

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: 140524DSP-Waup-446 **Agency:** Waupaca County Department of Health and Human Services

Child Information (at time of incident)

Age: 2 Years Gender: Female Male

Race or Ethnicity: White, Caucasian

Special Needs: None

Date of Incident: May 24, 2014

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

On May 26, 2014, the agency received a report regarding a two-year-old child who was unresponsive and brought to the hospital on May 25, 2014. Law enforcement was contacted and initiated a criminal investigation.

The step-father reported the two-year-old child was hit in the head with a ball by his six-year-old brother while the children were in the bedroom. The step-father stated he went into the bedroom, picked up the two-year-old child, and brought him into the kitchen where both he and the mother tried to soothe the child. The step-father then stated he took the child back to his bedroom where the child had a difficult time calming down. The step-father reported that he left the bedroom to let him "cry it out." The step-father stated he went back into the bedroom approximately fifteen minutes later and the child had quieted down and appeared to be sleeping on his side. The step-father reported he went back into the bedroom again and the child was face down and unresponsive. The step-father stated he began resuscitation efforts and the child vomited; however, did not regain consciousness. It was reported a neighbor then provided resuscitation efforts until paramedics arrived. The child was pronounced deceased at the time of the report to the agency.

The step-father was charged with one count 1st degree reckless homicide, and was found guilty of Child Neglect-resulting in Death.

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 agency found insufficient evidence to substantiate neglect of the child by the mother or the step-father. The Medical Examiner's Office completed report noted no signs of maltreatment or trauma to the child. The agency determined the surviving three-week-old infant safe and the infant remained with the mother and step-father. The case remained open to provide in-home voluntary family preservation services.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The step-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 child resided with his mother, his step-father, and his three-week old half-sister. His six-year-old half-brother had visitation with the mother on a consistent basis. The family also had an adult roommate who lived in the home at the time of the incident. The child had little to no contact with his biological father.

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:

At the time of the incident, the family had an open case with the agency for in-home voluntary family preservation services. The last contact by the agency to the mother, step-father, three-week-old infant and two-year-old child was a home visit on May 20, 2014.

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 February 4, 2014, the agency screened-in a CPS Report alleging neglect to the six-year-old child by the step-father. An assessment was completed by the agency and the allegation of neglect was unsubstantiated. The family agreed to voluntary family preservation services that included a parenting support program and anger management classes. The case was open with family preservation at the time of the incident.

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 November 8, 2006, the agency screened-in a CPS Report alleging sexual abuse to a sixteen-year-old child by the (current alleged maltreater) step-father. An assessment was completed by the agency and the allegation of sexual abuse was substantiated.

On May 31, 2007, the agency screened-out a Services-Child Welfare Report.

On July 10, 2007, the agency screened-out a Services-Child Welfare Report.

On October 25, 2007, the agency screened-out a CPS Report.

On December 26, 2007, the agency screened-out a CPS Report.

On January 28, 2008, the agency screened-out a CPS Report.

On March 25, 2008, the agency screened-out a CPS Report.

On May 12, 2008, the agency screened-out a CPS Report.

On September 30, 2008, the agency screened-in a CPS Report alleging neglect to the one-year-old (now six-year-old brother) by the mother. An assessment was completed by the agency and the allegation of neglect was unsubstantiated.

On March 16, 2009, the agency screened-out a CPS Report.

On May 8, 2009, the agency screened-out a CPS Report.

On June 3, 2009, the agency screened-out a CPS Report.

On September 27, 2010, the agency screened-out a CPS Report.

On March 15, 2011, the agency screened-out a CPS Report.

On May 19, 2011, the agency screened-out a CPS Report.

On June 29, 2011, the agency screened-in a CPS Report alleging neglect and physical abuse to the four-year-old (now six-

year-old brother) by the mother and a former significant other. An assessment was completed by the agency and the allegations of neglect and physical abuse were unsubstantiated.

On July 19, 2011, the agency screened-out a CPS Report.

On July 26, 2011, the agency screened-out a CPS Report.

On September 12, 2011, the agency screened-out a CPS Report.

On November 9, 2011, the agency screened-in a Services-Child Welfare Report. The agency provided the family with parenting and behavioral management resources.

On May 9, 2012, the agency screened-out a CPS Report.

On August 6, 2012, the agency screened-out a CPS Report.

On September 26, 2012, the agency screened-out a CPS Report.

On October 6, 2012, the agency screened-out a CPS Report.

On November 2, 2012, the agency screened-in a CPS Report alleging neglect to the eight-month-old child (now deceased two-year-old child) by the mother. An assessment was completed by the agency and the allegation of neglect was unsubstantiated.

On September 30, 2013, the agency screened-out a CPS Report.

On November 4, 2013, the agency screened-out a CPS Report.

On February 4, 2014, the agency screened-in a CPS Report alleging neglect to the six-year-old child by the (current alleged maltreater) step-father. An assessment was completed by the agency and the allegation of neglect was unsubstantiated. The family agreed to voluntary family preservation services that included a parenting support program and anger management classes.

On April 17, 2014, the agency screened-out a CPS Report.

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 Initial Assessment completed by the agency found insufficient evidence to substantiate neglect of the child by the mother or the step-father. The Medical Examiner's Office completed report noted no signs of maltreatment or trauma to the child. The agency determined the surviving three-week-old infant safe and the infant remained with the mother and step-father. The case remained open to provide in-home voluntary family preservation 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 checked="" 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 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 checked="" type="checkbox"/> Case remains open for services |
| <input type="checkbox"/> Placement with relatives | <input 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 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 DSP will complete an on-site review of case #140524DSP-Waup-446.

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

None at this time.

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.