

Remarks for Children and Youth Committee Meeting on Trends in Child Fatalities and Community Responses, 9/14/22

Good Morning Members of the Children and Youth Committee,

Thank you for this opportunity to speak to you today about trends in child fatalities and how we, as a community, can respond and hopefully work to prevent these deaths. My name is Erin O'Brien and I am the Deputy District Attorney for the Child Abuse Unit at the Chester County District Attorney's Office and I've been handling investigations and prosecutions of crimes against children for the last sixteen years. I started working in Chester County five years ago and previously served for twelve years in the Philadelphia District Attorney's Office, handling crimes of child abuse and neglect for nearly eleven of those years. For the last decade, my responsibilities have included reviewing every child fatality and near fatality in the jurisdiction, first in Philadelphia and now in Chester County. In this capacity, I've had the opportunity to see how the trends in child fatalities have changed and evolved during this time and how different, or similar, these trends are in urban, suburban and rural communities.

Over the last few years, and particularly as we have experienced the COVID-19 pandemic, law enforcement in Pennsylvania has seen subtle and tragic changes in the types of child fatalities observed.

Statistics show that youth suicide rates have been trending higher for the last fifteen years, increasing nearly sixty percent in the time period between 2007 and 2018. Before the pandemic, research from the Centers for Disease Control and Prevention (CDC) showed that 21% of teens experienced a major depressive episode. In 2018, suicide was the second leading cause of death for youths aged 10-24. Among youth in the U.S. who die, more than 25% die by suicide, according to the American Academy of Pediatrics (AAP). The isolation, fear and uncertainty of the pandemic drastically increased these numbers. Between 2020 and 2021, the number of teens experiencing a major depressive episode increased to 44%, with 20% admitting to seriously contemplating suicide. Nearly half of all youth suicide attempts involve a firearm, according to a recent report by Everytown for Gun Safety. The rapid and drastic increase in these numbers prompted the American Academy for Pediatrics to declare a national emergency in children's mental health in October 2021.

While these numbers are undeniably heartbreaking, law enforcement has only a limited role when a suicide occurs, often as the first responders to these tragic events. Our mandate is to investigate when children die under unexplained or suspicious circumstances or at the hands of another. When the circumstances raise concerns for abuse or neglect, the law requires a report to Childline, our state child abuse reporting hotline, and an investigation by both law enforcement and child protective services. Pursuant to Act 33, these deaths are also reviewed by a multi-disciplinary panel comprised of state and local representatives, for the purpose of identifying systematic changes that may improve outcomes for children in the future.

Children in this Commonwealth die under a variety of sad circumstances, far too often at the hands of the adults trusted with their care and safety. A review of the child fatalities in Pennsylvania includes a review of the deaths caused by physical abuse and torture, where children suffer repeated physically abusive acts at the hands of those charged with their care while also being deprived of the necessities of life, often including care, food, water, and proper shelter. In this Commonwealth, each year we see infants who die after being shaken, slammed, struck and thrown for such transgressions as waking too frequently or crying and disrupting a caregiver's online activities. We see children killed by parents and caregivers in horrific incidents of physical abuse, often disguised or explained away as physical discipline. And tragically we see incidents of child torture where children suffer a combination of physical and mental or emotional abuse, combined with neglect and depravation, hidden away from the protections of society and the assistance of those tasked with the health and safety of children. These incidents are unmistakably criminal and our laws are clearly meant to punish those who choose to commit these heinous acts.

