

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: 140514DSP-Winn-442 **Agency:** Winnebago County Department of Human Services

Child Information (at time of incident)

Age: 3 Years Gender: Female Male

Race or Ethnicity: Caucasian

Special Needs: None

Date of Incident: May 14, 2014

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

On May 14, 2014, the agency received a report regarding a three-year-old child brought to the hospital with head injuries. Medical professionals who examined the child suspected head trauma due to the child's presenting symptoms, so the child was transported to another hospital. Law enforcement was contacted and initiated a criminal investigation regarding the child's suspicious injuries.

The mother's boyfriend reported he awoke at 4:45 a.m. to feed his nine-month-old child, laid the child back down, and went back to bed. The boyfriend stated the mother left home around 7:00 a.m. for work and he attended to his nine-month-old child. The boyfriend stated a short time later the three-year-old child awoke, walked into his bedroom and told the boyfriend she was still tired. The boyfriend stated he assumed the three-year-old child went back to sleep. The boyfriend stated around 8:15 a.m. he took the nine-month-old child into the kitchen to eat breakfast and the three-year-old child then came downstairs. The boyfriend reported he told the three-year-old child to go upstairs and retrieve the clothes her mother had laid out for her to wear. The boyfriend stated about five minutes later he heard a noise and ran to the base of the stairs where he found the three-year-old child. The boyfriend reported the three-year-old child was attempting to stand up and he placed his hands around her mid-section to help her. He then stated the three-year-old child suddenly collapsed and became unresponsive. The boyfriend reported the three-year-old child was making noises and motions as if she was having a seizure. The boyfriend stated he called 911 and provided resuscitation efforts until paramedics arrived.

Medical personnel diagnosed the child with Physical Abuse-Traumatic Brain Injury. The child passed away from her injuries. As a result of law enforcement's investigation, the mother's boyfriend was arrested and criminally charged with 1st Degree Reckless Homicide. 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 and medical personnel to complete the assessment. The Initial Assessment completed by the agency found a preponderance of the evidence to substantiate maltreatment of physical abuse to the child by the mother's boyfriend. Medical professionals determined the child sustained head injuries and diagnosed the child with Physical Abuse-Traumatic Brain Injury. The surviving nine-month-old infant remained in the mother's care after she was assessed as protective. The mother's boyfriend was criminally charged and court-ordered to have no unsupervised contact with the nine-month-old infant and no contact with the mother. A Child in Need of Protection or Services petition was filed and the case remained open to provide ongoing case management services.

- Yes No Criminal investigation pending or completed?
 Yes No Criminal charges filed? If yes, against whom? The mother's boyfriend.

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 her mother, the mother's boyfriend, and her nine-month-old infant sibling. The mother's boyfriend also had visitation with his other child, age four-years-old, from a previous relationship.

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 April 29, 2014, the agency screened-out a CPS Report.

On December 6, 2013, the agency screened-in a CPS Report alleging neglect to the four-year-old biological child of the boyfriend. An Alternative Response assessment was completed by the agency, the child was determined safe, and the allegation of neglect resulted in no services needed.

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 a preponderance of the evidence to substantiate maltreatment of physical abuse to the child by the mother's boyfriend. Medical professionals determined the child sustained head injuries and diagnosed the child with Physical Abuse-Traumatic Brain Injury. The surviving nine-month-old infant remained in the mother's care after she was assessed as protective. The mother's boyfriend was criminally charged and court-ordered to have no unsupervised contact with the nine-month-old infant and no contact with the mother. A Child in Need of Protection or Services petition was filed and the case remained open to provide 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 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 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 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 a records review of case #140514DSP-Winn-442.

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 investigation/proceeding, and delayed posting as provided under Wis. Stat. § 48.981(7)(cr)7.