



## Report Identification Number: BU-19-013

Prepared by: New York State Office of Children & Family Services

Issue Date: Aug 13, 2019

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
FM-Foster Mother	SS-Surviving Sibling	PS-Parent Sub
CH/CHN-Child/Children	OA-Other Adult	
<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
CPS-Child Protective Services		
<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-Other	
<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	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	COS-Court Ordered Services
OP-Order of Protection	RAP-Risk Assessment Profile	FASP-Family Assessment Plan
FAR-Family Assessment Response	Hx-History	Tx-Treatment
CAC-Child Advocacy Center	PIP-Program Improvement Plan	yo- year(s) old
CPR-Cardiopulmonary Resuscitation		



## Case Information

**Report Type:** Child Deceased  
**Age:** 10 day(s)

**Jurisdiction:** Niagara  
**Gender:** Male

**Date of Death:** 03/02/2019  
**Initial Date OCFS Notified:** 03/08/2019

## Presenting Information

An SCR report received on 2/21/19 alleged the mother gave birth to twin boys, and the mother tested positive for marijuana at the time of delivery, amongst additional concerns for the siblings. The mother was admitted to the hospital on 2/15/19 and tested positive for cocaine and marijuana. The twins were born prematurely at 23 weeks gestation. The children were not observed to experience withdrawal symptoms.

## Executive Summary

This fatality report concerns the death of the 10-day-old male infant who was declared deceased on 3/2/19. The infant died during two open CPS investigations that were received by Niagara County Department of Social Services (NCDSS) regarding the parents' drug abuse in the presence of the children. It was also alleged the parents mismanaged their money, resulting in limited food for the family. Additionally, there were concerns the parents kicked the 15 and 17-year-old siblings out of the home, and did not plan for their care.

NCDSS learned of the death on 3/5/19 and immediately notified OCFS. Information regarding the death was provided by the hospital staff; the infant and his twin brother resided in the NICU since birth due to complications associated with prematurity. A 7065 Agency Reporting Form was completed and sent to OCFS on 3/7/19, and NCDSS began their investigation into the death.

Due to the medical fragility and vulnerability of the twins, NCDSS had no reason to believe the infant's death was a result of abuse or maltreatment, thus not coordinating investigative efforts into the death with law enforcement.

Hospital staff reported the parents decided to withdraw medical support on 3/2/19, and the child was pronounced deceased at 7:34 PM.

At the time this report was written, it was unknown if an autopsy was performed. The record noted a hospital social worker stated the infant appeared to have passed away from "natural causes"; however, no additional information was known.

During the investigation, NCDSS completed home visits at the maternal grandmother's home where some of the siblings were assessed to be safe. NCDSS assigned Erie County Department of Social Services (ECDSS) a secondary role in the investigation, and ECDSS assessed the safety of the surviving twin, who remained at the hospital in the months following the death.

The case record did not reflect the safety of the 15 or 17-year-old siblings was assessed after the fatality; however, the record did not show they had regular contact with the deceased child.

During the investigation, NCDSS completed a CPS history check, contacted the sources of the reports and spoke with the grandparents. The grandparents noted no concerns for the care the parents provided to their children. The grandmother was provided with information regarding burial assistance; but it remained unknown if the family utilized the service.

At the time this report was written, the record did not reflect the parents were spoken to after the death of the infant. It remained unknown if the family was provided with referrals for services in response to the fatality, with the exclusion of



burial assistance.

At the time this report was written, both CPS investigations remained open. The investigation conclusion for the SCR report dated 2/21/19 was pending closure. The allegations of PD/AM and IG were pending supervisory approval. The CW determined the allegations to be unsubstantiated as there was no credible evidence of the parents abusing drugs in the presence of the children. Although the mother tested positive for marijuana at the time of the twins' birth, no negative impact to the children was identified. The record reflected the 15-year-old sibling resided with her mother as of March 2019.

## Findings Related to the CPS Investigation of the Fatality

### Safety Assessment:

- Was sufficient information gathered to make the decision recorded on the:
  - Safety assessment due at the time of determination? N/A

### Determination:

- Was sufficient information gathered to make determination(s) for all allegations as well as any others identified in the course of the investigation? N/A
- Was the determination made by the district to unfound or indicate appropriate? N/A

### Explain:

The case record did not reflect the parents or children were spoken to regarding the death. At the time this report was written, the record was not clear regarding where the 17yo SS resided.

