



**Report Identification Number: AL-15-015**

**Prepared by: Albany Regional Office**

**Issue Date: 3/3/2016**

This report, prepared pursuant to section 20(5) of the Social Services Law (SSL), concerns:

- A report made to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) involving the death of a child.
- The death of a child for whom child protective services has an open case.
- The death of a child whose care and custody or custody and guardianship has been transferred to an authorized agency.
- The death of a child for whom the local department of social services has an open preventive service case.

The Office of Children and Family Services (OCFS) is mandated by section 20 of the SSL to investigate or cause for the investigation of the cause and circumstances surrounding the death, review such investigation, and prepare and issue a fatality report in regard to the categories of deaths noted above involving a child, except where a local or regional fatality review team issues a report, as authorized by law.

Such report must include: the cause of death; the identification of child protective or other services provided or actions taken regard to such child and child’s family; any extraordinary or pertinent information concerning the circumstances of the child’s death; whether the child or the child’s family received assistance, care or services from the social services district prior to the child’s death; any action or further investigation undertaken by OCFS or the social services district since the child’s death; and as appropriate, recommendations for local or state administrative or policy changes.

This report contains no information that would identify the deceased child, his or her siblings, the parent, parents, or other persons legally responsible for the child, and any members of the deceased child’s household.

By statute, this report will be forwarded to the social services district, chief county executive officer, chairperson of the local legislative body of the county where the child died and the social services district that had legal custody of the child, if different. Notice of the issuance of this report will be sent to the Speaker of the Assembly and the Temporary President of the Senate of the State of New York.

This report may **only** be disclosed to the public by OCFS pursuant to section 20(5) of the SSL. **It may be released by OCFS only after OCFS has determined that such disclosure is not contrary to the best interests of the deceased child’s siblings or other children in the household.**

OCFS’ review included an examination of actions taken by individual caseworkers and supervisors within the social services district and agencies under contract with the social services district. The observations and recommendations contained in this report reflect OCFS’ assessment and the performance of these agencies.



## Abbreviations

<b>Relationships</b>		
BM-Biological Mother	SM-Subject Mother	SC-Subject Child
BF-Biological Father	SF-Subject Father	OC-Other Child
MGM-Maternal Grand Mother	MGF-Maternal Grand Father	FF-Foster Father
PGM-Paternal Grand Mother	PGF-Paternal Grand Father	DCP-Day Care Provider
MGGM-Maternal Great Grand Mother	MGGF-Maternal Great Grand Father	PGGF-Paternal Great Grand Father
PGGM-Paternal Great Grand Mother	MA/MU-Maternal Aunt/Maternal Uncle	PA/PU-Paternal Aunt/Paternal Uncle
<b>Contacts</b>		
LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPR-Cardio-pulmonary Resuscitation		
<b>Allegations</b>		
FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	LMC-Lack of Medical Care	EdN-Educational Neglect
EN-Emotional Neglect	SA-Sexual Abuse	M/FTTH-Malnutrition/Failure-to-thrive
IF/C/S-Inadequate Food/ Clothing/ Shelter	IG-Inadequate Guardianship	LS-Lack of Supervision
Ab-Abandonment	OTH/COI-Others	
<b>Miscellaneous</b>		
IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services		

## Case Information



# NYS Office of Children and Family Services - Child Fatality Report

**Report Type:** Child Deceased  
**Age:** 3 year(s)

**Jurisdiction:** Clinton  
**Gender:** Female

**Date of Death:** 08/21/2015  
**Initial Date OCFS Notified:** 08/24/2015

## Presenting Information

On 8/24/15 a SCR report was received by Clinton County DSS. The report alleged that the deceased child was in the living room playing with her 1 year old twin half siblings while the mother was in the kitchen. The mother went into the living room to check on the children and the child was unresponsive on the floor. The parent substitute came into the home, called 911, then began attempting to resuscitate the child. Police and emergency medical services arrived on the scene and took over resuscitation and the child was transported to Champlain Valley Physicians Hospital. The child was revived and transported to UVM Medical Center and passed away at that hospital. The report stated the preliminary autopsy results found the child had severe malnutrition and evidence of sexual assault. The cause of death was unknown.

## Executive Summary

This report involves the death of a 3 yr. female child in Clinton County. On 8/24/15 CCDSS received an SCR report with allegations of DOA/Fatality, IG, IFCS, FFTH and SA against the mother and parent substitute regarding the SC. The report alleged on 8/21/15 the SC was playing with her siblings and when mother checked on them the SC was unresponsive on the living room floor. The PS called 911 and began CPR on the child. Police and EMS arrived at the home and took over resuscitation efforts. The child was transported by ambulance to and transported the child to Champlain Valley Physicians Hospital. She was subsequently transferred to UVM Medical Center where she later passed away.

An autopsy was performed and the preliminary results did not determine a cause of death. The autopsy found the SC was severely dehydrated and showed signs of possible sex abuse. Blood work revealed the vaginal bruising could have been caused by attempts to catheterize the child.

Upon receipt of the report CCDSS immediately interviewed the mother, PS and surviving siblings in the home. They all stated the SC had been offered food and drink. No concerns were identified that the child was not provided nourishment or the surviving siblings were malnourished. Following the initial contact with family members CDSS developed a safety plan with the consent of the parents. The plan was for surviving siblings to reside with the paternal grandparents and for the parents to have supervised contact with the children. On 9/22/15 the children were returned home at the parent's request. It could not be determined why the safety plan remained in effect for almost a month or why the children were not allowed to return home earlier.

