

**Child Fatality Review #08-79**  
**Region 2**  
**Yakima County**

This seven-day-old Caucasian male died from complications of a premature birth.

**Case Overview**

On December 21, 2008, this child's mother delivered him at 29 weeks gestation while sitting on a toilet. Medics responded to a 911 call and took the infant to a Yakima area hospital. According to the hospital social worker, the mother was high on methamphetamines and benzodiazepine when she delivered. The newborn was intubated and put on ventilator; his body temperature was 30 degrees. He weighed three pounds. On December 28, 2008, this infant died. The mother has two older children who are in a legal guardianship with their maternal grandparents. The mother did not visit this infant at hospital. The death certificate indicates the manner of child's death was natural and the cause was due to premature labor and methamphetamine use.

**Referral History**

On May 9, 2004, a relative contacted Child Protective Service (CPS) intake concerned that the deceased child's mother and boyfriend left their 10-month-old son (older brother of the deceased child) in the care of an 83-year-old great grandmother for days at a time.

This child suffered a seizure while in her care. The great grandmother called 911 and paramedics required the parents' permission to treat. The parents were unavailable. Paramedics recommended the child go to a doctor as soon as possible. The parents were informed of this, but never sought medical care for the child. Relatives believe the parents were using drugs as they appear drug affected when they return and often had to sleep it off. The referrer said the parents routinely engaged in domestic violence. It was also alleged the deceased child's mother was seen at a hospital emergency room in April 2004 after she slit her wrists. The referrer also reported both parents were participating in Alcoholics Anonymous meetings, but the father was kicked out after becoming violent with other attendees. This referral was investigated by CPS and closed with an unfounded finding for negligent treatment or maltreatment.

On July 16, 2004, a relative reported to CPS intake that mother will take her 12-month-old baby (brother of the deceased child) to drug houses. The referrer reported the mother sometimes left him in one of the drug houses and went elsewhere for drugs. On July 15, 2004, the mother was high on methamphetamine and took the baby in a stroller walking down in the middle of the road. The referrer followed her to make sure the mother and baby were unharmed. This referral was investigated by CPS and closed with an unfounded finding for negligent treatment or maltreatment.

On October 21, 2004, a worker at a Yakima County DSHS office reported to CPS intake that the deceased child's mother and boyfriend came into the DSHS office under the influence of some drug. No alcohol was detected. The father was so high he could hardly talk. The mother was heard on her cell phone telling her father she had not taken any pills. The referrer was unsure where their 15-month-old son was located. It was assumed he was in the car as the mother kept going out to the car and the couple had no place to live. This referral was screened in for investigation by CPS and closed with an inconclusive finding.

On June 28, 2005, law enforcement reported to CPS intake about a domestic violence incident between the deceased child's mother and her boyfriend. The mother was over eight months pregnant at the time. The mother and her boyfriend got in an argument in their car and the boyfriend allegedly kicked the mother in the stomach and drove off with her in the car and the door open. It was thought that their 23-month-old son was also in the car at the time. A relative called 911, and a state trooper located the couple. The mother had two stab wounds to her thigh. She was extremely irate and difficult with law enforcement. The boyfriend was arrested and charged with Fourth Degree Assault/Domestic Violence. The mother was arrested and charged with Disorderly Conduct. She was taken to a Yakima area hospital where her wounds were treated. She was also given a drug test which came back positive for methamphetamine. The mother said she stabbed herself. This referral was screened in for investigation by CPS and closed with an inconclusive finding. The assigned CPS social worker contacted several Yakima area hospitals to alert them that this mother was due to deliver her baby soon and to contact Children's Administration staff when the baby was born.

On July 12, 2005, a doctor reported to CPS intake that the deceased child's mother gave birth to a girl. The doctor requested that CPS assess the family environment prior to being discharged. The mother tested positive for methamphetamine and opiates. The newborn and her two-year-old brother were placed in protective custody and a dependency petition was filed for both children. Both were placed in relative placement. During the early dependency period, social workers coordinated with the mother and her boyfriend to complete court ordered services. Initially, the mother was cooperative with services; she completed a 28 day inpatient treatment program. Ultimately, both parents were out of compliance with the service plan. They were offered parenting classes, mental health, and domestic violence evaluations. They did not participate in any of these services. They stopped attending supervised visits with their children. The dependency petition was withdrawn after the grandparents obtained Third Party custody of both children.

On August 8, 2008, a nurse at a Yakima area hospital reported to CPS intake that the mother came into the emergency room due to bleeding from complications of her pregnancy. She was about nine weeks pregnant. The referrer said she tested positive for opiates and benzodiazepine and may have been under the influence of some drug when

she came in. She also had needle tracks marks on her. The mother's two older children were in the custody of their grandparents. This referral was screened as Risk Only. On November 12, 2008, a hospital social worker reported to CPS intake that the deceased child's mother was pregnant and due on March 7, 2009. She was admitted to the hospital and tested positive for methamphetamine, benzodiazepines, and opiates. The referrer said the mother was seen at the hospital eight times in 2008 and 16 times in 2007. This referral was screened as Information Only.

On December 21, 2008, a hospital social worker called CPS to report the mother gave birth to the deceased child on this date. He was born at 29 weeks gestation and weighed three pounds. The mother gave birth to him at home while sitting on the toilet. The mother tested positive for methamphetamine and benzodiazepine. The referrer stated that the mother has a long history of substance abuse and drug seeking behaviors. The mother had minimal pre-natal care. The child died on December 28, 2008. A CPS investigation was opened at the time of the child's birth and closed with a founded finding for negligent treatment or maltreatment. Law enforcement investigated the death of this child but chose not to forward charges to the Prosecuting Attorney's office. This child never left the hospital.

### **Issues and Recommendations**

**Issue:** The CPS investigation was missing an important collateral contact with the first responders who were dispatched to the home where the mother delivered her baby. Possible information that could have been collected would have been statements made by individuals, demeanor of individuals, physical description of individuals and of home and contents.

**Recommendation:** As best practice, whenever there is a case opened to CPS due to a child abuse and neglect related fatality, near fatality, or serious injury, the CPS investigator should make contact and interview the first responders that were dispatched to where the emergent incident occurred.