Was the decision to close the case appropriate? N/A

Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements? No

Was there sufficient documentation of supervisory consultation? Yes, the case record notes a consultation took place, but no details noted.

### Explain:

The CPS investigations remained open at the time this report was written.

## Required Actions Related to the Fatality

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

## Fatality-Related Information and Investigative Activities

### Incident Information



**Date of Death:** 03/02/2019

**Time of Death:** 07:34 PM

**County where fatality incident occurred:** Niagara

**Was 911 or local emergency number called?** No

**Did EMS respond to the scene?** No

**At time of incident leading to death, had child used alcohol or drugs?** N/A

**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

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

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

**Children ages 0-18:** 1

**Adults:** 0

**Household Composition at time of Fatality**

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	No Role	Male	10 Day(s)
Deceased Child's Household	Father	No Role	Male	34 Year(s)
Deceased Child's Household	Mother	No Role	Female	36 Year(s)
Deceased Child's Household	Sibling	No Role	Female	5 Year(s)
Deceased Child's Household	Sibling	No Role	Male	10 Day(s)
Deceased Child's Household	Sibling	No Role	Female	7 Year(s)
Deceased Child's Household	Sibling	No Role	Female	17 Year(s)
Deceased Child's Household	Sibling	No Role	Female	15 Year(s)
Deceased Child's Household	Sibling	No Role	Female	3 Year(s)
Deceased Child's Household	Sibling	No Role	Female	1 Year(s)

**LDSS Response**

On 3/5/19, NCDSS received a voicemail from hospital staff stating the infant had passed away from what appeared to be "natural causes" and they notified OCFS the same day. NCDSS completed a 7065 Agency Reporting Form and provided it to OCFS on 3/7/19. The 7065 Agency Reporting Form noted on 3/2/19, the parents met with the infant's doctors and it was decided to withdraw support to the infant. The parents were present when the infant was pronounced deceased at 7:34 PM.

The CPS investigations open at the time of the infant's death included concerns of the mother's marijuana abuse, and the parents' unwillingness to allow the 15 and 17-year-old siblings to reside with the family. A subsequent report received on 3/17/19 was consolidated into an open CPS investigation. The reported concerns involved the father's alleged involvement



with gun violence and the parents' history of alleged physical domestic violence in the presence of the children.

After learning of the infant's death on 3/5/19, NCDSS conducted a home visit to the maternal grandmother's house where the siblings (ages 1- 7 years) were assessed to be safe. At the time of the home visit, the siblings were unaware of the infant's passing, therefore CW did not discuss the death. A referral for burial assistance was given to the grandmother. It remained unknown if the family utilized the service; however, it was documented the family raised funds for the infant's final expenses. The siblings expressed no concerns and did not appear to be fearful.

NCDSS coordinated efforts with ECDSS who assessed the infant's twin to be safe while he resided in the hospital and he was under close medical monitoring due to his premature condition.

The record did not reflect the parents were spoken with in regard to the death, and it remained unknown if services were offered to the family, excluding burial assistance.

At the time this report was written, it remained unknown if an autopsy was performed, and the record did not note if a death certificate was obtained. Furthermore, at the time this report was written, the CPS investigations open at the time of the infant's death remained under investigation.

### Official Manner and Cause of Death

**Official Manner:** Unknown

**Primary Cause of Death:** Unknown

**Person Declaring Official Manner and Cause of Death:** Unknown

### Multidisciplinary Investigation/Review

**Was the fatality reviewed by an OCFS approved Child Fatality Review Team? Yes**

**Comments:** Niagara County has an OCFS-approved Child Fatality Review Team.

### CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
<b>All children observed?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>When appropriate, children were interviewed?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Contact with source?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>All appropriate Collaterals contacted?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pediatrician	<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"/>
<b>Was a death-scene investigation performed?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Coordination of investigation with law enforcement?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# Child Fatality Report

<b>Was there timely entry of progress notes and other required documentation?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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### Fatality Safety Assessment Activities

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

<b>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?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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### Fatality Risk Assessment / Risk Assessment Profile

	Yes	No	N/A	Unable to Determine
<b>Was the risk assessment/RAP adequate in this case?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there an adequate assessment of the family's need for services?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Were appropriate/needed services offered in this case</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Explain:**  
 This report was written prior to the completion of a RAP.  
 Although the record reflected burial assistance information was provided to the maternal grandmother, the record did not include information the family was offered additional services regarding the death.

