

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: 140312DSP-Milw-429 **Agency:** Bureau of Milwaukee Child Welfare

Child Information (at time of incident)

Age: 2 Months Gender: Female Male

Race or Ethnicity: Black/African American, African American/Black

Special Needs: None Known

Date of Incident: 03/12/2014

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

On March 10, 2014, the agency received a referral regarding a two-month-old infant who had been admitted to the hospital with suspicious injuries. The infant was diagnosed with a torn frenulum, fractured ribs, and fractures to both legs, all of which were highly indicative of physical abuse. The mother initially gave multiple explanations of how the infant received the injuries. After she was arrested, the mother admitted that she had left the infant and the infant's two-year-old brother alone with the infant's alleged (two year-olds adjudicated) father on March 6th. When she returned to the father's home later that day, the infant's mouth was bleeding and the alleged father denied knowing how it occurred. The mother did not seek medical attention for the infant until March 10th. The child's alleged father was also arrested.

As a result of law enforcements investigation, the mother was charged with a Felony count of Neglecting a Child (Consequence is Great Bodily Harm). The alleged father was charged with two Felony counts of Child Abuse - Intentionally Cause Great Bodily Harm, a Felony count of Child Abuse - High Probability/Great Harm, a Felony count of Neglecting a Child (Consequence is Great Bodily Harm), a Felony count of Battery - Intend Bodily Harm, and two Misdemeanor counts of Battery. The father was convicted of one felony count of Child Abuse-Recklessly Cause Great Harm (Wisconsin Statutes 948.03(3)(a) and one felony count of Child Abuse-High Probability of Great Harm (Wisconsin Statutes 948.03(2)(c)). The mother was convicted of a misdemeanor count of Neglecting a Child (Wisconsin Statutes 948.21(1)(a)).

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 baby received significant injuries while in the alleged father's care. The Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of physical abuse to the two-month old by the alleged father. A preponderance of evidence was also found to substantiate neglect by the mother to both children. The mother knowingly left her children in the care of an individual she knew to be unsafe. Additionally, the mother knew the baby was injured and failed to immediately seek medical attention. Both children were deemed unsafe and taken into temporary physical custody and placed in out-of-home care. The family is currently receiving Ongoing Case Management Services.

Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom? The mother and alleged 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 with her mother and two-year-old brother.

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.)

On 7/22/13 the agency screened out a CPS report.

On 7/8/13 the agency screened in a CPS report referral alleging physical abuse to the 1-year-old (now 2-year-old) by the child's adjudicated father. The Initial Assessment completed by the agency found insufficient evidence to substantiate physical abuse by the father. The child was assessed as safe and the case was closed.

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 baby received significant injuries while in the alleged father's care. The Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of physical abuse to the two-month old by the alleged father. A preponderance of evidence was also found to substantiate neglect by the mother to both children. The mother knowingly left her children in the care of an individual she knew to be unsafe. Additionally, the mother knew the baby was injured and failed to immediately seek medical attention. Both children were deemed unsafe and taken into temporary physical custody and placed in out-of-home care. The family is currently receiving Ongoing Case Management Services.

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 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 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 |
| | <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:

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 Bureau of Performance Management (BPM) completed a review in case # 140312DSP-Milw-429. BMCW practice in Access was not compliant with standards related to screening decision for one of the two access reports under review. BMCW practice in Initial Assessment was not compliant with standards related to protective planning, thorough information gathering, and the requirement to complete separate Initial Assessments when more than one household is involved in a case when there are allegations of maltreatment in each household. Practice strengths were observed in the areas of collaboration with law enforcement, medical providers, and forensic specialists as well as information gathering from relevant collateral contacts. The Bureau of Milwaukee Child Welfare must develop and implementation plan which outlines its strategies in response to the recommendations cited in this report. BPM will review the implementation plan on a quarterly basis.

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

None

Yes No Not Applicable This 90-day summary report completes the Division of Safety and Permanence (DSP) action on 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 proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.