

6-Month Final 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: 120206DSP-Dane-178 **Agency:** Dane County Department of Human Services

Child Information (at time of incident)

Age: 15 years old Gender: Female Male

Race or Ethnicity: White/Caucasian

Special Needs: Developmental delays

Date of Incident: 2/6/2012

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

On February 6, 2012, the agency received a report of a child found by a citizen wandering in the street, not properly dressed for the weather, and in possible need of medical attention. The child was admitted to the hospital and reported to medical professional's incidents of isolation, physical and emotional abuse by her biological father and stepmother, physical and sexual abuse by her step-brother, and the deprivation of food and water. The child described being confined to the basement and being given harsh reprimands by family members to the point where she did not feel comfortable leaving the basement to ask to use the bathroom or obtain food. The child reported being isolated from contact with others, and being hit, choked, or threatened with harm related to completing chores or not following directions. Law enforcement and the agency initiated an investigation the same day.

The biological father and step-mother of the fifteen year old described her as significantly mentally ill due to previous abuse while living with her biological mother and step-father in another state. They justified their treatment of the child based on concerns that she posed a threat to their safety and to the safety of the younger children in the home. Both the biological father and step-mother claim the fifteen year old would not eat. The father described surveillance devices and locked windows and doors in the basement as being necessary measures to control the child's access to food and to protect other family members from the child.

Medical professionals diagnosed the child with serial abuse with prolonged exposure to starvation. The malnutrition posed a substantial risk of death and a significant risk of refeeding syndrome, which can also lead to death.

The father was charged and found guilty of 2nd Degree Recklessly Endangering Safety, Child Abuse-Intentionally Cause Harm, causing Mental harm to a Child, and Neglecting a Child (Consequence is Bodily Harm).

The step-mother was charged and found guilty of 1st Degree Recklessly Endangering Safety and Causing Mental Harm to a Child.

The step-brother was charged and found guilty of 1st Degree Sexual Assault of Child without Great Bodily Harm and 2nd Degree Sexual Assault of a Child.

Findings by agency, including maltreatment determination and material circumstances leading to incident:

The agency collaborated with medical personnel and law enforcement to complete the assessment. Based on information gathered, the Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of physical abuse, neglect and emotional damage to the child by the father. The Assessment found a preponderance of evidence to substantiate maltreatment of physical abuse, neglect, and emotional damage to the child by the step-mother. The Assessment found a preponderance of evidence to substantiate maltreatment of sexual abuse to the child by the adult step-brother. Medical records, collateral contacts, and statements by the child illustrated the patterns of maltreatment inflicted to the child was indicative of physical abuse, neglect, and emotional damage. All children in the home were assessed unsafe and temporary physical custody was taken. A Child in Need of Protection and Services was filed and granted and the case was opened for On-Going case management.

Yes No Criminal investigation pending or completed?

Yes No Criminal charges filed? If yes, against whom? Charges were made against the Father, Stepmother and Stepbrother.

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 father, step-mother, 18 year old step-brother, and two younger half-siblings. The child's biological mother's parental rights were terminated several years earlier.

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.)

The parents requested assistance with the child and received in-home services in 2007 and again in 2008-2009. Another child in the household received services unrelated to the stepsister's needs, which ended in March 2011.

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.)

May 19, 1997 – the agency screened in an allegation of maltreatment to the step-brother by a relative. Maltreatment was substantiated, and his mother was to supervise contact between her son and the relative. The case was closed.

April 8, 1998 – the agency screened in an allegation of maltreatment to the step-brother by a relative. The case record does not contain the maltreatment determination, and it appears that the case was closed in 1999.

June 6, 2006 – the agency screened in an allegation of sexual abuse to the child by her step-father while previously living with him and her biological mother in another state. The allegation was unsubstantiated, largely due to challenges obtaining information from the child, relatives and authorities in the other state. The child was determined safe with her biological father and his girlfriend (now known as the step-mother) in Wisconsin.

January 2007 – the agency received and screened in an allegation of sexual abuse to the child by her step-father. Maltreatment was unsubstantiated due to challenges obtaining information from the child and relatives. The case remained open for services for the family.

March 2007 – CPS report screened in with allegations of sexual abuse of the child by a family member and neglect to the step-brother by his parents. During the investigation, the child was not able to provide an adequate disclosure, and the child's father and step-mother refused to allow further interviews of the children. The child went to stay with relatives. The allegation was determined "Not able to locate source." The allegation of neglect to the step-brother by his mother was unsubstantiated. The family was assisted with in-home services until the CPS case was closed in July 2007.

June 15, 2009 – CPS Report – screened out. The family was referred to a local agency for child welfare services.

September 28, 2009 – CPS Report – screened out.

May 2, 2011 – CPS Report –screened out.

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 collaborated with medical personnel and law enforcement to complete the assessment. Based on information gathered, the Initial Assessment completed by the agency found a preponderance of evidence to substantiate maltreatment of physical abuse, neglect and emotional damage to the child by the father. The Assessment found a preponderance of evidence to substantiate maltreatment of physical abuse, neglect, and emotional damage to the child by the step-mother. The Assessment found a preponderance of evidence to substantiate maltreatment of sexual abuse to the child by the adult step-brother. Medical records, collateral contacts, and statements by the child illustrated the patterns of abuse and neglect inflicted to the child was indicative of physical abuse, neglect, and emotional damage. All children in the home were assessed unsafe and temporary physical custody was taken. A Child in Need of Protection and Services was filed and granted and the case was opened for On-Going case management. All children who were in the home continue to receive services provided by the agency and community services. All children have a visitation schedule with each other.

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 checked="" 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 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 checked="" 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. In accordance with the DCF memo Series 2010-13, dated December 7, 2010 pertaining to the Child Welfare Case Review Protocol, the DSP completed an on-site review in case #120206DSP-Dane-178 and prior reports involving the family. The report found: Child Protective Services (CPS) Reports from 2006 and 2007 were in accordance with the Wisconsin Child Protective Services Standards. The CPS Reports from 2009 were screened-out in error and not in accordance with the Wisconsin Child Protective Services Standards. The CPS reports from 2011 and 2012 were handled in accordance with the Wisconsin Child Protective Services Standards.

The January 16, 2007, and March 28, 2007, Initial Assessments lacked sufficient information and analysis upon which to make accurate determinations about child safety, safety of all children in the household was not formally assessed, and collateral sources of information were either not contacted or not documented in accordance with the Wisconsin Child Protective Services Safety Intervention Standards. The Initial Assessments were not completed within the required statutory timeframe.

The Initial Assessments completed in 2012, found a preponderance of evidence to substantiate physical abuse, sexual abuse, neglect, and emotional damage. The Initial Assessment contained all required collateral sources of information, sufficient information in all areas pertaining to Present and Impending Danger Threats, and sufficient interviews. The assessment was in accordance with the Wisconsin Child Protective Services Standards.

Recommendations for further changes in policies, practices, rules or statutes needed to address identified issues:

The DSP has worked with Dane County Department of Human Services to address issues identified during the review.

Yes No Not Applicable This 6-month summary report completes the Division of Safety and Permanence (DSP) review of this case. Note: Wisconsin Statute Section 48.981(7)(cr)7.a. allows a delayed release of certain 6-month summaries due to ongoing criminal proceedings.

The agency must submit an electronic copy of the completed 90-Day Summary Report to: RobertB.Williams@wisconsin.gov