



*Jacquelyn Maddon*  
*Regional Director*

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

(570) 963-4376  
Fax (570) 963-3453

**OFFICE OF CHILDREN, YOUTH AND FAMILIES**  
**NORTHEAST REGIONAL OFFICE**  
Scranton State Office Building  
100 Lackawanna Avenue  
Scranton, Pennsylvania 18503

**REPORT ON THE FATALITY OF:**

**Joselynn Urquia**

**DATE OF BIRTH: 10/22/10**  
**DATE OF FATALITY: 12/21/10**

**FAMILY KNOWN TO:**  
**Northampton County Department of Human Services**  
**Children, Youth and Families Division**

**REPORT FINALIZED: 10/27/11**

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 1147, Printer's Number 2159 was signed into law on July 3, 2008. The bill became effective on December 30, 2008 and is known as Act 33 of 2008. As part of Act 33 of 2008, DPW must conduct a review and provide a written report of all cases of suspected child abuse that result in a child fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

Act 33 of 2008 also requires that county children and youth agencies convene a review when a report of child abuse involving a child fatality or near fatality is indicated or when a status determination has not been made regarding the report within 30 days of the oral report to ChildLine. Northampton County Department of Human Services, Children, Youth and Families Division convened a review team meeting on January 13, 2011 in accordance with Act 33 of 2008 related to this report.

**Family Constellation:**

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
Joselynn Urquia	Victim	10/22/10
[REDACTED]	Sibling	[REDACTED]/09
[REDACTED]	Mother	[REDACTED]/85
[REDACTED]	Father	[REDACTED]/89
[REDACTED]	Paternal Grandmother	[REDACTED]/66
[REDACTED]	Paternal Grandfather	[REDACTED]/54
[REDACTED]	Neighbor/Caregiver	[REDACTED]/86
[REDACTED]	Neighbor/Caregiver	[REDACTED]/87
[REDACTED]	Neighbor's child	[REDACTED]/09

**Notification of Fatality:**

On 12/19/10 the [REDACTED] took the child to the ER at 8:20 AM. The [REDACTED] stated that when he was feeding the child at 6AM he noticed a lump on the side of the child's head. The [REDACTED] later admitted that around 6AM he accidentally dropped the child and waited until 8AM to take the child to the hospital. The child was barely breathing when she arrived at the emergency room. The child has severe [REDACTED] [REDACTED] to the right side of the head. The child has severe [REDACTED]. The child underwent [REDACTED].

[REDACTED] the story does not match the injury. The [REDACTED] Mother never showed up at the hospital. [REDACTED] certified the child to be in critical condition. The child is not expected to survive. [REDACTED]

**Documents Reviewed and Individuals Interviewed:**

The [REDACTED] investigation was conducted by the county agency; however, the [REDACTED] Police Department took the lead on the investigation. The

Northeast Regional Office of Children Youth and Families (NERO) investigation consisted of a review of the [REDACTED] file, review of the local newspaper articles, interviews with Northampton County Department of Human Services, Children and Youth Division staff, participation in a MDT meeting regarding the family on December 28, 2010 and an ACT 33 meeting on January 13, 2011.

### Case Chronology:

On 12/19/10 Northampton County Department of Human Services, Children and Youth Division received a report regarding child. The on call caseworker contacted the [REDACTED] Hospital emergency Room. The child has been sent to [REDACTED] Hospital for an [REDACTED]. The father did not provide an explanation for his delay in obtaining treatment for the child. He stated that he noticed a lump to the left side of the child's head and all of the injuries to the right side.

On 12/19/10 an officer from [REDACTED] Police Department contacted the on call caseworker. The officer informed the caseworker that they are investigating the matter [REDACTED]. The officer requested that the caseworker not interview the parents prior to consulting with the [REDACTED] Police Department.

