-of-home care and a Child in Need of Protection or Services petition was filed. A case was opened for services with ongoing case management.

Yes    No   Criminal investigation pending or completed?

Yes    No   Criminal charges filed? If yes, against whom? The 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 family consisted of the mother and her three young children (ages 5, 4, and 1). The family was homeless and residing with the four-year-old child's father for the one night, December 25, 2013. The father of the deceased infant had regularly scheduled visitation. The father of the five-year-old child had infrequent contact with his child.

**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. The Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of physical abuse to the child by the mother. The Initial Assessment completed by the agency found insufficient evidence to substantiate maltreatment of neglect to the other two children in the home by the mother. The agency deemed the two other children in the home unsafe and temporary physical custody was taken. Both children were placed in out-of-home care and a Child in Need of Protection or Services petition was filed. A case was opened for services with ongoing 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 checked="" type="checkbox"/> Referral to services   |
| <input checked="" type="checkbox"/> Initial assessment conducted   | <input type="checkbox"/> Transportation assistance   |
| <input checked="" 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 checked="" type="checkbox"/> Placement into foster home   | <input checked="" type="checkbox"/> Case remains open for services                                     |
| <input 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 |

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 did not identify practice issues during the review of the 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.

This 90-Day Summary Report was previously delayed. After consulting with the DA's Office, 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.