

Child Fatality Review #09-09
Region 4
King County

This three-month-old Caucasian male died from Positional Asphyxiation.

Case Overview

On February 27, 2009, this three month-old infant was co-sleeping with five other family members when his mother awoke and found him unresponsive and partially covered by his three-year-old brother.

The family was staying overnight at the maternal grandmother's residence in King County. Medical Examiner Investigators attempting to re-create the scene at the residence learned that the uncle, his girlfriend, the deceased child, his three-year-old brother, and their mother were all sleeping on one mattress on the floor.

The deceased child was last seen alive around 1:30 to 2:00 a.m. on February 27, 2009. The mother reported she fed him, and placed him on his back to her left on the mattress, away from the others. During the night the three-year-old, who had been sleeping in a chair, also got into bed with the other family members. The mother awoke around 6:30 a.m. and found the deceased child now on her right side, face up, partially covered by his three year-old brother.

An aid unit responded to the 911 call from the family. The aid unit transported the deceased child to a local hospital where he was pronounced dead.

According to the King County Medical Examiner Record, the cause of death is asphyxia due to overlying. It also lists bed-sharing with multiple adults and children as a risk factor. The manner of death is accidental.

Referral History

On June 2, 2003, a mandated reporter contacted Child Protective Services (CPS) intake to report the brothers of the deceased child had sexualized behaviors after visiting relatives. This intake was sent to law enforcement for review. This referral was screened as Third Party.

On October 26, 2004, a child care staff reported to CPS intake that the deceased child's brother, then age two, had an untreated burn on his arm. He had several other burns on his torso. The family's apartment was filthy. The children's clothing was dirty. The intake was accepted for investigation of physical abuse and negligent treatment or maltreatment. The CPS investigation was closed with a founded finding for physical abuse and unfounded for negligent treatment or maltreatment.

Law enforcement investigated and placed all the children in protective custody. The investigating social worker filed a dependency petition. The court ordered out of home placement. In December 2004, the court ordered the children returned to the mother with services. The services included parenting instruction, a psychological evaluation with a parenting component, advocacy and support from a community domestic violence agency. The court and the agency were satisfied about the family's compliance and progress and the dependency was dismissed in March 2005. The case was closed in June 2005.

On October 29, 2005, law enforcement reported to CPS intake that the deceased child's mother and her boyfriend got into a verbal dispute. The mother later called police to report she saw marks on the deceased child's brother and alleged her boyfriend physically abused him. The child had a red mark on the side of his head, two dark marks on both sides of his face, and dark marks on both sides of his neck and collarbone. In addition there were red marks on his lower back and buttocks. A Safety Plan was written that included no contact with the boyfriend. The case remained open for services and monitoring. The intake was investigated by CPS and closed with a founded finding on the boyfriend for physical abuse and founded on the mother for failing to protect her child.

On September 7, 2007, CPS intake was contacted by a neighbor who reported a pattern of lack of supervision and harsh treatment by the mother. This intake was screened as Low Risk. A letter was sent to the mother advising her of the report and emphasizing the need for closer supervision.

On January 22, 2009, a school counselor reported that the deceased child's brother went to school with scabies and ringworm. His mother did not take him to the doctor until four days later. She took some of her children but not all. The school would not allow the others back in school until a doctor had examined and cleared them. This intake was accepted for investigation of Negligent Treatment or Maltreatment and closed with an unfounded finding.

The assigned worker conducted her investigation and observed the home environment to be relatively clean and spoke with the mother about the scabies issue. This case remained open for services. During this time, the mother's youngest child died while the family was spending the night at the maternal grandmother's home. The case continued to be open for grief support and Family Preservation Services (FPS).

Issues and Recommendations

Issue: Information about the infant's sleep environment.

Recommendation: When a family has an infant, workers should always ask about where the infant sleeps, and ask to see the room. Where available in the community, workers

should provide a safe, portable crib to families in need, and a "safe sleep" kit to reduce the risk of sudden unexpected infant death.

Issue: Use of the Public Health Nursing Early Intervention Project (EIP).

Recommendation: Wherever available, workers should always make a referral for EIP services when a family has a child less than twelve months of age. Nurses are especially skilled at informing parents about safe sleep environments for infants.

Issue: Planning for safe sleep.

Recommendation: When workers learn of situations in which parents are bed-sharing with infants, they should write safety plans that will end that practice and replace it with a safer alternative.

Issue: The 2006 adverse finding on the mother for "failure to protect" herself and her children from domestic violence. The mother was the victim; her assailant tried to kill her.

Recommendation: Workers should become familiar with the Children's Administration new policy on domestic violence, which strongly discourages this practice in favor of holding the perpetrator accountable.