### 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 or 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 children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Explain as necessary:</b> The record did not note a need for any children to be removed as a result of the fatality.				

**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**

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 record did not reflect the family was offered services in response to the fatality aside from burial assistance.



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:**

The record did not reflect the siblings were offered services in response to the fatality.

Were services provided to parent(s) and other care givers to address any immediate needs related to the fatality? Yes

**Explain:**

The family was provided with information regarding burial assistance.

## History Prior to the Fatality

### Child Information

- Did the child have a history of alleged child abuse/maltreatment? Yes
- 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? Yes

### Infants Under One Year Old

**During pregnancy, mother:**

- Had medical complications / infections
- Misused over-the-counter or prescription drugs
- Experienced domestic violence
- Was not noted in the case record to have any of the issues listed
- Had heavy alcohol use
- Smoked tobacco
- Used illicit drugs

**Infant was born:**

- Drug exposed
- With neither of the issues listed noted in case record
- With fetal alcohol effects or syndrome

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
02/21/2019	Deceased Child, Male, 1 Days	Mother, Female, 36 Years	Inadequate Guardianship	Pending	Yes
	Sibling, Male, 1 Days	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Male, 1 Days	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	



Sibling, Female, 5 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 17 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 15 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 7 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 5 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 3 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 1 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 17 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 15 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 7 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 5 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 3 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 1 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending
Deceased Child, Male, 1 Days	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending
Sibling, Female, 17 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 15 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 7 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 3 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 1 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending
Sibling, Female, 17 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending
Sibling, Female, 15 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending
Sibling, Female, 7 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending
Sibling, Female, 3 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending
Sibling, Female, 1 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending

**Report Summary:**

An SCR report alleged on 2/20/19, the mother gave birth to twin boys. The mother tested positive for marijuana at the



time of delivery. On a frequent basis, the mother abused marijuana at home in the presence of the 1, 3, 5, 7, and 17-year-old siblings. It was unknown if the children had access to the marijuana or drug paraphernalia. It was unknown if the children sustained any injuries due to the mother's impairment. The father had an unknown role at the time of the SCR intake.

**Report Determination:** Undetermined

**OCFS Review Results:**

NCDSS initiated the investigation timely, completed a CPS history check and contacted the source of the report. The record did not reflect full interviews with the family and the safety of the 15-year-old and 17-year-old siblings was not documented. The record did not reflect the subjects were interviewed face-to-face or that the father was interviewed. The record did not reflect written notice was provided to the adults. NCDSS completed a 7065 Agency Reporting Form timely. Burial assistance was provided to the family. The 7-day Safety Assessment was completed timely; however, it was completed inaccurately.

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

**Issue:**

Failure to provide notice of report

**Summary:**

Although the parents were provided with written notice of the report dated 2/21/19, the notices were provided 8 days after the due date. The father of the 17-year-old sibling and the mother of the 15-year-old sibling were not provided with written notice. The record did not show written notice was provided for the SCR report received on 3/17/19.

**Legal Reference:**

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

**Action:**

NCDSS will mail or deliver notification letters to subject(s), parent(s), and any other adult(s) named in the report within the first seven days following the receipt of the report.

**Issue:**

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

**Summary:**

The record did not reflect face-to-face contacts with the mother, father, or the 15 and 17-year-old siblings.

