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## REPORT ON THE FATALITY OF

**Christopher Harr**

**Date of BIRTH: October 2, 1998**  
**Date of DEATH: September 3, 2010**

The family was **not** known to Westmoreland County Children's Bureau

This report is confidential under the provisions of the Child Protective Services Law and cannot be released. (23 Pa. C.S. Section 6340)  
Unauthorized release is prohibited under penalty of law. (23 Pa. C.S. 6349 (b))

**Reason for Review:**

Senate Bill No. 1147, now known as Act 33 was signed by Governor Rendell on July 3, 2008 and went into effect 180 days from that date, December 30, 2008. This Act amends the Child Protective Services Law (CPSL) and sets standards for reviewing and reporting child fatality and near child fatality as a result of suspected child abuse. DPW must conduct child fatality and near fatality review and provide a written report on any child fatality or near fatality where child abuse is suspected.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Christopher Harr	Victim Child	10-02-1998
[REDACTED]	Father	[REDACTED]-1971
[REDACTED]	Step-mother	[REDACTED]-1975
[REDACTED]	Half-sister	[REDACTED]-2000
[REDACTED]	Half-brother	[REDACTED]-2006
[REDACTED]	Mother	not known

**Notification of Fatality:**

The victim child, age 11, was playing at a friend's home. The friend's parents were reportedly in the babysitting role at the time of the incident and therefore were listed as the [REDACTED] on the [REDACTED]. The friend's parents left the residence to visit their grandmother in a nearby nursing home. When they left their home, the victim child and their own two children, dates of birth [REDACTED]-98 and [REDACTED]-97 were playing together at the home. The friend's parents were gone for an unknown period of time. The victim child and his 12-year-old friend were outside playing while the friend's brother, also 12 years old, was inside watching television. The two boys playing outside came in and the 12-year-old friend (younger of the two siblings) left the room and returned with a rifle. He sat in a chair opposite the couch where his brother and the victim child were sitting. It is alleged that he pulled the trigger and nothing happened and then he pulled the trigger again. At this time the rifle went off, shooting and killing the victim child; the bullet went into his left nostril, exiting out the back of the victim child's head. After the shooting the two friends dragged the victim child's body towards the back door after calling 9-1-1. The two boys stated they moved his body because they wanted to move the victim closer to the door for the EMTs.

**Documents Reviewed and Individuals Interviewed:**

The Department of Public Welfare's Office of Children Youth and Family Services Program Representative reviewed the case file provided by Westmoreland County Children's Bureau (WCCB) for the September 4, 2010 intake referral for the [REDACTED] investigation. The file included the referral and demographic information, safety assessment, on-going dictation, and other correspondence. An initial interview was conducted with the assigned caseworker (CW) and supervisor of

Westmoreland County Children's Bureau, and the Department maintained on-going contact with the staff. The Department attended the internal review conducted by WCCB on October 1, 2010.

### Case Chronology:

On September 4, 2010, WCCB received a call from local law enforcement concerning the death of the victim child. It was reported that the child was shot [REDACTED] and was deceased. The child was allegedly in the care of the parents of the two brothers the child was playing with when the incident occurred. The parents of the two brothers stated that they had left the home for a short period to visit the grandmother in a local nursing home.

The CW arrived at the home with the detective investigating the shooting, at 10:30 am on September 4, 2010. The CW met with the parents of the two brothers involved in the shooting. Per the [REDACTED] the parents of the brothers were named as [REDACTED] [REDACTED] due to the lack of supervision of the children. The father reported that they had left the home about 6:15pm and received the first phone call from their son at 6:48pm. The father stated that they let their older son know that they were leaving and that he is usually in charge of the kids when they go away. The father also stated that they let their oldest son know that if the kids needed anything while they were gone to just give them a call. At this time the CW spoke to the two children. At the request of the assigned Detective, the CW worker only asked if the children felt safe with their mother and father, and the children both responded, "Yes." The CW established a safety plan with the family that included that all weapons were to be removed from the home; that the children were not to be left unsupervised without adult supervision; that the family needed to cooperate with WCCB; and, that the parents were to provide all the basic needs for the children, and to assure the safety of the children at all times. This safety plan was to be in place for 60 days. Both parents agreed and signed the plan. The safety assessment was also completed on 09/04/10.

On October 26, 2010 the CW met with the victim's friend at his school. The child stated he felt safe with his mother and father and that he and his brother go to [REDACTED] [REDACTED] for [REDACTED] since the incident occurred. The child also reported that the school is being very helpful as well.

On October 26, 2010, the CW met with the other brother. He stated he felt safe with his mother and father and feels safe at home and all of his needs are being met. He also stated that he and his brother are attending [REDACTED]. The child also stated he is afraid to see the victim child's father and has written him a letter but he is not sure if he is allowed to give it to him. He also said that the people at the [REDACTED] told him and his brother that they have [REDACTED].

On October 26, 2010 the CW met with the victim child's family in their home. The CW explained that there was an ongoing investigation due to the death of their son. The CW explained that he had postponed coming to their home to give their family time to

██████. The father stated that he was appreciative for that gesture. The father stated that he has not heard anything from the police and doesn't know what is going on with the investigation into the death of their son. The father stated that the victim child's two half siblings have received ██████ through their church. The father stated that the children seem to be dealing with this incident okay. He also stated that the victim child's mother is not involved at all and that he has no idea where she is, and that he has had his son in his custody since he was less than a year old. The father stated that the victim child would go to the home where the shooting occurred all the time and feels that this was just a horrible accident. He was not aware that there would not be adult supervision at that home. The father informed the CW that he did not feel that his family was in need of any assistance at this time, and that they are dealing with this with tragedy through their church. The CW reported that there were no safety or health concerns in the home. The father requested that the CW not discuss the incident with his other two children. The CW then spoke with the step-mother. She stated that they seem to be dealing with the incident better and better day by day. She also stated that her involvement with the victim child has been since he was an infant and that the family has a huge support system through their church. Their neighbor is the pastor of their church and visits with the family 2-3 times a week.