In recent years, we have begun to see a new trend in the child fatalities of the Commonwealth, deaths by neglect or lack of supervision and deaths by ingestion. While certainly the phenomenon isn't entirely new, one need only look to the published child fatality reports for 2020 and 2021 to see a disturbing and significant upward trend of children dying after either the child or parent ingested a controlled substance. In February 2020, a three year old male in Carbon County died after ingesting illegal drugs while in the care of his parents and caregivers who later admitted leaving drugs and paraphernalia around the home. In July 2020, a 14-year old male in Dauphin County died after overdosing on illegal narcotics which his caregivers knew he was using to excess and did not attempt to address. In September 2020, a one-year old child in Allegheny County died after ingesting illegal substances left around the house by his caregivers, who had previously been the subject of multiple reports regarding their substance use and failure to protect their children. In March 2021, a two-month old Bucks County child died after being found unresponsive in bed with her parents who tested positive for illegal substances. At the time of her death, the parents' contact with the child was required to be supervised by the maternal grandmother due to previous reports regarding the parents' substance use and inability to protect. These incidents are just some examples of a trend we are seeing across the Commonwealth, an unanticipated byproduct of the opioid epidemic. In Chester county, we've seen children die both from ingesting illegal substances, or the drugs meant to assist with addiction to these substances, and children who have died due to the substance use and abuse of their caregivers which rendered them unable to supervise or even to wake up when their children are in distress. We've learned about the developing research into the levels of these substances in the blood of children who die from ingestions nationwide and that substances like Narcan, which can immediately reverse the effects of an overdose in an adult, are far less effective when the patient is a child who has ingested fentanyl or suboxone. We've seen children killed by a parent who knowingly and intentionally gave the child illegal substances, perhaps in an attempt to make the child sleep, and too many children who die in bed with adults under the influence of illegal substance who suffocate during the night. Between 2019 and 2020, drug overdose and poisoning increased by 83.6% (including a 110% increase in

unintentional poisonings), becoming the third leading cause of death among children and adolescents.

Another disturbing fatality and near fatality trend related to neglect and lack of supervision has also begun to emerge, child deaths by firearm. In 2020, firearm-related injuries became the leading cause of death among children and adolescents in the United States. Nearly 2/3 of the 4,368 U.S. children who were killed by guns in 2020 were homicide victims. Of the remainder, 30% were suicides, and 5% were accidental or of undetermined origin. Male youths are significantly more likely to be killed by firearms than females and the firearm death rate for black children is more than four times higher than for white children, for whom auto accidents are still the leading cause of death. A 2015 study comparing the United States and 28 other highly-populated countries found that the US accounted for the overwhelming majority of firearm-related deaths in children, including 97% of deaths of children 4 and under and 92% of deaths of children aged 4-17. In Pennsylvania, we see children dying from gun violence in the community and children dying from gun-related accidents in the home. In January 2020, a four-year old Philadelphia child shot himself inside his parent's bedroom with his father's firearm which had been left in an unsecured location. In January 2021, a nine-year old Philadelphia child was shot to death in her home by a 12-year old sibling with the father's unlocked and unsecured firearm. In February 2021, a 16-year old Beaver County girl died after being shot by her mother, who reported planning the homicide in advance. In May 2021, an eleven-year old Monroe County child died after being shot by an older sibling playing with a firearm believed to be unloaded. Just a few months ago in Chester County, a 4-year old boy shot himself in the face, fatally, after finding his older brother's gun unsecured in his bedroom. An older sibling found the victim and tried to perform CPR after hearing the gunshot. Again, these are just a few examples of the incidents of Pennsylvania children dying as a result of firearm-related injuries in recent years.

As a community, we can respond to these trends and work toward preventing these deaths, just as safety measures and responses aided in driving down the number of automobile-related deaths in children. Community members are key in addressing and preventing all child fatalities, especially suicide deaths and those caused by lack of supervision or neglect. Adults who work with or interact with children regularly in the course of their employment are trained to look for the signs of abuse or neglect, or signs that the child is in distress, and for reporting concerns so that children may be protected. A key part of ensuring that those trusted adults can assess and evaluate is making sure that children have connections in the community beyond their own homes, with schools, doctors, community members, and others tasked with the protection of children. When these protections were severely curtailed during the pandemic, we immediately saw consequences for the children who need them most.

No doubt there are many things that can be done at the state and local level to help mitigate these tragedies. But it is also very important that we all first understand the nature of the problems, as well as the trends we are seeing. I appreciate you allowing me to discuss what we are seeing currently. There is too much tragedy, and it has only gotten worse. I am happy to answer any questions and to work with you going forward .