**Legal Reference:**

432.1 (o)

**Action:**

NCDSS will make casework contacts in accordance with the following regulation: Casework contacts mean face-to-face contacts with a child and/or a child's parents or guardians, or activities with the child and/or the child's parents or guardians, which may include but are not limited to facilitating information gathering and analysis of safety and risk factors and determining the allegations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
02/05/2019	Sibling, Female, 15 Years	Other Adult - Mother of SS, Female, 34 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Female, 15 Years	Other Adult - Mother of SS, Female, 34 Years	Parents Drug / Alcohol Misuse	Substantiated	

**Report Summary:**

An SCR report alleged the mother of the 15-year-old sibling was angry and out of control when she hit and punched another adult in the presence of the sibling. It was unknown if there were any injuries to the child. A subsequent report



was received on 2/7/19 that alleged the mother to the sibling was under the influence of drugs when she hit another vehicle and fled the scene with the sibling in the car. The mother was located and attempted to throw a bag of drugs into a residence, later swallowing the drugs. She acted out and was violent against officers in the presence of the sibling. The mother of the sibling had a drug history and was arrested for a drug related crime.

**Report Determination:** Indicated

**Date of Determination:** 04/11/2019

**Basis for Determination:**

NCDSS substantiated the allegations of IG and PD/AM against the mother of the sibling. The investigation revealed the mother was involved in a hit and run incident with the child in the car. Law enforcement records were obtained which included credible evidence to support the allegations of the reports.

**OCFS Review Results:**

The report was initiated timely, and a CPS history check was documented. Home visits were made, the family was interviewed and appropriate collateral contacts were made. The safety of the child was assessed throughout the investigation. The Safety Assessments and RAP were completed timely and accurately.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
01/23/2019	Sibling, Female, 15 Years	Mother, Female, 36 Years	Educational Neglect	Pending	Yes
	Sibling, Female, 15 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 15 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 15 Years	Father, Male, 34 Years	Educational Neglect	Pending	
	Sibling, Female, 15 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 15 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 17 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 17 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 7 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 7 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 5 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 5 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 3 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 3 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 1 Years	Mother, Female, 36 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 1 Years	Mother, Female, 36 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 17 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 17 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 7 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 7 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	
	Sibling, Female, 5 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending	
	Sibling, Female, 3 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending	
Sibling, Female, 3 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending		
Sibling, Female, 1 Years	Father, Male, 34 Years	Inadequate Guardianship	Pending		
Sibling, Female, 1 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Pending		

**Report Summary:**

An SCR report alleged the parents failed to provide adequate care for the siblings. The parents kicked the 15 and 17-year-old siblings out of the home without planning for them. The parents abused crack cocaine to the point of impairment while caring for the children. They spent the household money on drugs, and there was limited food in the home. The 15-year-old sibling had not attended school since 12/21/18, which had a negative impact on her education.

**Report Determination:** Undetermined

**OCFS Review Results:**

NCDSS initiated the investigation timely, contacted the source of the report and completed a CPS history check. NCDSS conducted a home visit to the home of the mother of the 15 and 17-year-old siblings and gathered information from collateral contacts. The 7-day Safety Assessment was completed six days late. Two children were born during the investigation and were not added to the report. With the exception of the children born during the open investigation, the children were assessed to be safe. Progress notes were not entered contemporaneously to their event dates. The record did not reflect written notice of the SCR report was provided to the adults named on the report.

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

**Issue:**

Timely/Adequate Seven Day Assessment

**Summary:**

The 7-day Safety Assessment was completed and approved six days after the due date.

**Legal Reference:**

SSL 424(3);18 NYCRR432.2(b)(3)(ii)(c)

**Action:**

The results of each Safety Assessment must be documented in the case record in the form and manner required by OCFS. In this instance, the required manner is by the completion of a 7-day Safety Assessment in Connections.

**PIP Requirement:**

NCDSS will submit a PIP to the Buffalo Regional Office within 30 days of the receipt of this report. The PIP will identify action(s) the NCDSS has taken, or will take, to address the cited issue(s). For issues where a PIP is currently implemented, NCDSS will review the plan and revise as needed to address ongoing concerns.

**Issue:**

Timely/Adequate Case Recording/Progress Notes

**Summary:**

Some progress notes were not entered contemporaneously and were entered more than six months after their event dates.

