

D&N Example 1

Petition for Temporary Legal Custody as to C.D. and N.D. and Petition for Review and Continuation of Emergency Protection Order as to B.D.

On February 27, 2018, at approximately 2:45 a.m., Caseworker Brown and Caseworker Johnson along with Detective Stevens spoke with Doctor Justin Robinson (B.D.'s Doctor). Dr. Robinson stated that B.D.'s injuries are not consistent with the account provided by RM and RF. Dr. Robinson reported that B.D. has several bruises and injuries. B.D. has a scratch this is approximately 3-4 centimeters in length on his back and several bruises on his back and side. A head CAT was completed on B.D. which showed "life threatening" hemorrhaging in his brain. Dr. Robinson noted that there was a high likelihood that B.D. has posterior rib fractures. Dr. Robinson notes this injury is consistent with someone applying a large amount of pressure on B.D.'s back which is consistent with Shaken Baby Syndrome. Dr. Robinson also report that B.D. has a significant amount of edema throughout the brain. The excessive edema is currently pushing on the brain stem which is causing herniation on bottom of the skull. Dr. Robinson noted again that these injuries are not consistent with blunt force trauma (such as rolling off the couch) but are more consistent with an acceleration/de-escalation injury of shaking a baby. Dr. Robinson stated that B.D.'s injuries are life threatening and that and if he does live B.D. will most likely not be able to talk, walk or feed himself.

On February 27, 2018 at approximately 4:13 a.m. RM was interviewed by Detective Stevens, Caseworker Brown and Caseworker Johnson. RM stated the reason they brought B.D to the hospital was because he stopped eating Monday (January 26, 2018) morning around 11:00 a.m. RM stated she made some food for the girls and then went back to sleep until approximately 5:00 p.m. RM stated that she thought B.D. had caught a cold and that is why he would not eat. RM noted that B.D. has not looked well since Friday when they believed he was starting to catch a "little bug". RM Clearly stated that Bryce had a cough and his cough sounded "wheezy" and he occasionally sneezed. RM noted that B.D. did not seem as active as he had been previously and also mentioned that he was not crying a lot. RM also reported that B.D. felt cold to the touch, so parents tried to warm him up. RM noted that his temperature was 94 degrees when she took it. When the family woke up at 5:00 p.m. B.D was not acting like himself according to RM. RM also reported that B.D. would not eat at that time. RM reported that she even put her finger in his mouth to get him to suck but he would not suck on her finger. Approximately 7:00 p.m. RF took B.D. to Lutheran Hospital.

On February 27, 2018, a court hold was obtained for C.D. and N.D. at 7:30 a.m. by Magistrate Timms. Emergency Protection Orders were granted as to B.D.

On February 27, 2018, Caseworker Brown and Johnson spoke with MGM regarding being a possible placement for N.D. and C.D. MGM report that she is not able to care for the children at this time due to her work schedule and no daycares being available during those hours. MGM also reported that RM and RF live with her and refuse to leave the home.

On February 27, 2018, Caseworker Breest spoke with Maternal Aunt regarding being a possible placement for N.D. and C.D. Maternal Aunt reported that she would be able to care for the children until Friday but that she would not be able to care for them after this Friday. Maternal Aunt reported that she

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had concerns for domestic violence between RM and RF. She stated that RF is very controlling of RM and the children. Maternal Aunt stated the rest of the family was not really allowed to have contact with the children.

On February 27, 2018, N.D. and C.D both had physicals and skeletal surveys completed at Children's Hospital. N.D. skeletal survey showed an abnormality so a second skeletal survey was completed, this came back normal.

On February 27, 2018, N.D. and C.D were placed into foster care as there was no family identified who could care for the girls past this week. After the children were placed in care Caseworker Breest was sent a photo of N.D.'s torso by the Foster Mother. N.D. has a small bruise on the right side of her stomach and a light bruise around her ribcage that was not initially present at the time of placement.

On February 27, 2018, a child Protection Team meeting was held at the Kempe Center at Children's Hospital Dr. Sirotnak reported that B.D.'s injuries were indicative of Shaken Baby Syndrome. Dr. Sirotnak also reported that genetic tests were pending. B.D.'s newborn screen showed a possible abnormality regarding an autoimmune disease.

Dr. Sirotnak noted that B.D. initially was not gaining weight, this could be due to the autoimmune disease if B.D. has the disorder. Dr. Sirotnak also stated that a skeletal survey and MRI have not yet done on B.D. due to his unstable condition. Dr. Sirotnak stated that if B.D. were to survive, his quality of life would be a zero.

On February 28, 2018, Caseworker Breest received a phone call from a nurse from Children's Hospital who stated the ophthalmologist completed his assessment on B.D. today. B.D. is reported to have "too numerous to count" bilateral retinal hemorrhages in all 4 quadrants of each eye and in all layers of the retina; this is consistent with non-accidental trauma.

On February 28, 2018, Caseworker Breest received photos from the Foster Mother regarding C.D. The photos showed that C.D. had several bruises over both of her legs. The Foster Mother reported that these bruises were not present yesterday but that they appeared today after C.D. had slept for 15 hours.

C.D. and N.D. are placed in foster care.

B.D. remains in the hospital and will transition to foster care when medically appropriate.