



## **REPORT ON THE FATALITY OF:**

**Sebastian Wallace**

**Date of Birth: 7/17/2012**

**Date of Death: 10/22/2014**

**Date of Oral Report: 10/27/2014**

### **FAMILY KNOWN TO:**

**Philadelphia Department of Human Services**

### **REPORT FINALIZED ON:**

**06/22/2015**

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.

(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.

(23 Pa. C.S. 6349 (b))

**Reason for Review:**

Senate Bill 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Bucks and Philadelphia counties convened a joint review team in accordance with Act 33 of 2008 related to this report on November 24, 2014.

**Family Constellation:**

<u>Name:</u>	<u>Relationship:</u>	<u>Date of Birth:</u>
Sebastian Wallace	Victim Child	7/17/2012
██████████	Sister	██████████/2005
██████████	Mother	██████████/1985
██████████	Father	██████████/1976
* ██████████	Paternal Grandmother	Adult

**Notification of Child Fatality:**

A report was made ██████████ on October 27, 2014 by Bucks County Children and Youth Social Services Agency (BCCYSSA). Bucks County CYSSA received a report from the coroner's office that the victim child's toxicology report revealed that the victim child was positive for ██████████; further, the levels were three times what would kill an adult. The victim child had been experiencing difficulty breathing on October 22, 2014 while in ██████████ care. The paternal grandmother arrived home to find the victim child with difficulty breathing; subsequently, she instructed the ██████████ to take the victim child to ██████████ Lower Bucks Hospital. The victim child was administered ██████████, and subsequently died ██████████. Because the family was of African nationality, the hospital initially evaluated the child and family for Ebola and other viruses.

**Summary of DPW Child Fatality Review Activities:**

The Southeast Region Office of Children, Youth and Families obtained and reviewed all current and past case records pertaining to the family. Prior history was provided by Philadelphia Department of Human Services (DHS). The Southeast Region Office also participated in the County Internal Fatality Review Team meeting on November 24, 2014. The Review occurred in Bucks County with the Philadelphia County DHS team participating by conference call.

**Children and Youth Involvement prior to Incident:**

5/14/2011                      GPS investigation      Unsubstantiated      Philadelphia DHS  
On May 14, 2011, allegations were made that there was not sufficient food in the family home, and that the children played with matches while the mother slept. A social worker with Philadelphia County DHS went to the home and completed an assessment. There was not an adequate supply of food in the home. The Philadelphia County DHS worker [REDACTED] [REDACTED] groceries. The Philadelphia County DHS worker confirmed that the children were up to date with their medical care. Safety assessment determined, on May 14, 2011, the children to be safe. A Risk Assessment was completed on July 20, 2011 and determined the family to be low risk.

6/20/2011                      GPS investigation      Unsubstantiated      Philadelphia DHS  
Allegations were that the mother was not feeding the children. The home reportedly smelled of urine; dirty clothes were scattered everywhere. [REDACTED] front teeth were reported to be brown. It was reported that the mother drank and "partied" all night. Reporting source stated that one of the bedrooms was being used by the mother for "tricks." The mother reportedly screamed and used intimidation as discipline methods. Safety assessment determined on 8/17/2011 that the children were safe. The children were sent to live with their maternal aunt in [REDACTED] [REDACTED] County. Kinship care was explained to the aunt, but she declined formal kinship care.

7/18/2012                      [REDACTED] Philadelphia DHS  
At the birth of the victim child, the mother tested positive for marijuana. The victim child tested negative. The victim child was born at 40 weeks gestation, weighing 7 lbs. 11 oz. The mother initially agreed to [REDACTED] case management services, but later declined. The mother and children had been living in the [REDACTED] Shelter since December 2011. No safety threats were identified. Case was closed.

12/26/2012                      GPS investigation      Unsubstantiated      Philadelphia DHS  
Allegations were that the mother was leaving an older sibling (aged 10 years old) to supervise and care for his younger siblings. Reportedly, the children were not attending school and were heard crying all day. It was further reported that the mother was smoking marijuana and having sex with men while the children were in the room. Reportedly, there were no beds for the children. The county determined no findings were present.

1/26/2013                      GPS investigation      Unsubstantiated      Philadelphia DHS  
The reporting source stated that the mother would leave the children for undetermined amounts of time. Reporting source heard the baby crying all day long. The mother reportedly lived in a rooming house. The older child was reportedly responsible for the care of the younger sibling. The children allegedly did not have beds and slept on the floor. Interviews were completed with the two older children. The children denied any physical discipline being used; they were not fearful of their mother. A Pac-N-Play was observed for the infant, the victim child. Beds were seen for the other children. The mother was not receiving child support from the fathers. The Philadelphia County DHS social worker discussed safe sleeping practices with the mother. Safety assessment determined on 3/6/2013 that no safety threats were identified. The

Philadelphia County DHS worker obtained immunization and school records for the children. Case was closed with a referral to [REDACTED] service, [REDACTED].