**Legal Reference:**

18 NYCRR 428.5

**Action:**

Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

**Issue:**

Failure to provide notice of report

**Summary:**

The record did not reflect the adults were provided with written notice of the report.

**Legal Reference:**

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

**Action:**

NCDSS will mail or deliver notification letters to subject(s), parent(s), and any other adult(s) named in the report within the first seven days following the receipt of the report. When other persons are identified as residing in the household and added to the case, they will be notified in writing as well.

**Issue:**

A child was born during an open CPS investigation and not added to the report

**Summary:**

Although two children were born during the investigation, they were not added to the report.

**Legal Reference:**

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

**Action:**

NCDSS is required to obtain the name, age, and condition of other children in the home. NCDSS will add all appropriate household members to open investigations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
02/13/2018	Sibling, Female, 14 Years	Mother, Female, 35 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 14 Years	Father, Male, 33 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**

An SCR report alleged the parents kicked the 14-year-old sibling out of the home. The father refused communication with that sibling.

**Report Determination:** Unfounded

**Date of Determination:** 05/10/2018

**Basis for Determination:**

The allegation of IG was unsubstantiated against the parents. The investigation revealed that although the sibling did not reside with the parents, she was not kicked out of the home and chose to leave. The sibling chose to reside with the paternal grandmother where she was assessed to be safe and have appropriate accommodations.

**OCFS Review Results:**

The investigation was initiated timely and the reported concerns were addressed; however, the discussions with the parents were not all-inclusive of possible safety and risk factors. The source was contacted. The 7-day Safety Assessment was completed timely and accurately. The RAP was completed inaccurately. Home visits were made to the case address and to the PGM's home, where the sibling resided. The record did not reflect a timely CPS history check, and there was no record of an observation of sleeping areas of the children, nor were safe sleep guidelines provided to the family. Appropriate collateral contacts were made.

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

**Issue:**

Review of CPS History

**Summary:**

Although a CPS history check was documented, it was not completed until 54 days after the due date.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(i)

**Action:**

Within 1 business day of a report, NCDSS must review all SCR records of prior reports, including legally sealed reports, and document such. Within 5 business days, NCDSS will review its own CPS record(s) that apply to the prior reports, including legally sealed unfounded and family assessment response reports.

**Issue:**

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

**Summary:**

Although family members were seen and the 14-year-old sibling was interviewed, there were no conversations regarding possible DV, supervision or discipline for the younger children documented.



**Legal Reference:**

432.1 (o)

**Action:**

NCDSS will make casework contacts in accordance with the following regulation: Casework contacts mean face-to-face contacts with a child and/or a child's parents or guardians, or activities with the child and/or the child's parents or guardians, which may include but are not limited to facilitating information gathering and analysis of safety and risk factors and determining the allegations.

**Issue:**

Adequacy of Risk Assessment Profile (RAP)

**Summary:**

The Risk Assessment Profile was not completed with regard to information obtained during the investigation. The 5-month-old sibling was not added to the report, despite living in the home. The sibling should have been included in the RAP assessment and the risk factor noting a child under the age of one year residing in the home should have been selected.

**Legal Reference:**

18 NYCRR 432.2(d)

**Action:**

NCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile. All children residing in the home will be considered part of the RAP family unit and the appropriate risk factors will be selected.

**Issue:**

Failure to provide safe sleep education/information

**Summary:**

The record did not reflect safe sleep guidelines were provided to the family despite a child under the age of one year resided in the home.

**Legal Reference:**

13-OCFS-ADM-02

**Action:**

NCDSS will provide information on sleep safety to the parents and caretakers of infants and parents-to-be whom they encounter and see that parents and caretakers take the steps necessary to provide safe sleeping conditions for the children in their care.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/12/2017	Sibling, Female, 1 Days	Mother, Female, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	Yes

**Report Summary:**

An SCR report alleged the mother gave birth to a baby girl on 9/12/17. The mother tested positive for THC and opiates. The roles of the other children and father were unknown.

**Report Determination:** Unfounded

**Date of Determination:** 01/30/2018

**Basis for Determination:**

NCDSS unsubstantiated the allegation of PD/AM in regard to her infant. The investigation revealed the mother used marijuana and hydrocodone during the pregnancy. The mother's actions did not have a known negative effect on the infant. The infant tested negative for THC and opiates at birth, and was observed to be healthy with no signs of withdrawal.