The SC was born with Myelomeningocele, Spina Bifida, and multiple other birth defects. Due to her medical conditions the SC was seen by multiple medical professionals, including specialists and therapists. CCDSS learned from contact with the service providers the parents often missed or cancelled appointments for the child and rescheduled them for a later date. The parents did attend the rescheduled appointments.

Court Ordered Preventive Services were provided to the family from 7/28/14 to 8/21/15 as a result of a custody proceeding regarding the parent substitute's children from a prior relationship. When the court order expired the family no longer wanted to receive services and the services case was closed.

CCDSS interviewed pertinent and appropriate collateral sources. First responders reported they observed vomit on the SC's face which indicated the child had received recent nourishment. Therapists in the home the day of the child's death stated the child had been offered food and drink while they were present.

CCDSS determined the SCR report on 10/23/15. At the time of determination CCDSS had not yet received the final autopsy report. CCDSS substantiated the allegation of IG against the mother and PS regarding the SC and unsubstantiated the allegations of L/B/W, SA, DOA/Fatality, IF/C/S and FTTH. The substantiation of the IG allegation was based on the parents missing medical appointments for the SC. The determination of the other allegations was based on CCDSS's review of medical documentation, and information learned from collateral sources and collateral contacts.

## Findings Related to the CPS Investigation of the Fatality

### Safety Assessment:

- **Was sufficient information gathered to make the decision recorded on the:**
  - **Approved Initial Safety Assessment?** Yes
  - **Safety assessment due at the time of determination?** Yes
- **Was the safety decision on the approved Initial Safety Assessment appropriate?** Yes

### Determination:

- **Was sufficient information gathered to make determination(s) for all allegations as well as any others identified in the course of the investigation?** No, sufficient information was gathered to determine some allegations only.
- **Was the determination made by the district to unfound or indicate appropriate?** Unable to Determine

### Explain:

Preliminary autopsy findings indicated possible malnutrition and dehydration of the SC. CCDSS needed more information from the final autopsy report or a significant conversation with the medical examiner to make a determination on the allegation of DOA/Fatality.

- Was the decision to close the case appropriate?** No
- Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements?** Unable to Determine
- Was there sufficient documentation of supervisory consultation?** Yes, the case record has detail of the consultation.

### Explain:

CCDSS did not know the cause of death at the time the case was determined and closed. CCDSS was unable to adequately assess if the parents provided necessary care since preliminary autopsy findings identified concerns of dehydration/malnutrition in the SC.

## Required Actions Related to the Fatality



Are there Required Actions related to the compliance issue(s)?  Yes  No

<b>Issue:</b>	Contact/Information From Reporting/Collateral Source
<b>Summary:</b>	CCDSS determined the case prior to obtaining sufficient and necessary medical information regarding the cause and contributing factors to the SC's death especially since preliminary autopsy results indicated that the child was severely dehydrated.
<b>Legal Reference:</b>	18 NYCRR 432.2(b)(3)(ii)(b)
<b>Action:</b>	CCDSS must review the Child Protective Services Program Manual regarding the DOA/Fatality determination and provide training to their staff in regards what information is needed to make a determination on whether or not a parents actions caused or contributed to a childs death.

## Fatality-Related Information and Investigative Activities

### Incident Information

**Date of Death:** 08/21/2015

**Time of Death:** 18:33 PM

**Time of fatal incident, if different than time of death:** 01:30 PM

**County where fatality incident occurred:**

CLINTON

**Was 911 or local emergency number called?**

Yes

**Time of Call:**

13:53 PM

**Did EMS to respond to the scene?**

Yes

**At time of incident leading to death, had child used alcohol or drugs?** No

**Child's activity at time of incident:**

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

**Did child have supervision at time of incident leading to death?** Yes

**Is the caretaker listed in the Household Composition?** Yes - Caregiver

1

**At time of incident supervisor was:** Not impaired.

**Total number of deaths at incident event:**

**Children ages 0-18:** 1

### Household Composition at time of Fatality



# NYS Office of Children and Family Services - Child Fatality Report

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	3 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	31 Year(s)
Deceased Child's Household	Mother's Partner	Alleged Perpetrator	Male	28 Year(s)
Deceased Child's Household	Sibling	No Role	Female	1 Year(s)
Deceased Child's Household	Sibling	No Role	Female	1 Year(s)
Deceased Child's Household	Sibling	No Role	Male	9 Year(s)
Deceased Child's Household	Sibling	No Role	Male	6 Year(s)

## LDSS Response

On 8/24/15 CCDSS received the SCR report and contacted the Plattsburgh PD. The PD reported their preliminary investigation found the SC had Spina Bifida and showed signs of dehydration and malnutrition and there may be criminally charges against the mother. The PD reported preliminary autopsy results were inconclusive but found severe dehydration, diaper rash, an ulcerated sore above the anus and a shunt in her head. There was a theory that the child may have aspirated during vomiting and concerns of sexual abuse.

On 8/24/15, CCDSS and Plattsburgh PD went to the home. The mother and surviving children (ages 9, 7 and 1 yr. old twins) agreed to go to the PD for interviews. The PS was working. The mother and the 7 and 9 year old were interviewed. CCDSS then returned to the home and met with the PS. The PS, mother and children interviewed stated that the child had been offered food and drink the morning that she died. The mother and PS agreed to have the children temporarily stay with the paternal grandparents and to have no unsupervised contact with the children until more information could be obtained. On 8/25/15, surviving step siblings who resided with their father were interviewed at the PD. The step siblings were at the home at the time of the SC's death. The step siblings stated that the SC had been offered food and drink the day of and the night prior to her death.