On 12/19/10 the on call caseworker and Detective [REDACTED] Police Department, went to the [REDACTED] Hospital [REDACTED]. Detective [REDACTED] waited for father [REDACTED]. Once father was released he was interviewed. Father reported that he was on probation until April 11, 2004 due to an incident with [REDACTED], child's sibling. [REDACTED] he took mother to work at 5AM. His neighbors were watching the children until he returned. When he returned he got the children and took them to his apartment. [REDACTED] kept crying. He checked her diaper and it was wet. He changed her diaper and got her a bottle. The child calmed down a little. Father had to urinate and went into the bathroom to urinate while still holding her bottle. The bottle was placed in the sink and he urinated while holding the child. When he was done, he turned to get the bottle with his left hand. [REDACTED] the bottle was on the sink near the tooth brush holder. [REDACTED] that this was when he dropped the child on the ceramic tile floor. [REDACTED] she was crying and her voice was going down when he picked her up. He checked her pulse and it was good. After 5 minutes she had a big lump on the side of her head. He took her to the neighbor and told him that he dropped the baby. [REDACTED] he went to the hospital after leaving [REDACTED] with a neighbor. When he checked the child's pulse it was weird, he thought she was dying. He placed the child on his chest and he was rubbing her back to see if the weird noise she was making was her needing to burp. After this he went to the neighbors and the neighbors drove him and the child to the hospital.

On 12/19/10 the police asked [REDACTED] about his probation. [REDACTED] when [REDACTED] was 3 months old he slapped her because she was crying like "crazy". [REDACTED] he attends parenting classes [REDACTED]. At this time Detective [REDACTED] left the room. The child's father and the on call caseworker

continued the interview. [REDACTED] when the child fell he thought she popped a tumor on the side of her head. He said that she seemed to have trouble breathing and described and showed the caseworker how the child was breathing.

On 12/19/10, Detective [REDACTED] returned to the room and informed the on call caseworker that when she was done with father that she could go to [REDACTED] see the mother and the child. [REDACTED]

On 12/19/10 the caseworker visited the child at the [REDACTED] Hospital at [REDACTED]. The caseworker took photos of the child. While there [REDACTED] started "gushing" blood from her head [REDACTED]

[REDACTED] While taking the pictures the caseworker was shown what appeared to be finger marks on the left side of the child's ribcage.

On 12/19/10 the on call caseworker informed the father that all contact with his children would have to be supervised by the agency or an approved 3<sup>rd</sup> party until further assessment. The parents agreed to and signed the safety plan.

On 12/19/10 the caseworker conducted an announced visit to the neighbor's home. The caseworker submitted ChildLine and criminal clearances. There were no criminal or child abuse histories. The home was appropriate. [REDACTED] remained in the care of the neighbors.

On 12/20/10 the child was placed on life support equipment as the child was unable to breathe on her own. The child [REDACTED] is being classified as non-survivable. [REDACTED] the child has not been declared dead at this time, [REDACTED]

On 12/20/10 Northampton County Department of Human Services, Children and Youth Division had an emergency staffing. It was recommended that [REDACTED] (child's sibling) be examined and for the caseworker to run criminal and child abuse clearances on the parents and possible caregivers.

On 12/20/10 [REDACTED] (child's paternal grandmother) home was assessed. Her home was appropriate. [REDACTED] went to stay at [REDACTED] home.

On 12/20/10 [REDACTED] (child's sibling) was seen at the hospital and medically examined. There were no medical issues.

On 12/21/10 child was removed from the life support and pronounced dead.

On 12/21/10 [REDACTED] (father of the child), was charged with fatally beating the child and incarcerated at Northampton County Prison.

On 12/22/10 the mother called and stated that she no longer wants [REDACTED] (the child's sibling) staying with the paternal grandmother because she told her that she belongs in prison with father. Paternal grandmother also plans on seeking custody of [REDACTED] (the child's sibling).

On 12/22/10 the mother and maternal grandfather met with the caseworker at Northampton County Department of Human Services, Children and Youth Division.

[REDACTED] Mother said that father called her between 7:30 and 8:30 AM. [REDACTED] father told her that the child was sick. He told her that he went downstairs to the neighbors home while holding the child. [REDACTED] he didn't know what was wrong with the child. Father put the female neighbor on the phone. [REDACTED] the child looked uncomfortable and assumed that the child's milk was upsetting her stomach. [REDACTED] female neighbor to give the child tea or warm water and if that doesn't help to take the child to the hospital. The next call mother received was from her male neighbor stating that she needed to leave work because her child was really sick. While mother was waiting for her male neighbor to pick her up from work the father called her several times stating that he was really worried about the baby because she had fallen from his arms. Mother asked father what he did and instructed him to remain calm because she was on her way to the hospital. The father informed mother that the child was being transported to [REDACTED] Hospital because she was gravely ill. [REDACTED] the father was the first person she saw when she arrived at the hospital. He appeared to be in an altered state and was very nervous. He appeared to be in crisis. [REDACTED]

[REDACTED] the child had been crying a lot. [REDACTED] he had taken the child with him to the bathroom and in that moment the child started acting out. He never actually said what happened.

