DEPARTMENT OF CHILDREN AND FAMILIES
Division of Safety and Permanence

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: 130824DSP-Milw-360 **Agency:** Bureau of Milwaukee Child Welfare

Child Information (at time of incident)
Age: 2 months Gender: ☒ Female ☐ Male

Race or Ethnicity: Caucasian

Special Needs: None known

Date of Incident: August 24, 2013

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

On August 24, 2013, the agency received a report regarding a two-month-old infant pronounced deceased in her home. The mother reported she placed the infant in an adult bed to sleep, and then went to sleep in her two-year-old daughter's room. The mother stated she woke up at 2:30 am to feed and change the infant. When she got up again a few hours later, she found the infant with blood around her mouth, unresponsive. The mother called for her two older children, ages 12 and 14, to call 911, and began CPR. Paramedics could not revive the infant who was pronounced dead at the scene. Law enforcement was notified and initiated an investigation into the infant's unexpected death. Law enforcement's investigation is pending, and no criminal charges have been filed.

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. As of November 8, 2013, the official cause of the infant's death was undetermined by the Medical Examiner's Office; toxicology results were pending. The Initial Assessment completed by the county agency has insufficient evidence to substantiate the maltreatment of physical abuse and neglect by the mother to the infant and the infant's surviving two-year-old sister. Based on information gathered for the Initial Assessment, the agency did not find a preponderance of the evidence that the mother failed to provide necessary care so as to seriously endanger the physical health of the children.

However, the agency learned the infant's alleged father cared for the infant on the night before the infant's death, and both the mother and alleged father were drinking. There were concerns regarding the alleged father's presence in the home, due to prior domestic violence incidents with the mother. Additionally, the family had an open, on-going case with the agency, receiving Intensive In-Home Services, but the mother did not disclose her pregnancy or the infant's birth to the assigned worker. The agency determined the infant's surviving two-year-old half-sister unsafe and placed the two-year-old into out-of-home care. The infant's 12-year-old and 14-year-old half-siblings returned to their father's care on the day after the infant's death. The case remains open and the family continues to receive on-going case management services.

☒ Yes ☐ No Criminal investigation pending or completed?
☐ Yes ☒ No Criminal charges filed? If yes, against whom?

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 infant lived with the mother and the infant's two-year-old half-sister. The infant's 14-year-old half-sister and 12-year-old half-brother resided primarily with their father, but had visitation with the mother.

☒ **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:

The family was being provided Intensive In-Home Services at the time of the incident. The assigned worker's last contact with the mother was a telephone call on August 19, 2013 about scheduling a home visit. It was agreed they would speak again on August 27, 2013 to schedule a home visit for that week.

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.)

In August 2011, a petition was filed in juvenile court alleging the infant's now two-year-old sister was a Child in Need of Protection or Services. The agency opened the case for on-going case management services. The infant's sister returned to the mother's care on a Trial Reunification in February 2013, which transitioned to full reunification two months later. The case remained open and the family was receiving Intensive In-Home Services at the time of the infant's death.

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 3/19/09, another agency screened in a report of physical abuse and neglect by the mother to the deceased infant's seven-year-old (now 12-year-old) and 10-year-old (now 14-year-old) half-siblings. An assessment was completed by the other agency. The allegation of physical abuse was unsubstantiated as there were no injuries found. The allegation of neglect was unsubstantiated as the children were not endangered and there was a protective adult in the home. The family was referred to community resources and the case was closed.

On 7/23/11, the agency screened in a report alleging physical abuse to the infant's six-month-old (now two-year-old) sister by their alleged father during a domestic violence incident. On 8/09/11 another report alleging neglect to the six-month-old (now two-year-old) sister by the parents was screened out and the initial assessment worker was made aware of the referral. The allegation of physical abuse in the 7/23/11 report was unsubstantiated, as there was no evidence of inflicted injury found by medical professionals. Neglect to the infant's sister by the mother was substantiated, as the mother failed to provide adequate supervision and care for her child's special needs. The infant's sister was determined unsafe and placed into out-of home care. A Child in Need of Protection or Services petition was filed in juvenile court, and the case was opened for ongoing case management services.

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 law enforcement and medical personnel to complete the assessment. As of November 8, 2013, the official cause of the infant's death was undetermined by the Medical Examiner's Office; toxicology results were still pending. The Initial Assessment completed by the county agency has insufficient evidence to substantiate the maltreatment of physical abuse and neglect by the mother to the infant and the infant's surviving two-year-old sister. Based on information gathered for the Initial Assessment, the agency did not find a preponderance of the evidence that the mother failed to provide necessary care so as to seriously endanger the physical health of the children. However, the agency learned the infant's alleged father cared for the infant on the night before the infant's death, and both the mother and alleged father were drinking. There were concerns regarding the alleged father's presence in the home, due to prior domestic violence incidents with the mother. Additionally, the family had an open, on-going case with the agency, receiving Intensive In-Home Services, but the mother did not disclose her pregnancy or the infant's birth to the assigned worker. The agency determined the infant's surviving two-year-old half-sister unsafe and placed the two-year-old into out-of-home care. The infant's 12-year-old and 14-year-old half-siblings returned to their father's care on the day after the infant's death. The case remains open and the family continues to receive on-going 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 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.)

- ☒ Screening of Access report
- ☒ Protective plan implemented
- ☒ Initial assessment conducted
- ☐ Safety plan implemented
- ☒ Temporary physical custody of child
- ☒ Petitioned for court order / CHIPS (child in need of protection or services)
- ☒ Placement into foster home
- ☐ Placement with relatives
- ☒ Ongoing Services case management
- ☐ Attempted or successful reunification
- ☒ Referral to services
- ☒ Transportation assistance
- ☒ Collaboration with law enforcement
- ☒ Collaboration with medical professionals
- ☒ Supervised visitation
- ☒ Case remains open for services
- ☐ Case closed by agency
- ☐ Initiated efforts to address or enhance community collaboration on CA/N cases
- ☐ 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 and found: The Initial Assessment does not include the mother's two oldest children as household members and there was no documented Safety Assessment, Analysis and Plan for the two oldest half-siblings following the infant's death.

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@wisconsin.gov