CCDSS reviewed the criminal history of the mother and PS. The mother had no history and the PS had two prior petit larceny convictions. CCDSS reviewed the pediatric records for all the children. The SC records indicated that the mother and PS frequently missed the SC's appointments but rescheduled and attended the appointments for a later date. Service providers who went to the home were interviewed and stated that the family would miss appointments frequently but reschedule them. One of the therapists was in the home hours before the SC's death stated the child did not look well and the mother reported that the child needed to eat. The therapist stated the SC would not eat while she was present so she ended the appointment early so the child would eat. The therapist stated she saw the child had food and drink but was not sure how much, if any, she actually consumed. All first responders and hospital staff were interviewed.

CCDSS attempted to speak with the medical examiner but was unsuccessful. The final autopsy report was received about 5 weeks after the determination was completed. During the investigation CCDSS had frequent contact with the family and made several home visits. Preventive, mental health, financial services and grief counseling were all offered to the family but the family refused. The family did accept gas cards to get the surviving children to school since they were residing outside of their district with relatives. On 9/22/15, the family requested that the children return to their care and CCDSS determined at that time that there were no safety concerns regarding the surviving siblings and agreed the children could return to home.

During the investigation, CCDDSS learned that the SC was prescribed pediasure and could have up to 3 cans a day if she would not eat solid food. Family members and service providers stated that the mother was strict about having the SC eat solid food before she offered the SC pediasure. There was conflicting medical information regarding the child's weight gain. In April 2015 the GI specialist stated her growth was not a concern but she missed her follow up appointment. On 10/23/15 the case was determined report to be indicated and closed. The allegation of IG was substantiated against the



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mother and PS due to their inconsistency in follow through with the SC's appointments. Allegations of SA, IFCS, LBW,M- FTTH, and DOA/Fatality were unsubstantiated.

## Official Manner and Cause of Death

**Official Manner:** Undetermined

**Primary Cause of Death:** From a medical cause

**Person Declaring Official Manner and Cause of Death:** Medical Examiner

## Multidisciplinary Investigation/Review

**Was the fatality investigation conducted by a Multidisciplinary Team (MDT)?**Yes

**Was the fatality reviewed by an OCFS approved Child Fatality Review Team?**No

**Comments:** Clinton County does not have an OCFS approved Child Fatality Review Team.

## SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	Inadequate Guardianship	Substantiated
022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	DOA / Fatality	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	Lacerations / Bruises / Welts	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	Malnutrition / Failure to Thrive	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	Inadequate Guardianship	Substantiated
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	Malnutrition / Failure to Thrive	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	Sexual Abuse	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021981 - Mother, Female, 31 Year(s)	DOA / Fatality	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	Sexual Abuse	Unsubstantiated
022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	Lacerations / Bruises / Welts	Unsubstantiated



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022062 - Deceased Child, Female, 3 Year(s)	021984 - Mother's Partner, Male, 28 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
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## CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Examiner / Coroner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate safety assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:				
Within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 7 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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When safety factors were present that placed the surviving siblings/other children in the household in impending or immediate danger of serious harm, were the safety interventions, including parent/caretaker actions adequate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## Fatality Risk Assessment / Risk Assessment Profile

	Yes	No	N/A	Unable to Determine
Was the risk assessment/RAP adequate in this case?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate assessment of the family's need for services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the protective factors in this case require the LDSS to file a petition in Family Court at any time during or after the investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were appropriate/needed services offered in this case	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
Did the safety factors in the case show the need for the surviving siblings/other children in the household be removed and placed in foster care at any time during this fatality investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were there surviving siblings/other children in the household removed as a result of this fatality report/investigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, court ordered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Explain as necessary:**  
 The parents agreed to a safety plan where the surviving children temporarily resided with the paternal grandparents.

## Legal Activity Related to the Fatality

Was there legal activity as a result of the fatality investigation? There was no legal activity

## Services Provided to the Family in Response to the Fatality



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Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Needed but not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parenting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alcohol/Substance abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intensive case management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Additional information, if necessary:**

The family was offered grief counseling numerous times but refused the service. The surviving siblings stayed temporarily with the paternal grandparents at the request of CCDSS until they could obtain more information regarding the child's death. The children were ultimately returned to the parents because there were no safety factors present.

**Were services provided to siblings or other children in the household to address any immediate needs and support their well-being in response to the fatality?** No

**Explain:**

Grief counseling was offered to the family numerous times but refused. Preventive services were also offered and the family agreed to a preventive services assessment.

**History Prior to the Fatality**

**Child Information**



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**Did the child have a history of alleged child abuse/maltreatment?** Yes  
**Was there an open CPS case with this child at the time of death?** No  
**Was the child ever placed outside of the home prior to the death?** No  
**Were there any siblings ever placed outside of the home prior to this child's death?** No  
**Was the child acutely ill during the two weeks before death?** No

## CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/01/2012	6150 - Other - step sibling, Female, 6 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	No
	6151 - Other - step sibling, Male, 5 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6152 - Other - step sibling, Male, 3 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6152 - Other - step sibling, Male, 3 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Guardianship	Indicated	
	6150 - Other - step sibling, Female, 6 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Guardianship	Indicated	
	6151 - Other - step sibling, Male, 5 Years	6149 - Other - step siblings mother, Female, 26 Years	Inadequate Guardianship	Indicated	
	6151 - Other - step sibling, Male, 5 Years	6149 - Other - step siblings mother, Female, 26 Years	Lacerations / Bruises / Welts	Unfounded	

### Report Summary:

The report cited concern regarding the suitability and safety of the physical surroundings in home of parent subs children where the parent sub and the mother of the children resided at the time. Construction materials routinely littered the living area making for obstacles and unintended 'toys' for young children ages 5 and 3. One of the children was struck by the other with a pipe which may have caused injuries. The child has a swollen lip and scratches.