The CW then explained that WCCB is finished with their investigation and that the report was submitted on 10/28/2010 as ██████ based on the fact that the county was unable to determine that the ██████ were in the caretaking role at the time of the incident; as they reported that they were unaware of the child being at their home. The CW also explained that the law enforcement investigation will continue. They were happy to have finally been told what has been going on and what will continue. There was a safety assessment completed on 10/26/2010 for both families involved but the safety assessment completed has both families listed on the same assessment and there is no separation of the families.

#### **Previous CY involvement:**

The two brothers in whose house the shooting occurred were ██████ approximately nine years ago and since that time there has been no involvement with the agency.

#### **Circumstances of Child's Fatality:**

The victim child, age 11 was playing at a friend's home. The friend's parents were reportedly in the babysitting role at the time of the incident and therefore were listed as the ██████ on the ██████. The friend's parents left the residence to visit their grandmother in a nearby nursing home. When they left their home, the victim child and their own two children, dates of birth ██████-98 and ██████-97 were playing together at the home. The friend's parents were gone for an unknown period of time. The victim child and his 11-year-old friend were outside playing while the friend's 12-year-old brother was inside watching television. The two boys playing outside came in and the 12-year-old friend left the room and returned with a rifle. He

sat in a chair opposite of the couch where his brother and the victim child were sitting. It is alleged that he pulled the trigger and nothing happened and then he pulled the trigger again. At this time the rifle went off, shooting and killing the victim child; [REDACTED] into his left nostril, exiting out the back of the victim child's head. After the shooting the two friends dragged the victim child's body towards the backdoor after calling 9-11. The two boys stated they moved his body because they wanted to move the victim closer to the door for the EMTs.

**Current / most recent status of case:**

- The [REDACTED] report was submitted on October 28, 2010 and determined to be [REDACTED] based on the facts that the friend's parents were not in the caregiver role at the time of the shooting.
- The victim child's case was closed by WCCB on 10/28/2010.
- The Department has made contact with Westmoreland County DA's office and is waiting to find out whether or not charges will be filed in this case. At this time no charges are pending nor have charges been filed.

**County Strengths and Deficiencies as identified by the County's Internal Review:**

Strengths –

- WCCB responded to the [REDACTED] report by sending a CW to the home within a few hours of the report. [REDACTED] completed interviews with the family of the shooter after the report was initiated. The CW also collaborated with the county detective who also responded to the home immediately. The [REDACTED] was also able to interview the family of the victim child and learned that this family had a good support system in place and already had the other children involved in [REDACTED] with the pastor. The [REDACTED] had on-going supervisory conferences to discuss the information.
- WCCB completed an assessment of the home where the two children involved in the shooting resided, to ensure the needs of those children were being met. Based on the safety assessment findings a safety plan was implemented for that family which included removal of all weapons and that the children were to have adult supervision at all times.
- WCCB completed the intake assessment and [REDACTED] investigation in a timely fashion.

Deficiencies-

The county did not identify deficiencies.

**County Recommendations for changes at the Local (County or State) Levels as identified by way of County's Fatality Report:**

The Western Regional Program Representative identified that there should have been two separate investigations/assessments completed at the time of the report; in the household of the victim child and the household where the shooting occurred. The county intake manager stated that he disagreed, but would consider this for future referrals.

The county recommends a need for gun safety education and instruction for households with children in which guns are stored.

### **Statutory and Regulatory Compliance issues:**

The Department has found there to be Regulatory compliance issues. The following are the citations from the issued Licensing Inspection Summary:

3490.232 (d) (1-4), (e); 3490.321(h) (1). There was no risk assessment completed at the home where the incident occurred. There was no risk assessment completed on the victim child's household. This is required within 60 calendar days from the date of the report to determine whether or not the child and family should be accepted for general protective services, be referred to another agency for service, or close the case.

3130.21(b). The county did not complete the safety assessment as required per CPSL and Safety Assessment and Management Process. The agency did complete a safety assessment on 10-26-10 but included both households on the same assessment.

### **Western Region Findings:**

After reviewing the case record, interviewing the caseworker and supervisor, and attending the internal review meeting the Department has identified some procedural concerns regarding the way the WCCB response to the [REDACTED] report and the way the cases were assigned after the report was initiated on September 4, 2010. These issues are; the fact that only one case was opened as a [REDACTED] investigation regarding the shooting incident. The Department believes that an assessment should have been initiated on both households. Although the Department is sensitive to the fact that WCCB staff did not initiate contact with the victim's family immediately after the incident occurred, there is a concern that the family was not contacted until 53 days after the incident occurred.

A LIS was issued to the county citing the issues of the risk assessment and safety assessment outlined above. The county response stated that the risk assessment was completed as required and provided a copy. It could not be determined why the Western Region did not originally receive a copy, as the county believed that they had provided the entire record. The county has also stated its disagreement with the citation regarding the safety assessment and does not believe that a separate assessment needed to be completed on the other household, as there were no allegations made

regarding this home. The Western Region continues to believe that this assessment should have been completed.