

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: 130802-Marin-358 **Agency:** Marinette County Health and Human Services Department

Child Information (at time of incident)

Age: 10 Gender: Female Male

Race or Ethnicity: White/Caucasian

Special Needs: None

Date of Incident: August 2, 2013

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

On August 3, 2013, the agency received a report that a stand-off incident occurred with law enforcement on August 2, 2013. During that incident, an adult male poured gasoline on himself and his girlfriend. His daughter, who was near the two adults, was not doused in gasoline, but witnessed her father douse gasoline on himself and his girlfriend. The child was not physically injured as a result of this incident. The father was reportedly sending threatening texts to his girlfriend, and was found by the girlfriend asleep on the bathroom floor holding a pistol. The father's girlfriend removed the bullets from the pistol. The child's father awoke and the child's father and his girlfriend were involved in a physical altercation involving a knife. The father also choked his girlfriend in front of the child and then poured gasoline on his girlfriend's head. The child's father had a history of domestic violence. Criminal charges of Felon possess firearm, 1st-Degree Recklessly Endangering Safety, Fail/Comply-Officer/Person into Custody were filed against the child's father. 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 law enforcement, medical personnel, and other collateral sources to complete the assessment. The Initial Assessment completed by the county agency found a preponderance of evidence to substantiate the maltreatment of neglect to the child by her father. The child was determined unsafe and taken into Temporary Physical Custody by the agency and placed with a relative. The agency filed a Child in Need of Protection or Services petition with juvenile court and opened the case for on-going case management services.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? The child's father for 1st-Degree Recklessly Endangering Safety, Fail/Comply-Officer/Person into Custody

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 in the care of her father. The child's mother is incarcerated. The child also spent time with her father's girlfriend and her daughter.

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.)

On 3/2/2009, the agency screened-out a CPS report.

On 3/3/2009, the agency screened-out a CPS report.

On 8/24/2009, the agency screened-in and assessed allegations of physical abuse to the child by the father. The agency found insufficient evidence to substantiate the allegations of physical abuse.

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 Initial Assessment completed by the county agency found a preponderance of evidence to substantiate the maltreatment of neglect to the child by her father. The child was determined unsafe and taken into Temporary Physical Custody by the agency and placed with a relative. The agency filed a Child in Need of Protection or Services petition with juvenile court and opened the case for on-going 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:

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 type="checkbox"/> Collaboration with medical professionals |
| <input checked="" 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 checked="" 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 DSP completed a review in case #130802DSP-Marin-358. The review found: the Child Protective Services (CPS) report dated 8/3/13 was accurately identified as a Present Danger situation but the screening decision by the agency did not occur until 8/5/13, which is not in compliance with Wisconsin statute and standards. The assignment of the Initial Assessment for the screened-in CPS Report did not occur until 8/6/13 but with the identification of Present Danger by Access the response time for the CPS should have been "Same-Day" in accordance with Wisconsin statute and standards. Face-to-Face contact with the child did not occur within required Wisconsin statutes and standards but the safety analysis completed by the agency was accurately assessed. However; no protective plan was implemented by the agency until 8/30/13, which is not in accordance with Wisconsin statute and standards. The child was taken into temporary physical custody on 8/30/13 and a home visit occurred on this date but the second home visit did not occur within the five working days as required by standards.

The county agency will need to revise and implement an assurance plan that focuses on the timeliness and quality of

information collection, analysis, and decision making from the point of access through initial assessment completion. This plan, its strategies, and the quality review results should be discussed with CPS Supervisors and appropriate CPS Staff at monthly meetings.

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@wi.gov