**Determination:** Indicated

**Date of Determination:** 07/11/2012

### Basis for Determination:

CCDSS found the home to be consistently unclean and unsanitary. CCDSS observed power tools to be on the floor and not secure during the initial home visit. CCDSS found the home to be in a constant state of construction with tools, pipes, boards and other construction items through the home in which the children have access to when not properly supervised. CCDSS observed an injury on the baby that the mother could not provide a plausible explanation for after it was reported that an older child had struck the baby while swinging around a pipe.

### OCFS Review Results:

OCFS found that CCDSS completed a thorough investigation and obtained adequate information to make the determination.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No



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Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
05/09/2012	6142 - Other - step sibling, Male, 5 Years	6141 - Other - step siblings mother, Female, 24 Years	Lacerations / Bruises / Welts	Unfounded	No
	6146 - Other - step siblings cousin, Female, 5 Months	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Guardianship	Indicated	
	6142 - Other - step sibling, Male, 5 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6142 - Other - step sibling, Male, 5 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Guardianship	Indicated	
	6143 - Other - step sibling, Male, 3 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6143 - Other - step sibling, Male, 3 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Guardianship	Indicated	
	6144 - Other - step sibling, Female, 6 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6144 - Other - step sibling, Female, 6 Years	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Guardianship	Indicated	
	6146 - Other - step siblings cousin, Female, 5 Months	6141 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6142 - Other - step sibling, Male, 5 Years	6141 - Other - step siblings mother, Female, 24 Years	Excessive Corporal Punishment	Unfounded	
	6142 - Other - step sibling, Male, 5 Years	6141 - Other - step siblings mother, Female, 24 Years	Lack of Medical Care	Unfounded	
	6144 - Other - step sibling, Female, 6 Years	6141 - Other - step siblings mother, Female, 24 Years	Lacerations / Bruises / Welts	Unfounded	
	6144 - Other - step sibling, Female, 6 Years	6141 - Other - step siblings mother, Female, 24 Years	Lack of Medical Care	Unfounded	

**Report Summary:**

The mother of the deceased child's step siblings became angry with the deceased child's step sibling (male age 5) because he was playing with soda cans when he was told to stop playing with them. Allegedly she then threw a full soda can at the child which hit him in the head. The child had a red mark welt on his head from the incident. The child has had suspicious bruises on his body in the past. There was a consolidated report that alleged unsanitary household conditions.

**Determination:** Indicated

**Date of Determination:** 07/19/2012

**Basis for Determination:**

The indication was based on frequent home visits by CCDSS in which the home was found to be cluttered. This issue was addressed several times with the caregivers by CCDSS without improvement to the conditions. The investigation did not find the 5 year old child to have any suspicious marks.

**OCFS Review Results:**

OCFS found that CCDSS completed a thorough investigation and obtained adequate information to make the determination.

CCDSS conducted all necessary interviews and made several unannounced visits to continue to monitor the household conditions.



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**Are there Required Actions related to the compliance issue(s)?**  Yes  No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
06/29/2013	6163 - Other - step sibling, Male, 6 Years	6158 - Mother's Partner, Male, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	Yes
	6159 - Other - niece of parent sub, Female, 1 Years	6160 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6161 - Other - step sibling, Female, 8 Years	6160 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6161 - Other - step sibling, Female, 8 Years	6158 - Mother's Partner, Male, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6162 - Other - step sibling, Male, 4 Years	6158 - Mother's Partner, Male, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6159 - Other - niece of parent sub, Female, 1 Years	6158 - Mother's Partner, Male, 26 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6162 - Other - step sibling, Male, 4 Years	6160 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6163 - Other - step sibling, Male, 6 Years	6160 - Other - step siblings mother, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	6159 - Other - niece of parent sub, Female, 1 Years	6160 - Other - step siblings mother, Female, 24 Years	Inadequate Guardianship	Unfounded	

**Report Summary:**

The children of the PS were taken out of state by their mother. The mother failed to plan for her one-year old niece that she had custody of leaving her with the paternal grandmother. The grandmother was unable to care for the child. There were added concerns of unsafe home conditions.

**Determination:** Indicated **Date of Determination:** 07/26/2013

**Basis for Determination:**

The determination was based on CCDSS observations at the home found to be unsafe; including glass, tools, garbage, clothing, broken appliances, destroyed furniture, holes in the walls and live wires exposed during home visits. CCDSS conducted frequent home visits and found the home consistently in poor conditions and under construction. The allegations regarding the the mother failing to plan for her niece were unfounded. The mother stated that the father was well aware that she was taking their children out of state and leaving the niece in his care.