**OCFS Review Results:**

The Safety Assessments were completed timely and accurately. The investigation was initiated and a CPS history check was noted. Interviews with the parents and children did not include an overall assessment of safety and risk. Progress notes were entered two months after their event dates. Notice of Existence letters were provided to the parents of the infant timely; however, there was no record the parents of the siblings were provided written notice or contacted regarding the report. The case record did not reflect sleep areas were observed and safe sleep information was not provided. The investigation was closed with a predetermination of safety and risk.

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

**Issue:**

Timely/Adequate Case Recording/Progress Notes

**Summary:**

Progress notes were not entered timely and were entered approximately two months after their event dates.

**Legal Reference:**

18 NYCRR 428.5

**Action:**

Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

**Issue:**

Face-to-Face Interview (Subject/Family)

**Summary:**

Although the parents living in the home were interviewed regarding the reported concerns, the record did not reflect overall safety and risk was assessed with them nor with the children who lived in the home. There was no documentation the parents of the siblings were contacted regarding the report.

**Legal Reference:**

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

**Action:**

A full Child Protective investigation shall include face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report, and absent parents. Such interviews or reasons why an interview was not possible should be documented in progress notes.

**Issue:**

Failure to provide notice of report

**Summary:**

Although the parents who resided in the home were provided written notice of the SCR report timely, the record did not reflect the parents of the other children who resided in the home were provided with Notice of Existence letters.

**Legal Reference:**

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

**Action:**

NCDSS will make diligent efforts to contact absent parents of children named in a report and to provide written notice within seven days of receipt of the report.

**Issue:**

Failure to provide safe sleep education/information

**Summary:**

Although a child under the age of one year resided in the home, the record did not reflect safe sleep information and guidelines were provided to the parents. Additionally, the record did not reflect sleeping areas were observed.

**Legal Reference:**

13-OCFS-ADM-02



**Action:**

NCDSS will provide information on sleep safety to the parents and caretakers of infants and parents-to-be whom they encounter and see that parents and caretakers take the steps necessary to provide safe sleeping conditions for the children in their care.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/08/2017	Sibling, Female, 15 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 14 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 2 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 14 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 2 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 34 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 2 Years	Mother, Female, 34 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 32 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 2 Years	Father, Male, 32 Years	Lack of Supervision	Unsubstantiated	

**Report Summary:**

An SCR report alleged there was constant verbal and physical abuse in the home in the presence of the children. Two weeks prior to the report, the father was angry with the mother and threw objects around the living room, one of which struck a sibling. The parents were involved in physical and verbal domestic violence three times monthly. Police were called to the home as a result. The father was in a physical altercation with the eldest sibling's father in front of the sibling. The siblings (ages 3 and 5 years) played outside without an adult and ran into the street unclothed.

**Report Determination:** Unfounded

**Date of Determination:** 10/05/2017

**Basis for Determination:**

NCDSS unsubstantiated the allegations of the report as there was not credible evidence to support DV occurring in the home or in the presence of the children. There was no credible evidence that the children were ever unsupervised.

**OCFS Review Results:**

The investigation was initiated timely and face-to-face contacts were made with family. The Safety Assessments were completed timely and accurately. The RAP did not include the birth of a child during the open investigation and that child was not added to the report. The record did not reflect sleeping areas were observed, nor was there documentation safe sleep information was provided. There were not attempts to contact the parents of the children. Progress notes were entered non-contemporaneously.

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

**Issue:**

Adequacy of Risk Assessment Profile (RAP)

**Summary:**

The RAP should have included the child who was born during the open investigation. The risk factor regarding a child under one year residing in the home was not selected.

**Legal Reference:**



18 NYCRR 432.2(d)

**Action:**

NCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile.

**Issue:**

Failure to provide safe sleep education/information

**Summary:**

The record did not reflect safe sleep guidelines or literature were provided to the family despite the birth of a new child during the open investigation.