On 12/22/10 the agency had an emergency staffing. It was determined that the mother and child should be referred to the [REDACTED]. Mother was also referred [REDACTED]. The mother and child were unable to gain entry into the program on this date so they stayed with mother's neighbors.

On 12/22/10 District Attorney [REDACTED] instructed the caseworker not to have any contact with the father due to the pending criminal charges.

Northampton County Department of Human Services, Children and Youth Division had limited participation in this investigation due to the criminal investigation. The agency was able to make a status determination based on the medical reports and admission from the father to the [REDACTED] Police Department.

#### **Previous Children and Youth Involvement:**

The family had an active case with Northampton County Department of Human Services Children, Youth and Families Division from July 2009 through December 2009. [REDACTED]

[REDACTED]. Father was on probation for simple assault related to the investigation. Both parents participated in parenting education through [REDACTED]. Father completed [REDACTED] classes. The agency did not have any problems or concerns with the family so the case was closed.

[REDACTED] remained active with Northampton County Parole/Probation and was [REDACTED] (the child) and [REDACTED] (the child's sibling) received routine medical care at their pediatrician. No problems or issues were reported.

**Circumstances of the Child's Fatality or Near Fatality:**

According to The Morning Call, a local newspaper, the father was arraigned for homicide on allegations that he struck the child at least two times with a closed fist at their home. He admitted that he hit her in the head because he was frustrated and angry she wouldn't stop crying.

**Current / Most Recent Status of Case**

[REDACTED]. The family was accepted for services. The mother is from Mexico, and does not have legal status. The mother does not speak English and depended on [REDACTED] for everything. [REDACTED] was on probation for the incident with [REDACTED] (the child's sibling). He was attending school and working full time. He rarely had the responsibility of caring for the children, except Sundays when he was off and mother worked.

Northampton County Department of Human Services Children, Youth and Families Division has provided the mother with assistance [REDACTED]

[REDACTED]. The agency has opened the family for ongoing [REDACTED].

Maternal grandfather does reside in [REDACTED], but is in the process of returning to Mexico. Paternal grandmother was supportive of mother in the beginning of the investigation, but then placed the blame on the mother for allowing father to have unsupervised contact with the children. Mother and paternal grandmother have not communicated since [REDACTED] returned to her mother's care.

Mother does have friends who have been very supportive of mother throughout the investigation. Mother and the child's sibling are receiving services through [REDACTED] (parenting education), and the [REDACTED]. The mother has been referred to the [REDACTED]

The father is incarcerated pending criminal court hearing.

**Statutory and Regulatory Compliance**

As a result of the OCYF review of the circumstances surrounding the child's fatality incident including the [REDACTED] case file and corresponding family file, it was determined that the Northampton County Department of Human Services Children and Youth Division conducted safety assessments and risk assessments accurately. An initial safety plan was implemented which required the child's sibling to stay with paternal grandmother until mother could be ruled out as a possible suspect in [REDACTED] death. Once the [REDACTED] Police Department cleared mother [REDACTED] was able to return to their mother's care. The child was determined to be safe each time she was assessed in their mother's care. The agency made an announced and an unannounced home visits to assess the safety of the child during the investigation. The family was accepted for services.

### **Findings:**

- The family had a brief history with Northampton County Department of Human Services Children and Youth Division [REDACTED]. However, the case was closed following successful completion of services by the family.
- The agency assessed the safety and risk of the child as required.
- [REDACTED]

### **Recommendations:**

This recommendation is a result of the family's initial contact with Northampton County Department of Human Services Children, Youth and Families Division. When a family is involved with other social services agencies, Northampton County Department of Human Services Children and Youth Division, should contact them prior to closing the case to make sure that there are no other issues or concerns that need to be addressed with the family. The agency closed the case without consulting with Adult Probation to assess the father. Adult Probation assumed that Children & Youth would continue to monitor the father's compliance with [REDACTED], parenting, [REDACTED] [REDACTED] throughout the course of his probation.