**OCFS Review Results:**

The information gathered during the course of the investigation by CCDSS was adequate to make the determination. OCFS found the allegations were determined appropriately. CCDSS obtained information on the niece's biological mother but did not contact her or add her to the report. CCDSS did not request information on the child's biological father.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

**Issue:**



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Failure to provide notice of report

**Summary:**

The biological parents of the subject child were not notified of the existence of the SCR report.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(ii)(f)

**Action:**

All biological parents must be added to the report and notified of its existence.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
11/30/2013	6034 - Deceased Child, Female, 1 Years	6031 - Mother, Female, 29 Years	Inadequate Guardianship	Unfounded	No
	6034 - Deceased Child, Female, 1 Years	6031 - Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Unfounded	

**Report Summary:**

It was reported the home posed a risk to the health and safety to the deceased child (1 yr old). The report alleged that there were holes in the walls , garbage and clutter on the floors and bed bugs and fleas that were biting the SC. It was alleged the mother was aware of the child's need to reside in a clean environment but failed to provide it. The child had a medical condition which included fluid on her brain and it was unknown if the mother was following through with necessary medical appointments.

**Determination:** Unfounded

**Date of Determination:** 01/24/2014

**Basis for Determination:**

CCDSS made several unannounced home visits and no obvious health or safety concerns were noted. It was determined that the minimal degree of care was being provided for the child through home visits, casework contacts and collateral contacts. The child was in receipt of multiple community services due to her medical condition and by medical professionals on a regular basis and no information was found to corroborate the concerns of the report.

**OCFS Review Results:**

OCFS review determined that the information gathered during the course of the investigation was adequate and the determinations made were appropriate.

**Are there Required Actions related to the compliance issue(s)?** Yes No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
01/08/2014	6171 - Other - step sibling, Female, 8 Years	6176 - Other - step siblings mother, Female, 25 Years	Educational Neglect	Indicated	No
	6171 - Other - step sibling, Female, 8 Years	6176 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Indicated	
	6179 - Other - step sibling, Male, 5 Years	6176 - Other - step siblings mother, Female, 25 Years	Other	Unfounded	
	6179 - Other - step sibling, Male, 5 Years	6177 - Mother's Partner - step siblings mother, Male, 27 Years	Other	Unfounded	
	6178 - Other - step sibling, Male, 7 Years	6177 - Mother's Partner - step siblings mother, Male, 27 Years	Inadequate Guardianship	Unfounded	
	6178 - Other - step sibling, Male, 7 Years	6176 - Other - step siblings mother, Female, 25 Years	Inadequate	Indicated	



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sibling, Male, 7 Years	Female, 25 Years	Guardianship	
6178 - Other - step sibling, Male, 7 Years	6177 - Mother's Partner - step siblings mother, Male, 27 Years	Other	Unfounded
6171 - Other - step sibling, Female, 8 Years	6176 - Other - step siblings mother, Female, 25 Years	Other	Unfounded
6178 - Other - step sibling, Male, 7 Years	6176 - Other - step siblings mother, Female, 25 Years	Educational Neglect	Indicated
6178 - Other - step sibling, Male, 7 Years	6176 - Other - step siblings mother, Female, 25 Years	Other	Unfounded
6179 - Other - step sibling, Male, 5 Years	6176 - Other - step siblings mother, Female, 25 Years	Educational Neglect	Indicated
6179 - Other - step sibling, Male, 5 Years	6176 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Indicated
6171 - Other - step sibling, Female, 8 Years	6177 - Mother's Partner - step siblings mother, Male, 27 Years	Other	Unfounded

**Report Summary:**

The children of the PS were taken to North or South Carolina by their mother in June 2013. The PS brought his two sons (ages 7 and 5) back to NYS in Dec 2013. It was alleged the 7 year old had not been in school since Nov of 2013 and the mother had no intention of enrolling the child or making an alternate education plan thus neglecting his educational needs.

**Determination:** Indicated

**Date of Determination:** 03/11/2014

**Basis for Determination:**

The interviews with the children corroborated that they were not attending school in NC. Collateral contact to NYS and NC schools confirmed that the children were not enrolled in school for 2 months while they were with the mother in NC.

**OCFS Review Results:**

During the review of the investigation it was determined that CCDSS met with all persons listed on the report in a timely manner and contacted all necessary collaterals. Safety was assessed in both parents homes. OCFS found that there was sufficient information to support the determination. The children returned to NYS and were enrolled in school in NYS at case closing.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
02/03/2014	6038 - Other - step sibling, Male, 7 Years	6035 - Mother, Female, 30 Years	Other	Unfounded	No
	6038 - Other - step sibling, Male, 7 Years	6035 - Mother, Female, 30 Years	Other	Unfounded	
	6038 - Other - step sibling, Male, 7 Years	6036 - Mother's Partner, Male, 27 Years	Other	Unfounded	
	6037 - Other Child - step sibling, Male, 5 Years	6036 - Mother's Partner, Male, 27 Years	Other	Unfounded	
	6039 - Deceased Child - step sibling, Female, 1 Years	6035 - Mother, Female, 30 Years	Other	Unfounded	
	6039 - Deceased Child - step	6036 - Mother's Partner,	Other	Unfounded	



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sibling, Female, 1 Years	Male, 27 Years		
6037 - Other Child - step sibling, Male, 5 Years	6035 - Mother, Female, 30 Years	Other	Unfounded

**Report Summary:**

The Clinton County Family Court Judge requested a court ordered investigation with an allegation other due to a custody petition filed by the PS for custody of his daughter who resided with her mother.

**Determination:** Unfounded **Date of Determination:** 03/03/2014

**Basis for Determination:**

CCDSS interviewed all necessary casework and collateral contacts. There were no concerns regarding the children's safety and well being found. There was no credible evidence to corroborate any incidents of domestic violence between the mother and parent substitute.

