CHILD WELFARE AGENCY PUBLIC DISCLOSURE FORM

Date: 6-6-16
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: 5/6/16

Internal reference UNITY ID or Report Number: Report# 1695013

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

☒ **Child Fatality** **Date of Death:**

☐ **Near Fatality** **Date of Near Fatality:**

☐ **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:
5-5-16

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:
The minor child was discovered deceased in a residence where he had been staying. Law enforcement was contacted.

D. The date of birth and gender of child:
3-13-99; male

E. The date that the child suffered the fatality or near fatality:
5-5-16

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.

11/18/11- Report was received by WCDSS alleging that the parent, drinks alcohol and allegedly was offering alcohol to his child. It was reported that the parent of the child and the older sibling had left the parent due to his drinking and violence and had relocated to the Las Vegas area. The child and his older sibling reportedly returned to Reno to reside with the parent after the death of their other parent. It was alleged that the parent was having the older siblings social security checks be signed over to them to purchase alcohol. Reporting party further expressed concern regarding the child's needs not being met and that the child stays out of the way of the parent when the parent is drinking alcohol. This report was coded as an Information/Referral- School counselor was contacted who had talked with the child and it was determined that there was no immediate concern with respect to food and no concerns reported by the school counselor.

9/9/12- Report was received by WCDSS advising that the parent was intoxicated and reportedly providing alcohol to minors. Officers had arrested the parent for DUI and Child Endangerment. The parent reportedly was having his child, blow into the interlock device to unlock the vehicle. The report was Substantiated for neglect. It was determined that the parent would be working with the Court and through Alternative Sentencing to address substance abuse issues and was being evaluated for possible co-occurring disorders.

12/4/12- Report received by WCDSS. At the time of this report the case was open to a WCDSS social worker and the minor child, was on a safety plan. The report alleged that the parent along with other adults were allowing minor children at a party to drink alcohol. It was reported that the parent, was intoxicated as well as the minor child, who was also reportedly "smoking weed." The report was coded as Information/Referral.

3/28/15- Report received by WCDSS which alleged sexual abuse. The report alleged that a female child, who was reportedly the girlfriend to the minor child, had ran away from home and was found at the residence where the child resided with the parent and the parent's girlfriend. It was reported that the parent and the parent's girlfriend were intoxicated. When the female child returned home, she reportedly had hickeys all over her body. The parent of the female child, reportedly went to the residence. Law enforcement arrived at the home and the child was not present. The report was coded as Information Only as it was unknown if the sexual contact between the minor children was consensual and at the time that the parent was intoxicated, the child, was not in the home.

11/24/15- Report received by WCDSS which alleged inadequate supervision. The minor child, was allegedly observed sipping on a "40" and "drugged up and out of it." Upon the child leaving the room it was alleged that there was a methamphetamine pipe and "dope" under the pillow. It was further alleged that the child was not in school and associating with gang members. Further it was reported that the child cannot read, has problems with his eye site, and that the parent would not take him to get glasses. Further reported that the parent was home and was passed out due to alcohol. Report was coded as Information Only- a welfare check was reportedly requested.

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 at this time. There are no other children residing in the home. Bereavement information has 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