

Office of Children, Youth and Families

**Gabi Williams
Director
Central Region**

**1401 N. 7th St., 4th floor
Bertolino Bld.
Harrisburg, Pennsylvania, 17105**

**717-772-7702
Fax: 717-772-7071**

REPORT ON THE FATALITY OF

Benjamin Bynaker

**DOB: 09/27/1994
DOD: 10/09/2011**

**FAMILY WAS NOT KNOWN TO
YORK COUNTY CHILDREN AND YOUTH**

REPORT DATED 04/12/12

This report is confidential under the provisions of the Child Protective Services Law and cannot be released.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law. (23 Pa. C.S. Section 6349 (b)).

Reason for Review

Senate Bill No. 1147 now known as Act 33 was signed on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatalities that were suspected to have occurred due to child abuse. DPW must conduct child fatality and near fatality reviews and provide a written report on any child fatality or near fatality where child abuse is suspected.

Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Benjamin Bynaker	Victim Child	09/27/1994
██████████	Mother	██████████ 1959
██████████	Father	██████████ 1958

Notification of Fatality:

On October 9, 2011 ██████████ called the police about 3:15 p.m. Sunday after going to the ██████████ home and getting no answer. ██████████ sister and her paramour were at the home to collect some of their belongings. The paramour, ██████████ saw ██████████ and Benjamin from an outside window and placed the call to the police. The police responded to a suspicious death scene involving three deceased occupants of the residence.

All doors in the residence were locked from the outside and the police used force to gain entry. All three occupants of the home were shot by a shotgun or rifle and had wounds coming from their front torso area. On October 11, 2011 York County Children Youth and Families were notified from ██████████ of minor Benjamin Bynaker's death-homicide. The report was faxed to the county. The father had shot and killed the child and his mother and then shot and killed himself.

Documentation Reviewed and Individuals Interviewed:

For this review Central Region interviewed:

- ██████████, Intake Manager at York County Children & Youth Service

Central Region reviewed:

- Child Death Data Tool
- Police Report
- Case file

No medical reports received as no autopsies were performed.

Case Chronology:

Previous CY Involvement:

None

Circumstances of Child's Fatality or Near Fatality:

██████████ used a .410 shotgun to shoot his wife and son in the chest, and then used the same gun to commit suicide. A ██████████ called the police about 3:15 pm on Sunday, October 9, 2011 after going to the ██████████ home and getting no answer. The double murder suicide happened sometime between Sunday morning and mid-afternoon according to the police.

The ██████████ were reportedly having marital problems. Family members reported to the police that ██████████ were married for approximately 21 years. They began having marital problems about June 2011. A divorce was pending between the couple. ██████████ had taken a large amount of money out of a joint bank account to help a friend with a down payment for a house. She and her adult daughter also had taken a trip to Mexico with some of the money and ██████████ was upset.

Current/Most Recent Status of Case:

All parties are deceased.

Services to Children and Families:

None, all are deceased.

County Strengths and Deficiencies as identified by the County's Near Fatality Report:

The County held the Act 33 meeting on this case on October 31, 2011. Discussion was held about new protocol for murder suicide cases in the county and what steps should be taken.

Recommendations for changes at the Local Levels as identified by Fatality Report:

Murder suicide cases where the family is unknown to the agency should not require the same regulatory paperwork as those cases known to the agency. When all parties are deceased there is not much to be gained by conducting additional interviews with those left behind.

Department of Public Welfare Findings:

The case was [REDACTED] by York County Children, Youth and Family Services on October 27, 2011 naming [REDACTED] as the [REDACTED]. Regional office reviewed police reports, case file and interviewed the assigned worker from the county. The referral was [REDACTED] and closed on October 27, 2011.

The County held the Act 33 meeting on October 31, 2011. At the direction of the [REDACTED] no interviews of [REDACTED] were conducted on this murder-suicide case. Southwestern Regional Police Department closed their case on October 11, 2011.

Statutory and Regulatory Compliance Issues:

There were no regulatory violations noted.