**OCFS Review Results:**

OCFS reviewed all interviews and agreed that there was no information that corroborated any incidents of domestic violence between the mother and parent substitute. OCFS determined that CCDSS met with all persons listed on the report in a timely manner, contacted collaterals and continued to assess the safety of the children during the investigation period. OCFS found there was sufficient information to make the determination.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
04/08/2014	6217 - Other - step sibling, Male, 7 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded	No
	6220 - Other - step sibling, Female, 9 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded	
	6218 - Other - step sibling, Male, 5 Years	6214 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded	
	6220 - Other - step sibling, Female, 9 Years	6214 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded	
	6220 - Other - step sibling, Female, 9 Years	6212 - Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unfounded	
	6217 - Other - step sibling, Male, 7 Years	6212 - Mother's Partner, Male, 27 Years	Other	Unfounded	
	6218 - Other - step sibling, Male, 5 Years	6212 - Mother's Partner, Male, 27 Years	Other	Unfounded	
	6220 - Other - step sibling, Female, 9 Years	6212 - Mother's Partner, Male, 27 Years	Other	Unfounded	
	6217 - Other - step sibling, Male, 7 Years	6214 - Other - step siblings mother, Female, 25 Years	Other	Unfounded	
	6218 - Other - step sibling, Male, 5 Years	6214 - Other - step siblings mother, Female, 25 Years	Other	Unfounded	



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6220 - Other - step sibling, Female, 9 Years	6214 - Other - step siblings mother, Female, 25 Years	Other	Unfounded
6217 - Other - step sibling, Male, 7 Years	6216 - Other - step siblings grandparents boyfriend, Male, 52 Years	Other	Unfounded
6218 - Other - step sibling, Male, 5 Years	6216 - Other - step siblings grandparents boyfriend, Male, 52 Years	Other	Unfounded
6220 - Other - step sibling, Female, 9 Years	6216 - Other - step siblings grandparents boyfriend, Male, 52 Years	Other	Unfounded
6218 - Other - step sibling, Male, 5 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded
6217 - Other - step sibling, Male, 7 Years	6214 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded
6217 - Other - step sibling, Male, 7 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded
6218 - Other - step sibling, Male, 5 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded
6220 - Other - step sibling, Female, 9 Years	6215 - Other - step siblings grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded

**Report Summary:**

The mother of the PS's children allowed the children to stay in the home of their grandmother. The grandmothers boyfriend is a registered sex offender. It was reported the mother and the grandmother were aware of his sex offender status and did not intervene to protect the children.

**Determination:** Unfounded

**Date of Determination:** 06/26/2014

**Basis for Determination:**

The determination was based on interviews with the children who all stated that they saw the grandmothers boyfriend on occasion but that they never had unsupervised contact with him. There were other reports consolidated to this report which alleged that the parent sub restrained one of his children (female age 9) but based on interviews with the children, subjects and collaterals it was unsubstantiated.

**OCFS Review Results:**

OCFS review found that CCDSS met with all persons listed on the report and contacted an adequate amount of collaterals. CCDSS made several unannounced visits at the household to sufficiently determine who the children were having contact with. OCFS found that there was adequate information found to support the determination.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
07/16/2014	6221 - Deceased Child, Female, 2 Years	6222 - Mother, Female, 30 Years	Inadequate Guardianship	Indicated	Yes
	6223 - Sibling, Female, 2	6222 - Mother, Female, 30	Inadequate	Indicated	

Months	Years	Guardianship	
6224 - Sibling, Female, 2 Months	6222 - Mother, Female, 30 Years	Inadequate Guardianship	Indicated
6225 - Other - step sibling, Male, 7 Years	6222 - Mother, Female, 30 Years	Inadequate Guardianship	Indicated
6226 - Other - step sibling, Male, 5 Years	6222 - Mother, Female, 30 Years	Inadequate Guardianship	Indicated
6229 - Other - step sibling, Female, 9 Years	6222 - Mother, Female, 30 Years	Inadequate Guardianship	Indicated
6221 - Deceased Child, Female, 2 Years	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6223 - Sibling, Female, 2 Months	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6224 - Sibling, Female, 2 Months	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6225 - Other - step sibling, Male, 7 Years	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6226 - Other - step sibling, Male, 5 Years	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6229 - Other - step sibling, Female, 9 Years	6227 - Mother's Partner - step sibling, Male, 27 Years	Inadequate Guardianship	Indicated
6225 - Other - step sibling, Male, 7 Years	6228 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded
6226 - Other - step sibling, Male, 5 Years	6228 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded
6229 - Other - step sibling, Female, 9 Years	6228 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded
6229 - Other - step sibling, Female, 9 Years	6227 - Mother's Partner - step sibling, Male, 27 Years	Emotional Neglect	Unfounded

**Report Summary:**

It was reported PS of the deceased child's hits his two male children (ages 7 and 5) and daughter (age 9) with excessive force causing pain. Injuries are unknown. Allegedly the physical aggression by the PS in the home caused long term emotional harm to his daughter. After the daughter visited with her father she had angry urges and was physically aggressive towards her mother and her brothers.

There was a consolidated report alleging unsanitary home conditions in the parent substitutes home.

