

CHILD WELFARE AGENCY PUBLIC DISCLOSURE FORM

Date: 4/1/16

Agency Name: Washoe County Department of Social Services

Agency Address: P.O. Box 11130, Reno, NV 89520

Date of written notification to the Division of Child and Family Services and Legislative

Auditor: 3/4/16

Internal reference UNITY ID or Report Number: Case #1398784; report #1687781

Type of Report: 48 Hour Notice 15 Day Update 30 Day Update Final

Child Fatality **Date of Death:** 3/4/16

Near Fatality **Date of Near Fatality:** 3/4/16

Portions of information on this form have been withheld at the request of
_____ **law enforcement.**

(Name of agency)

Information for Release:

A. Date of the notification to the child welfare agency of the death of a child:

3/4/16

B. Location of child at the time of death or near fatality (city/county):

Reno/Washoe

C. A summary of the report of abuse or neglect and a factual description of the contents of the report:

On 3/4/16 infant was found unresponsive by caregiver. Emergency services responded and life saving measures were implemented and child taken to local hospital. Infant pronounced deceased.

D. The date of birth and gender of child:

8/15/15; male

E. The date that the child suffered the fatality or near fatality:

3/4/16

F. The cause of the fatality or near fatality, if such information has been determined:

Unknown pending autopsy.

- G. Whether the agency had any contact with the child or a member of the child's family or household before the fatality or near fatality and, if so:** (1) The frequency of any contact or communication with the child or a member of the child's family or household before the fatality or near fatality and the date on which the last contact or communication occurred before the fatality or near fatality;
- (2) Whether the agency which provides child welfare services provided any child welfare services to the child or to a member of the child's family or household before or at the time of the fatality or near fatality;
- (3) Whether the agency which provides child welfare services made any referrals for child welfare services for the child or for a member of the child's family or household before or at the time of the fatality or near fatality;
- (4) Whether the agency which provides child welfare services took any other actions concerning the welfare of the child before or at the time of the fatality or near fatality; and
- (5) A summary of the status of the child's case at the time of the fatality or near fatality, including, without limitation, whether the child's case was closed by the agency which provides child welfare services before the fatality or near fatality and, if so, the reasons that the case was closed.

8/12/14 – Report received that argument between parents became escalated. Mother was arrested and half siblings left with their father. Community resources provided to father. Coded as Information Referral.

8/24/14 – Report received alleges half sibling found unsupervised on a window sill while being cared for by relative. Home dirty and limited food found in the residence. Investigation was unsubstantiated. Services were offered to the half sibling's father but he declined and case was closed on 11/12/14.

3/24/15 – Report received that the half sibling's father is not giving the children back to their mother; however there is no custody agreement. Report goes on to allege that the half sibling's father was left to care with the children and he was passed out drunk when the half sibling was found on the window sill. This report was coded as an Information Referral and the referrals offered were Family Self Help Center, law enforcement and the court house for a protection order.

6/28/15 – Report received that law enforcement was contacted to locate a car that had been swerving. Law enforcement found the car with the half siblings and their father in the vehicle and the father had a .231 breathalyzer. Law enforcement did not believe he had been driving the vehicle but he was arrested for child endangerment. The children were left in the care of their mother. The report was substantiated against the father. There was no danger threats identified and the case was closed on 7/27/15.

10/9/15 – Report received that the mother was intoxicated when the biological father to the infant returned home. He found the infant in a stroller in a bedroom with 2 dogs with the door closed. Reporting party concerned the father was also intoxicated. Father allegedly grabbed mom in a choke hold and slammed her against a wall. Home reportedly unsafe due to dog feces and old formula bottles found. Limited baby supplies. Mom refused breathalyzer, father blew a .131. Mother arrested for child endangerment and father arrested domestic violence. The infant was placed into protective custody at that time. Petition was filed granting WCDSS legal and physical custody of the infant and a finding of child neglect sustained related to the father. Case plan was developed with both parents. Infant placed on an in home safety plan 1/6/16 with parents living in separate residence's with numerous professionals providing safety management services in each parents home. Mother residing in home with infant's half siblings and their father. Community referrals made for evaluations and counseling for both parents.

1/22/16 – Report received attached with a photo that the child had a black eye after being in the care of his mother. Attempts were made to locate the child on that date unsuccessfully. It was deemed that this report would be coded as an Information Referral after a photo after the infant was placed into protective custody was taken by a medical provider with the same mark to the infants eye determined to be the infants veins and not an injury.

H. Whether the agency which provides child welfare services, in response to the fatality or near fatality: (1) Has provided or intends to provide child welfare services to the child or to a member of the child's family or household; and (2) Has made or intends to make a referral for child welfare services for the child or for a member of the child's family or household; and (3) Has taken or intends to take any other action concerning the welfare and safety of the child or any member of the child's family or household.

WCDSS continues to conduct a joint investigation with law enforcement. Half siblings in the home continue to be deemed safe at this time. Grief and loss referrals have been provided to the family.

NON-DISCLOSURE NOTICE

The following information must not be released (see Policy on Public Disclosure of Child Fatality and Near Fatality Information, page 4): 1) Information regarding the sibling(s) of a deceased child; 2) the name of the reporting party or individual making an allegation or referral will not be released; 3) if the disclosure of the information would adversely affect any pending investigation concerning a report (NRS 432B.290(3)); 4) if the disclosure violates other federal or state law, including, but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Family Educational and Privacy Act of 1974 (FERPA), alcohol and drug abuse patient records (42 USC §290dd-2 and 42 CFR §212 (c)(6)), and any other applicable law.

ATTACHMENT

Administration on Families and Children, Child Welfare Policy Manual, CAPTA, Section 2 excerpt, March 16, 2006:

2.1A.4 CAPTA, Assurances and Requirements, Access to Child Abuse and Neglect Information, Public disclosure

1. Question: The CAPTA amendments at section 106 (b)(2)(vi) require States to provide for the public disclosure of findings or information about a case of child abuse or neglect which results in a child fatality or near fatality. For the purposes of this requirement, what is considered a "near fatality"?

Answer: A "near fatality" is defined under section 106 (b)(4)(A) as "...an act that, as certified by a physician, places the child in serious or critical condition." For example, if hospital records reflect that the child's condition is "serious" or "critical", this would be considered a "near fatality" under CAPTA.

- **Source/Date:** ACYF-NCCAN-PIQ-97-01 (3/4/97) (updated 2/3/05)
- **Legal and Related References:** Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.) - section 106

2. Question: The requirement for public disclosure states that "findings or information" about a case must be disclosed. Does this mean that States have the option to disclose either the findings of the case, or information which may be general in nature and address such things as practice issues rather than provide case-specific information?

Answer: No. The intent of this provision was to assure that the public is informed about cases of child abuse or neglect which result in the death or near death of a child. As with the use of the other "or's" in this provision ("child abuse or neglect" and "child fatality or near fatality"), we understand the language to be inclusive and not limiting.

Specifically, the reference to "findings or information" requires the disclosure of information about such a case even if there are no findings. Thus, when child abuse or neglect results in the death or near death of a child, the State must provide for the disclosure of the available facts. However, nothing in this provision should be interpreted to require disclosure of information which would jeopardize a criminal investigation or proceeding.

- **Source/Date:** ACYF-NCCAN-PIQ-97-01 (3/4/97) (updated 2/3/05)
- **Legal and Related References:** Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.) - section 106