

**OIG2024 Death #3**

DEATH AND SERIOUS INJURY INVESTIGATION 3

**DEATH**

A 19-month-old child was transported by ambulance to the hospital after she was found bleeding from the mouth and unresponsive while in the care of her father's 20-year-old paramour. Hospital personnel observed bruising on the side of the child's face and body in various stages of healing. Two days later, the DCFS hotline received notification of the child's death. The coroner's office ruled the child died from blunt force injuries of the head. The father's paramour was charged with first-degree murder and aggravated battery to a child. The criminal case remains pending. The Department indicated the paramour for death by abuse (#1) and cuts, bruises, welts, abrasions, and oral injuries by abuse (#11). One month prior to the child's death, the Department initiated a child protection investigation against the child's father and his paramour for cuts, bruises, welts, abrasions, and oral injuries by abuse (#11) to the child which was pending at the time of the child's death.

## **INVESTIGATION**

The child first came to the attention of the Department as a 2-month-old after the DCFS hotline received a report that a registered sex offender lived in the home with the child, the mother, the father, and the child's then 4-year-old and 6-year-old paternal siblings. During the child protection investigation, the mother and father denied they knew their roommate was a registered sex offender. The father also stated the roommate only stayed at the home for a few days and was never alone with the children. Two months later, the Department closed the investigation and unfounded allegations of substantial risk of sexual abuse-sex offender has access (#22a) against the mother and father. The Department indicated the roommate for substantial risk of sexual abuse-sex offender has access (#22a) to the three children.

The Department initiated a child protection investigation 16 months later after the mother and maternal grandmother brought the then 18-month-old child to the emergency department with multiple injuries that she reportedly sustained while visiting her father's home. The child sustained bruising on both cheeks, nose, upper lip, left eyelid, forehead, and left buttocks. The hospital released the child to her mother, but she needed follow-up X-rays to determine if the child's arm had a buckle fracture at the top of the humerus.

An OIG review of the call to the hotline revealed that the reporter provided information that the call floor worker did not include in the hotline narrative, and therefore, the information was not provided to the child protection staff. This included information that the father and his paramour gave multiple explanations to the mother and maternal grandmother about the child's injuries and that the father and paramour's explanations were not consistent with the child's injuries.

The same day as the hotline call, the assigned child protection investigator went to the mother's residence to observe the child. The investigator photographed the bruises and injuries on the child's face, neck, and back. The mother told the child protection investigator that she and the father separated during the summer, but she recently allowed the child to have visits with the father. The mother reported the father's paramour watched the child and the child's paternal siblings while the father worked. The mother stated the paramour sent a text message to the mother, explaining that the 18-month-old child got hurt after the 5-year-old paternal sibling ran through the door, which hit the child, knocking her to the ground. The paramour reported the child held a sippy cup at the time, which caused the marks to the child's face. The child protection investigator explained to the mother that it would be inappropriate to allow the child to go to the father's home until the Department assessed the home and the mother agreed. IG investigators separately interviewed the assigned child protection supervisor and the area administrator, who both reported frequent communication about the investigation, and they understood that the mother would not allow the child to go to her father's home before additional investigative work was done to assess if the child would be safe at her father's home. The supervisor told IG investigators that the child protection investigator reported the mother appeared very protective of the child and that the father did not have court ordered custody or visitation.

The Department assigned a parallel child protection investigator and supervisor to the investigation, as the father and parental siblings lived in a different jurisdiction than the child and mother. The day after the hotline call, the parallel child protection investigator spoke with the child's 5-year-old and 8-year-old paternal siblings at their school. The siblings did not disclose any concerns about the paramour or the father, and they confirmed the door hit the child in the face at their father's home. The siblings reported that at the time of the injury, the paramour cared for them while their father worked. The parallel investigator also contacted the paternal siblings' mother, who reported no concerns regarding the father or the paramour.

The following day, the parallel investigator spoke with the father at his residence, and he stated neither he nor his paramour used physical abuse or corporal punishment with the children. The parallel investigator also contacted the paramour, who repeated that the 5-year-old paternal sibling ran through the door, which hit the child and knocked her over. The paramour reported the child also fell off the bed that evening. The paramour stated she did not notice any issues with the child's arm until the next morning, when the child did not move her arm. The parallel investigator notified her supervisor and the primary child protection supervisor and investigator that she conducted the interviews and uploaded photographs to SACWIS of the door that reportedly hit the child.

Procedures 300 Appendix B, *Allegation of Harm, cuts, bruises, welts, abrasions, and oral injuries, #11/61* requires child protection staff to conduct a reenactment. The parallel child protection investigator told IG investigators that she did not conduct a scene investigation or reenactment because the primary investigative team did not request these tasks. The parallel child protection investigator also told IG investigators that she did not interview the paramour in-person because the paramour was not available when the investigator went to the home, and the primary investigative team did not request for her to return and meet with the paramour in-person. In a separate interview with IG investigators, the area administrator reported ongoing issues with tasks related to parallel assignments, as many parallel workers waited for the primary staff to direct them to conduct a scene investigation. The area administrator also reported instances in which parallel investigators did conduct scene investigations because they knew it should be done in a physical injury investigation. Procedures 300.50(n), *Parallel Investigations* documents the process for assigning parallel investigators but provides little guidance on the work required of the parallel investigator.

Two weeks after the hotline call, the mother sent a text message to the primary child protection investigator to ask for an update regarding the investigation, as the father requested visitation with the child. The investigator documented in SACWIS that she called the mother to explain that the father's home had not yet been assessed but there was no current evidence to suggest that the child would be in immediate harm. The investigator stated the mother should not send the child to the father's home if she did not feel the child would be safe there. The primary child protection investigator told IG investigators that the mother reported the father pressured her to send the child to his home. The primary investigator told IG investigators that she explained to the mother that the investigation remained ongoing, and they did not have all the information yet to determine if the child would be safe at the father's home. The primary investigator stated she informed the mother that the mother would be responsible if something happened to the child while at the father's home. The primary investigator told IG investigators that the mother gave the impression that she sought advice and that the mother did not give any indication that she would send the child to the father's home. The primary investigator also told IG investigators that she did not discuss the conversation with the mother with her supervisor.

The same day that the mother sent the text message to the primary investigator, the paramour called the parallel investigator to inquire if the child could visit her and the father that weekend. The parallel investigator asked the primary supervisor for guidance, and the primary supervisor stated that they did not have urgent and immediate cause to say that the child could not go to the father's home. The parallel investigator then spoke to the paramour and provided the primary supervisor's response. In her interview with IG investigators, the primary supervisor reported that she could not recall what she specifically told the parallel investigator, but the

primary supervisor informed IG investigators that they would not have urgent and immediate cause unless the child went to the father's home.

Less than three weeks later, the child died from blunt force injuries of the head. The Department placed the primary child protection supervisor and investigator on desk duty for 72 days. The Department reassigned the pending child protection investigation and indicated the paramour and father for cuts, bruises, welts, abrasions, and oral injuries by abuse (#11).