**Determination:** Indicated

**Date of Determination:** 10/23/2014

**Basis for Determination:**

The determination was based on interviews with casework and collateral contacts and home visits that substantiated that the family had great difficulty maintaining sanitary home conditions. CCDSS observed excessive amounts of garbage outside, large amounts of dirty dishes on all countertops and in the sink, copious amounts of flies inside the home, and obstructed walkways due to excessive amounts of clothing and empty drink bottles during home visits.

**OCFS Review Results:**

OCFS review of the investigation determined hat CCDSS completed an thorough investigation and made an appropriate determination based on the information gathered. CCDSS had significant contact with the source of the report and



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interviewed all necessary casework and collateral contacts. OCFS found that CCDSS did not add the biological father of the deceased child to the report and did not notify him of the reports existence.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

**Issue:**

Failure to provide notice of report

**Summary:**

The biological father of a child was not notified of the reports existence.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(ii)(f)

**Action:**

All biological parents must be notified of the reports existence.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
10/02/2014	6087 - Other Child - step sibling to deceased child, Female, 9 Years	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	Yes
	6087 - Other Child - step sibling to deceased child, Female, 9 Years	6086 - Other - mother of parent subs other children, Female, 26 Years	Other	Unfounded	
	6081 - Deceased Child, Female, 2 Years	6082 - Mother, Female, 30 Years	Other	Indicated	
	6085 - Sibling, Female, 2 Months	6082 - Mother, Female, 30 Years	Other	Indicated	
	6087 - Other Child - step sibling to deceased child, Female, 9 Years	6082 - Mother, Female, 30 Years	Other	Indicated	
	6088 - Other - step sibling to deceased child, Male, 8 Years	6082 - Mother, Female, 30 Years	Other	Indicated	
	6081 - Deceased Child, Female, 2 Years	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	
	6084 - Sibling, Female, 2 Months	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	
	6085 - Sibling, Female, 2 Months	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	
	6088 - Other - step sibling to deceased child, Male, 8 Years	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	
	6089 - Other - step sibling to deceased child, Male, 6 Years	6083 - Mother's Partner, Male, 28 Years	Other	Indicated	
	6084 - Sibling, Female, 2 Months	6086 - Other - mother of parent subs other children, Female, 26 Years	Other	Unfounded	
6085 - Sibling, Female, 2	6086 - Other - mother of parent	Other	Unfounded		



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Months	subs other children, Female, 26 Years		
6089 - Other - step sibling to deceased child, Male, 6 Years	6086 - Other - mother of parent subs other children, Female, 26 Years	Other	Unfounded
6088 - Other - step sibling to deceased child, Male, 8 Years	6086 - Other - mother of parent subs other children, Female, 26 Years	Other	Unfounded
6084 - Sibling, Female, 2 Months	6082 - Mother, Female, 30 Years	Other	Indicated
6089 - Other - step sibling to deceased child, Male, 6 Years	6082 - Mother, Female, 30 Years	Other	Indicated

**Report Summary:**

The report was a court-ordered investigation.

**Determination:** Indicated

**Date of Determination:** 11/28/2014

**Basis for Determination:**

The report was indicated against the PS and mother of the deceased child based upon interviews with the subjects and children in the household, interviews with preventive services caseworkers and homemaker staff and caseworker observations during home visits. The caseworker observed excessive amounts of garbage outside of the home and the home was full of flies. The infant and toddler children were left unattended in a vehicle and were found by the caseworker. There were curdled bottles, dirty dishes, dirty cooking surfaces, garbage overflowing the receptacle inside and soiled diapers left in the toddlers crib.

**OCFS Review Results:**

OCFS review determined that the investigation was adequate and the determination was appropriate. The biological father of the deceased child was not notified of the report.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

**Issue:**

Failure to provide notice of report

**Summary:**

The biological father was not notified of the report.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(ii)(f)

**Action:**

All biological parents must be added to the report and notified of its existence.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
12/18/2014	6104 - Deceased Child, Female, 2 Years	6102 - Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unfounded	Yes
	6104 - Deceased Child, Female, 2 Years	6103 - Mother's Partner, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	6104 - Deceased Child, Female, 2 Years	6103 - Mother's Partner, Male, 28 Years	Inadequate Guardianship	Unfounded	
	6104 - Deceased Child,	6103 - Mother's Partner,	Malnutrition / Failure	Unfounded	



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Female, 2 Years	Male, 28 Years	to Thrive	
6104 - Deceased Child, Female, 2 Years	6102 - Mother, Female, 30 Years	Inadequate Guardianship	Unfounded
6104 - Deceased Child, Female, 2 Years	6102 - Mother, Female, 30 Years	Malnutrition / Failure to Thrive	Unfounded

**Report Summary:**

It was reported that the SC appeared malnourished and had been diagnosed as Failure to Thrive. The child was in the 5th percentile for her height and had fallen off the growth curve. The child had not grown in 6 months and was approximately 5 pounds underweight. It was alleged the mother and PS were failing to provide the child with adequate nutrition resulting in her condition.

The child was admitted to the hospital for a UTI and leg swelling.

**Determination:** Unfounded

**Date of Determination:** 03/26/2015

**Basis for Determination:**

Medical professionals were interviewed regarding the deceased child's significant health issues. There was uncertainty as to the cause of the child's weight loss due to her ongoing significant health issues. CCDSS determined that the parents followed up with medical appointments and were following recommendations.

