

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: 120621DSP-Dane-214 **Agency:** Dane County Department of Human Services

Child Information (at time of incident)

Age: 2 months Gender: Female Male

Race or Ethnicity: Asian

Special Needs: None

Date of Incident: 6/21/12

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

On 6/21/12, the agency received a report of an infant who presented at the hospital with fractures in both of his legs. The parents of the infant reported that the infant started crying at approximately 2:00 AM and was not consolable. The parents took the infant to his primary doctor and were instructed to take the child to the emergency room. The medical professional who examined the infant determined that the infant had metaphyseal corner fractures of the bilateral distal femurs in both legs, as well as a fracture to the left proximal tibia. The medical professional stated that these injuries were indicative of someone yanking or twisting the infant's legs in a forceful manner. In addition to the fractures, the infant was also found to have a horizontal, linear bruise on his posterior right calf. Law enforcement was contacted to investigate the origin of the injuries to the infant. The father initially denied having any knowledge regarding what caused the injuries; however, eventually did confess to causing the injuries to the infant. The father was arrested and has been criminally charged with one count of Child Abuse-Intentionally Cause Harm. 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 screened in and assessed the allegation of physical abuse to the infant. The agency collaborated with law enforcement and medical personnel to complete the initial assessment. Physical abuse to the infant was substantiated. The father reported being impatient with the infant on a number of occasions. On the day of the incident, the mother reported that she was asleep and woke to hear the infant crying really hard. The father had been feeding the infant and provided no explanation to the mother for the infant's crying. The mother and grandmother attempted to console the infant over the next several hours and noted the infant's leg appeared swollen. The infant was taken for medical treatment by the family. The father later described to law enforcement that he was tired and upset with the infant's crying and forced the infant's legs backward after picking him up in a rough manner. The infant was discharged from the hospital into the care of his mother and maternal grandparents under a protective plan.

- Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom? The 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):

The infant lived with his mother, father, maternal grandparents, maternal aunt, and two maternal uncles.

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.)

None

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.)

None

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 assessed the allegation of physical abuse to the infant. Physical abuse was substantiated. The infant was discharged from the hospital into the care of this mother and maternal grandparents under a protective plan. The plan included no contact with the infant by the father and supervised contact between the mother and the infant by the maternal grandparents. The protective plan was terminated for the mother on 7/2/12 based on consistent observation of positive parenting by the mother. An in-home safety plan was implemented and the father began having supervised contact with infant. The agency filed a Child in Need of Protection or Services (CHIPS) petition with Juvenile Court. The family remains open with the agency for ongoing case management services.

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:

Description of all other persons residing in the OHC placement home:

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.)

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| <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 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 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 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 agency self-identified that the 6/25/12 initial assessment was not in full compliance with the Child Protective Services Access and Initial Assessment Standards. The agency addressed the practice issues with the staff involved. The DSP is in agreement with the agency's identification and action regarding the practice issues.

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 Tara.Muender@wisconsin.gov