10/15/2013                      CPS investigation      Unfounded                      Philadelphia DHS  
Allegations were that a sibling had multiple scars on her arm from being hit by her mother with a pipe. The sibling also had complaints about pain in her back; she alleged that her mother would body slam her into the wall. The sibling did not want the reporting source to tell Philadelphia County DHS about this as she was fearful she would be removed from her home. The sibling stated during the investigation that she did not want to live with her mother.

10/29/2013                      CPS investigation      Indicated                      Philadelphia DHS  
Allegations were that a sibling, (aged 7 years old) was hit on her right arm at least 10 times with the heel of her mother's shoe. Fresh bruises were observed on the child's arms by the Philadelphia County DHS social worker. Safety Assessment noted that the mother had diminished capacities. The sibling and her brother, age 11 years old, were placed in the care of their father and paternal grandparents. The mother denied the allegations. The sibling's brother confirmed the sister's allegations and reported that he was also hit with the shoe. Court date on December 31, 2013 granted the father physical custody of the two children; the father was residing with his parents. [REDACTED]

**Circumstances of Child Fatality and Related Case Activity:**

[REDACTED] The father is still incarcerated. The father has been charged with Criminal Homicide, Recklessly Endangering Another Person, Endangering the Welfare of Children – Parents/Guardian/Other Commits Offense, In Possession of Controlled Substance. The Lower Court hearing was held on December 17, 2014. The Preliminary Hearing was held on January 13, 2015 and the father was held for court. The mother continues to have custody and care of the victim child's sister. Bucks County CYSSA offered [REDACTED] to the family, but the family declined. Due to cultural issues, the family was hesitant to accept any services from the agency. The case was not opened for services as it appeared that the mother was able to provide a safe environment for the victim child's sister and had a strong support system of family and friends.

**Current Case Status:**

Bucks County CYSSA has closed the case with the victim child's sister. The Bucks County CYSSA caseworker has communicated with the guidance counselor and encouraged her to contact the agency if she observes any child welfare concerns or if the victim child's sister exhibits any signs of depression and is not receiving necessary services.

**County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child Fatality Report:**

Philadelphia County DHS participated by conference call in a Joint Act 33 meeting with Bucks County on November 24, 2014. Each county chose to complete a separate report. Philadelphia County DHS' report was received February 23, 2015.

Strengths:

The Bucks County CYSSA worker worked cooperatively [REDACTED]. The Bucks County CYSSA worker [REDACTED] to move forward.

Deficiencies:

Both the Philadelphia County DHS and Bucks County CYSSA team members expressed concern about the limited cross-county collaboration. Philadelphia County DHS had previously requested that Bucks County CYSSA complete a courtesy visit for the victim child and his father. Bucks County CYSSA declined this request, as no safety concerns were identified. Concern was raised about the number of reports received by Philadelphia County DHS for this family. Although only one of the reports identified any evidence of abuse, team members suggested that a protocol should be implemented to identify and review "high activity" cases. Both Philadelphia and Bucks Counties would be examining this issue.

Recommendations for Change at the Local Level:

Both counties should re-evaluate their internal processes for accepting requests for courtesy visits from other counties. County team members expressed frustration about the request for courtesy interviews. Because the request for courtesy interviews did not include allegations of abuse or neglect, the counties had been reluctant to follow up as there were no identified safety threats.

Recommendations for Change at the State Level:

No recommendations identified.

**County Strengths and Deficiencies and Recommendations for Change as Identified by the County's Child Fatality Report:**

Bucks County CYSSA also completed an Act 33 report. Their report was received on April 27, 2015. The Southeast Region Office is in agreement that efforts should be made to review the six-county agreement for courtesy visits.

Strengths:

No strengths identified.

Deficiencies:

The counties do not have a protocol in place that addresses requests for courtesy supervision.

Recommendations for Change at the Local Level:

Education is needed for medical professionals/hospital staff about the possibility of drug overdose. The Director of the Bucks County Drug and Alcohol Commission advised that [REDACTED] would be available beginning November 29, 2014.

Inter-county protocols should be developed and implemented by the Six County Intake Committee.

Recommendations for Change at the State Level:

Additional education is needed concerning the use of [REDACTED] for substance abuse overdoses.

**Department of Public Welfare Findings:**

County Strengths:

Both Bucks County CYSSA and Philadelphia County DHS participated in this meeting. Bucks County CYSSA was able to offer conference call capabilities to the Philadelphia County DHS team. The Bucks County CYSSA investigating worker and supervisor presented solid investigation and casework skills.

County Weaknesses:

No weaknesses identified.

Statutory and Regulatory Areas of Non-Compliance:

No areas of non-compliance identified.

**Department of Public Welfare Recommendations:**

The six counties in southeastern Pennsylvania should review and analyze the number of requests made for courtesy visits by the other counties. During their regular meetings, the county administrators should review their policies and procedures and develop a protocol for these requests.

This victim child's overdose occurred at a time when the nation was focused on the Ebola outbreak in western Africa. Medical staff were more focused on the communicable disease possibility than a possible overdose since the family members were immigrants from western Africa. All family members were living in this country for some time and had not visited Africa recently. Medical staff need training that takes them to a quicker diagnosis of possible overdose. Time is of the essence when treating suspected drug overdose.