



STATE OF DELAWARE
Child Death, Near Death and Stillbirth Commission
900 King Street
Wilmington, DE 19801-3341

CAPTA¹ REPORT

In the Matter of
John Williams
Minor Child²

9-03-2007-00004

September 14, 2012

¹ The federal Child Abuse Prevention and Treatment Act requires the disclosure of facts and circumstances related to a child's near death or death. 42 U.S.C § 5106 a(b)(2)(A)(x). See also, 31 Del.C. § 323 (a).

² To protect the confidentiality of the family, case workers, and other child protection professionals, pseudonyms have been assigned.

Background and Acknowledgements

The Child Death, Near Death and Stillbirth Commission (“CDNDSC”) was statutorily created in 1995 after a pilot project showed the effectiveness of such a review process for preventing future child deaths. The mission of CDNDSC is to safeguard the health and safety of all Delaware children as set forth in 31 Del.C., Ch., 3.

Multi-disciplinary Review Panels meet monthly and conduct a retrospective review of the history and circumstances surrounding each child’s death or near death and determine whether system recommendations are necessary to prevent future deaths or near deaths. The process brings professionals and experts from a variety of disciplines together to conduct in-depth case reviews, create multi-faceted recommendations to improve systems and encourage interagency collaboration to end the mortality of children in Delaware.

Summary of Incident

The case regarding John Williams is considered a near death incident due to physical abuse resulting from head trauma. At the time of the near death incident, John was approximately nine months old and residing with mother in the home of maternal grandfather.

In May of 2003, the Department of Services for Children, Youth and Their Families’ Division of Family Services’ Child Abuse Reportline, received a report alleging the physical abuse of John Williams perpetrated by mother’s paramour.

On the day of the incident, mother, paramour and infant were home alone for the majority of the evening. That night maternal grandfather left the residence at 2100 hours and at that time the infant was fine. Mother’s sister and paramour left the residence between 2000 hours and 2030 hours. Mother’s paramour came to the residence around 0100 hours. Upon mother’s sister’s return home, mother and paramour were smoking cigarettes outside. As mother’s sister approached them she noticed blood on paramour’s shirt and asked mother what had happened. Mother stated that John got a bloody lip. Mother’s sister went to check on the infant and found him unresponsive.

John was transported via Emergency Medical Services (EMS) to the Emergency Department with the chief complaint that the infant was unresponsive. Cardiopulmonary resuscitation had been performed by law enforcement as well as EMS prior to their arrival at the ED. Upon examination it was discovered that the infant was suffering from bruises to both sides of the ribs and petechia around the eyes. A magnetic resonance imaging (MRI) scan was performed and revealed a depressed skull fracture to the left, front forehead, four injured ribs and a lung contusion. Medical personnel indicated that the injuries to the skull are comparable to falling out of a two story building or being hit with a bat or being in a motor vehicle collision and hitting the windshield. Part of the skull was shattered and had to be removed from the infant’s brain.

Initial statements were taken from mother, paramour, sister and grandfather by law enforcement. Maternal grandfather reported that he had bathed the baby a few days ago and did not notice any bruising.

Mother states that she has known paramour for four years. They met at a dance. He was an A student and played basketball. He went onto college and was never drug involved or in any trouble with the law. Mother admitted she had some vodka that night and paramour had a beer. Mother states that paramour has been out of college for about eight days. When asked why she thinks her infant is sick and what happened, mother states that she knows he has a scratch on his eye from falling on a toy. Mother was asked if she thinks paramour inflicted the injuries, mother states that she hopes he did not do it. Mother was informed that the injuries in which John sustained are more than him just falling on a toy. Mother states he was not breathing right and suggests maybe he has asthma. She was told this is not a breathing problem. Mother denies that she did anything to the infant and suggests they ask paramour the same question. Mother further denies ever having seen paramour harm the infant. Mother submits to taking a polygraph test if asked.

Paramour was interviewed and states that he just finished his first year of college. He mentions that he was in foster care for most of his life. Paramour states that on the day of the incident he came to the residence around 0100 hours. Upon his arrival the infant was still awake. Paramour and mother wanted to hang out, but the infant would not go to sleep. Mother asked him to go pick up a friend who just got off work. Paramour states that he left to get her at 0025 hours. When paramour returned to mother's residence with mother's friend, the infant was still not asleep. Mother tried to swaddle him and took him upstairs to put him to sleep, but then brought him back down. They tried again but he kept crying. Paramour says he told mother to take him upstairs and let him cry himself to sleep. Paramour stated that he was upstairs and picked him up one time, then put him down and went to the bathroom. He says he looked to his side and saw blood on his shirt. He panicked, saw the infant's lip was bleeding, and jumped up. Paramour denies causing the bleeding, stating it happens all the time. Mother came up when she heard the thud caused by paramour's jumping up. Paramour admits he put the baby in the crib, held him from behind and "helped the baby go to bed". He states that he put John's arms to his side when he laid him down. Paramour admits that he drank alcohol but says he was not "stone cold" drunk. Paramour says he was wrong for facing the baby towards the toys and suggests maybe they caused the injury to his head. He insists when he put the infant down he was fine but admits he saw the lump on his head. He says the infant lifted his head, paramour pulled the infant's arms out and the infant's head fell forward and he heard a thump. He admits that maybe he held him a little too hard, but he had to go to sleep.

After further inquiry with medical personnel regarding John's injuries, paramour is interviewed again and eventually admitted that he pushed the infant hard. Paramour was instructed to demonstrate with a baby doll how he did this. Paramour held the baby tight from behind and forces him into the bed. Paramour was arrested and charged with

reckless endangering in the 1st degree, assault by abuse and endangering the welfare of a child. Paramour was found guilty of said charges and sentenced to 9 years in prison.

Paramour was considered a DFS success story. He was awarded a 10,000 dollar scholarship to college and seemed to beat the odds despite a traumatic childhood.

System Recommendations

After review of the facts and findings of this case, the Panel determined that all systems did meet the current standards of practice and therefore no system recommendations were put forth.