



STATE OF DELAWARE
Child Death, Near Death and Stillbirth Commission
900 King Street, Suite 220
Wilmington, DE 19801-3341

CAPTA¹ REPORT

In the Matter of
Henry Brooks
Minor Child²

9-03-2008-00026

March 11, 2011

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 Henry Brooks is considered a near death incident due to severe physical abuse perpetrated by the child’s father. At the time of this near death incident, Henry was four months of age and residing in the home of his mother and father.

On the day of the near death incident, Henry was taken to the emergency room after an alleged injury occurred, in which the child supposedly fell off an adult bed onto a carpeted hardwood floor. Father informed medical personnel that he placed Henry on the bed and momentarily walked away. Shortly thereafter, father returned and found Henry lying on the floor on his right side. Mother and father noticed that immediately following the fall, Henry seemed sleepy and minimally responsive. Upon further medical examination, Henry was noted to be lethargic. He also presented with a left sided gaze with a large hematoma in the right temporoparietal region, and a slightly depressed right parietal fracture and associated subarachnoid hemorrhage. Henry was transferred to another hospital where he was admitted for further evaluation and treatment. It was determined that Henry was suffering from a closed skull fracture and subarachnoid hemorrhage. The following day Henry was discharged into the care of his maternal grandmother and a safety plan was implemented.

An urgent referral was received by the Division of Family Services’ Child Abuse and Neglect Report Line alleging the physical abuse of Henry. This report was accepted and a collaborative investigation between law enforcement and the Division of Family Services commenced. During the course of this investigation, Henry’s father admitted to striking Henry in the head with a closed fist. Father reported that he did not intend to harm Henry but he was playfully punching at Henry and unintentionally hit him.

The Division of Family Services substantiated Henry’s father for physical abuse – head trauma, level IV. Father was arrested and initially charged with Assault by Abuse and Endangering the Welfare of a Child, both felony offenses. Criminal prosecution resulted in Henry’s father pleading to Assault in the 2nd Degree. Father was sentenced to 8 years Level V, suspended for 18 months Level III.

System Recommendations

Following the expedited and final review of the near death incident of Henry Brooks, it was determined that all systems met reasonable standards of practice and therefore no system recommendations were put forth.