**Legal Reference:**

13-OCFS-ADM-02

**Action:**

NCDSS will provide information on sleep safety to the parents and caretakers of infants and parents-to-be whom they encounter and see that parents and caretakers take the steps necessary to provide safe sleeping conditions for the children in their care.

**Issue:**

Timely/Adequate Case Recording/Progress Notes

**Summary:**

Some progress notes were not entered until more than three months after their event dates.

**Legal Reference:**

18 NYCRR 428.5

**Action:**

All progress notes will be entered as contemporaneously as possible to their event dates. Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

**Issue:**

Contact/Information From Reporting/Collateral Source

**Summary:**

The record did not reflect attempts to contact the biological parents of the children listed on the report. The parents, and other collateral contacts may have had information regarding the overall safety and risk of the children.

**Legal Reference:**

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

**Action:**

NCDSS will contact or make diligent efforts to contact relevant collateral sources who may have information relevant to the investigation, including absent parents.

**Issue:**

A child was born during an open CPS investigation and not added to the report

**Summary:**

A sibling was born during the open investigation and was not added to the report.

**Legal Reference:**

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

**Action:**

NCDSS is required to obtain the name, age, and condition of other children in the home. NCDSS will add all appropriate household members to open investigations.



Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
04/12/2017	Sibling, Female, 15 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 13 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 5 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 13 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 5 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**  
 An SCR report alleged the mother and father left the siblings (ages 1, 3, and 6 years) in the care of the older siblings (ages 13 and 15 years) for several hours, several times a week. The older children screamed at the younger children and could not adequately control them. The parents were aware that the older siblings could not handle the children, yet continued to leave the younger children in their care.

**Report Determination:** Unfounded **Date of Determination:** 07/10/2017

**Basis for Determination:**  
 NCDSS unsubstantiated in the allegations of the report by stating that the oldest siblings were old enough and capable of babysitting their younger siblings. The investigation revealed the children were not left alone without adults for several hours.

**OCFS Review Results:**  
 NCDSS initiated the investigation timely and documented a CPS history check. There was an assessment of the home and all children were observed. Progress notes were not entered contemporaneously, and written notice of the SCR report was not provided timely. Although the parents of the children were added to the report, the record did not reflect that attempts were made to contact them. Diligent attempts were not made to contact the source of the report. Written notice of the report was not provided within the required timeframe.

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

**Issue:**  
 Timely/Adequate Case Recording/Progress Notes

**Summary:**  
 Progress notes were not entered contemporaneously to their event dates. Some progress notes were entered more than three months after their event dates.

**Legal Reference:**  
 18 NYCRR 428.5

**Action:**  
 Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

**PIP Requirement:**  
 NCDSS will submit a PIP to the Buffalo Regional Office within 30 days of the receipt of this report. The PIP will identify action(s) the NCDSS has taken, or will take, to address the cited issue(s). For issues where a PIP is currently implemented, NCDSS will review the plan and revise as needed to address ongoing concerns.

**Issue:**  
 Contact/Information From Reporting/Collateral Source

**Summary:**

The record did not reflect diligent attempts to contact the source of the report. Additionally, the record did not reflect attempts were made to contact all of the parents listed on the report.

**Legal Reference:**

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

**Action:**

NCDSS will make diligent efforts to contact collaterals to attempt to gather relevant information as it pertains to safety, risk, and a determination of the allegations.

**Issue:**

Failure to provide notice of report

**Summary:**

Although written notice of the SCR report was provided to the adults on the report, the notices were not provided within the required timeframe of seven days. Notice of Existence letters were mailed two days late.

**Legal Reference:**

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

**Action:**

NCDSS will make diligent efforts to contact absent parents of children named in a report and to provide written notice within seven days of receipt of the report.

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

9/14/09- 10/29/09 IG of SS against BM, BF of SS, and OA UnSub. L/B/W of SS was UnSub against OA.

3/3/11- 5/2/11 IG of SS Sub against BM, L/B/W and PD/AM UnSub against BM regarding SS.

5/3/11- 6/24/11- IG of SS against BF and BM of SS was UnSub.

10/6/13- 11/20/13- IG of SS against BM was UnSub.

**Known CPS History Outside of NYS**

There was no known CPS history outside of New York State.

**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

**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