



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

CAPTA¹ REPORT

In the Matter of
Darren Brown
Minor Child²

9-03-2007-00003

March 11, 2011

¹ The federal Child Abuse Prevention and Treatment Act require 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 Darren Brown is considered a child death case due to parental negligence, but more specifically lack of supervision. Darren’s cause of death and manner of death was unable to be determined; however, it was presumed that Darren died from positional asphyxia. At the time of his death, Darren was two and a half months of age and was found to be sleeping on a sofa, face down between two adult pillows.

Darren was born at 38 weeks gestation weighing over 6 pounds. Throughout mother’s pregnancy she reportedly used methadone.³ Darren was mother’s sixth pregnancy and fourth live birth. Upon birth, Darren suffered from mild congenital heart disease but this condition was self-corrected. Darren’s parents were educated on back to sleep/infant safe sleeping practices upon discharge and during child well visits.

Darren’s mother and father were self-reported drug users; their drugs of choice were heroin and crack. On the evening prior to Darren’s death, mother and father admitted to using heroin. Father awoke with Darren the next morning and placed him on a sofa, propped between two adult pillows. Father then went into the bathroom where he remained for approximately 10-20 minutes. When father returned to check on Darren father noticed that Darren was sweaty and not breathing. Father yelled for mother and then ran to the neighbor’s house to call 911. Emergency medical services and law enforcement were dispatched.

Darren’s death led to an immediate referral to the Division of Family Services’ Child Abuse and Neglect Report Line. The report was accepted and a collaborative investigation between law enforcement and the Division of Family Services commenced. Father reported that it appeared that Darren had slid face down onto one of the adult pillows while he was left unattended. The investigation revealed that both parents used illegal drugs while Darren was present in their home. Further had both parents been sober, Darren’s death would probably not have occurred.

The Division of Family Services substantiated Darren’s father for neglect, lack of supervision, level III. Darren’s mother was not substantiated in this case; however, grave concern was raised by the Division of Family Services regarding mother’s ability to

³ Mother was allegedly a recovering addict who was receiving methadone treatments at a clinic.

parent, and mother's history of substance abuse and noncompliance with recommended treatment.

Mother and father were arrested and charged with Endangering the Welfare of a Child. Criminal prosecution resulted in mother pleading guilty to Endangering the Welfare of a Child. Mother was sentenced to 4 years level V, suspended for 6 months level III, followed by 6 months level II. Father pled guilty to Endangering the Welfare of a Child and was sentenced to 1 year level V, suspended to level II standard probation.

System Recommendations

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