**OCFS Review Results:**

OCFS review found that the other children in the household were not asked questions regarding the SC's eating habits and provision of food. CCDSS did not gather enough information to make an adequate determination on the allegation of Failure to Thrive. OCFS review found that CCDSS made adequate collateral contacts and gathered useful information but found that valuable information may have been missed by not interviewing the other children regarding the SC's eating habits. OCFS found that the biological father of the deceased child was not notified of the report.

**Are there Required Actions related to the compliance issue(s)?**  Yes  No

**Issue:**

Face-to-Face Interview (Subject/Family)

**Summary:**

The siblings of the MA child were seen and interviewed but they were not interviewed specific to the allegations. The children were interviewed regarding their general well being and safety but questions were not asked specific to the FTTH allegation regarding the MA child.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(ii)(a)

**Action:**

All appropriate children in the household must be interviewed regarding the allegations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
04/15/2015	6109 - Other - step siblings, Female, 9 Years	6110 - Other - step siblings mother, Female, 26 Years	Inadequate Guardianship	Unfounded	No
	6109 - Other - step siblings, Female, 9 Years	6112 - Other - step siblings parent #2, Female, 48 Years	Inadequate Guardianship	Unfounded	

**Report Summary:**

The mother of the PS's other children and her mother were aware that unrelated home member (grandmother's boyfriend) is a level 3 registered sex offender yet they continue to allow the grandmother to babysit the child (female step sibling to the deceased child age 9). They are both aware that they should be making alternate arrangement for the child but



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continue to expose the child to the registered sex offender. There is a court order preventing him from being within 1000 feet of the child. The subjects were aware of this order but repeatedly violated the order.

**Determination:** Unfounded

**Date of Determination:** 05/27/2015

**Basis for Determination:**

The determination was based on interviews with the subjects, collateral contacts and supervisory consult. There was no corroboration that the child had been in the presence of the registered sex offender.

**OCFS Review Results:**

OCFS review determined that the investigation was adequate and the determination was appropriate.

**Are there Required Actions related to the compliance issue(s)?** Yes No

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
07/16/2015	6137 - Other - step sibling to the deceased, Female, 10 Years	6133 - Other - step siblings mother, Female, 25 Years	Excessive Corporal Punishment	Unfounded	No
	6137 - Other - step sibling to the deceased, Female, 10 Years	6133 - Other - step siblings mother, Female, 25 Years	Inadequate Guardianship	Unfounded	
	6137 - Other - step sibling to the deceased, Female, 10 Years	6133 - Other - step siblings mother, Female, 25 Years	Internal Injuries	Unfounded	

**Report Summary:**

The mother of the SC's step siblings allegedly hit her daughter and pulled her hair out of her head. The child ran away from the home due to her mother's actions. Reportedly, the mother had been hitting the child on an ongoing basis. The city police department responded to the home and found the child approximately 30 minutes after she ran away.

**Determination:** Unfounded

**Date of Determination:** 08/17/2015

**Basis for Determination:**

The investigation showed that there was history of the child acting out and running away from her mother. The child denied the allegations that her mother hit her or pulled her hair when interviewed. The collateral contacts did not have any concerns.

**OCFS Review Results:**

OCFS review determined that the investigation was adequate and the determination was appropriate.

**Are there Required Actions related to the compliance issue(s)?** Yes No

### CPS - Investigative History More Than Three Years Prior to the Fatality

The mother had no CPS history prior to the last 3 years. The parent substitute was named as a subject in 10 reports between 5/07 and 5/12. Four of the reports were indicated for allegations including IG, IFCS, and LOS involving three of his biological children with his wife at the time. The father of the deceased child was named as a MA child in 16 reports between 11/90 and 8/04. All of those reports except one were indicated for allegations including IG, LOS, and LOMC. He was named as a subject in one report in 4/10 regarding his male son for burns, IG, and LOS. The report was indicated.

### Known CPS History Outside of NYS



There is no known CPS history outside of NYS.

Services Open at the Time of the Fatality

Required Action(s)

Are there Required Actions related to compliance issues for provisions of CPS or Preventive services ?

Yes No

Preventive Services History

There was a court Ordered Preventive Services Case were provided to the household of the SC from 7/28/14 through 8/21/15 due to an article 6 proceeding. Homemaker services were provided to the family and the family made improvements in household conditions. The SC received home therapies. The preventive case was closed on the date of the child's death but CCDSS was not aware of the SC's death at the time. CCDSS received the SCR report reporting the SC's death on 2/24/15.

The PS and his wife at the time received preventive services from 3/18/09 through 10/7/09 along with their three children. They received services regarding appropriate supervision and parenting skills. Their mother also received preventive services from 4/3/14 through 4/9/15 as a result the court order from the same Article 6 proceeding that included court ordered services for the PS and mother of SC.

Required Action(s)

Are there Required Actions related to the compliance issues for provision of Foster Care Services?

Yes No

Foster Care Placement History

There is no record of foster care placement history provided to the deceased child, the deceased child's siblings, and/or the other children residing in the deceased child's household at the time of the fatality.

Legal History Within Three Years Prior to the Fatality

Was there any legal activity within three years prior to the fatality investigation? There was no legal activity

Additional Local District Comments

OCFS has notified local districts that they would not issue a required action on a fatality report regarding a determination made after the 60 day deadline due to the district waiting on an autopsy report or other necessary information that is



needed to make the determination that has been requested by the local district but not yet received. The local district should communicate with their county lead in these situations in the future.

## Recommended Action(s)

**Are there any recommended actions for local or state administrative or policy changes?**  Yes  No

**Are there any recommended prevention activities resulting from the review?**  Yes  No