

Report Identification Number: NY-14-099

Prepared by: New York City Regional Office

Issue Date: 3/12/2015

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.

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Abbreviations

Relationships		
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
Contacts		
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-plumony Resuscitation		
Allegations		
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	MN-Medical Neglect	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 Suprevision
Ab-Abandonment	OTH/COI-Others	
Miscellaneous		
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

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Report Type: Child Deceased
Age: 9 year(s)

Jurisdiction: Manhattan
Gender: Female

Date of Death: 08/28/2014
Initial Date OCFS Notified: 09/03/2014

Presenting Information

The SCR report alleged the nine-year-old child was diagnosed with sickle cell anemia and was supposed to see a hematologist at least every six months regarding this disorder. The report alleged the child had not seen a hematologist since December, 2011, and did not have a regular check up with a pediatrician since October of 2013. On 8/25/14, the mother brought the child to St. Luke's Hospital because the child was complaining of joint pain. The hospital treated the child and released her that night. Between 8/25/14 and 8/28/14 the child continued to complain of pain and that she could not eat as a result. At 11:11 P.M. on 8/28/14, the mother called 911. EMS and officers from the NYPD arrived at the home. EMS transferred the child to Harlem Hospital, where she was pronounced dead on arrival (DOA) at 11:39 P.M. The cause of death was septic shock, due to lack of medical care.

Executive Summary

On 8/29/14, four days after she was released from St. Luke's Hospital (SLH) the mother found the nine-year-old child unresponsive and covered in vomit. The mother called 911 and the child was transported to Harlem Hospital where she died.

ACS contacted the attending physicians and the SW at the hospital in addition to the FDNY, EMS and NYPD to obtain information regarding the child. ACS learned that an EMS ambulance transported the child to the hospital where she was pronounced dead at 11:39 P.M., due to complications of sickle cell anemia. The medical staff reported no signs of trauma and the NYPD did not suspect any foul play; therefore, no arrests were made.

On 8/29/14, the Specialist visited the home and observed the surviving siblings who were asleep. The parents stated that on 8/25/14 the child fell ill and they took her to SLH where she was examined, treated and discharged. The SM was advised to follow up with the child's PCP. The child's condition worsened and on 8/28/14, she became unresponsive.

On 9/8/14, ACS filed an Article 10 Neglect petition in Manhattan Family Court, on behalf of the surviving children against the parents. ACS requested mandated services for the family and the children were released to the mother with ACS' supervision. On 11/4/14, the judge adjourned the case until 2/10/15. A Fact Finding was scheduled for 2/27/15.

On 9/8/14, ACS initiated preventive services for the family; however, the father who resided at another location, declined the services.

On 2/5/15, the ME reported that the child's cause of death was due to complications of sickle cell hemoglobinopathy; the manner of death was natural. According to the ME, the parents were not culpable for the child's death. ACS has not yet made a determination on the allegations of this report.

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? The CPS report had not yet been determined at the time this Fatality report was issued.
- Was the determination made by the district to unfound or indicate appropriate? Unable to Determine

Explain:

The ACS Specialist made all necessary referrals to address the concerns of the family.

- Was the decision to close the case appropriate? Unknown
- Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements? Yes
- Was there sufficient documentation of supervisory consultation? Yes, the case record has detail of the consultation.

Explain:

ACS has not made a determination on this case to date.

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: 08/28/2014

Time of Death: 11:39 PM

- County where fatality incident occurred: MANHATTAN
- Was 911 or local emergency number called? Yes
- Time of Call: 11:11 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: Child was ill and was complaining of pain.

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

How long before incident was the child last seen by caretaker? 1 Hours

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

1

At time of incident supervisor was:

- | | |
|---|--|
| <input type="checkbox"/> Drug Impaired | <input type="checkbox"/> Absent |
| <input type="checkbox"/> Alcohol Impaired | <input type="checkbox"/> Asleep |
| <input type="checkbox"/> Distracted | <input checked="" type="checkbox"/> Impaired by illness |
| <input type="checkbox"/> Impaired by disability | <input type="checkbox"/> Other: The mother has medical conditions that causes phys |

Total number of deaths at incident event:

Children ages 0-18: 1

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	9 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	42 Year(s)
Deceased Child's Household	Sibling	No Role	Female	7 Year(s)
Deceased Child's Household	Sibling	No Role	Female	6 Year(s)
Deceased Child's Household	Sibling	No Role	Male	21 Year(s)
Deceased Child's Household	Sibling	No Role	Male	16 Year(s)
Deceased Child's Household	Sibling	No Role	Female	8 Year(s)
Other Household 1	Father	Alleged Perpetrator	Male	41 Year(s)

LDSS Response

On 8/29/14, the SCR added information of a ten-year-old female child's death to an open family service case. On 8/29/14, The Specialist contacted the NYPD, FDNY, EMS, and Harlem Hospital. NYPD reported the SM contacted 911 at 11:11 P.M. stating the child was unresponsive. The FDNY responded to the home and EMS transported the child to Harlem Hospital where she was pronounced dead at 11:39 P.M., due to complications of sickle cell anemia. The doctor reported no signs of trauma were found on the child and the NYPD did not suspect any foul play; no arrests were made.

On 8/29/14, the Specialist visited the home and observed the surviving eight, seven, six and sixteen-year-old siblings asleep and safe.

On 9/03/14, a report of the death of the ten-year-old alleging DOA/Fatality, IG and LMC by the parents was registered. On 8/25/14, the child complained of joint pain and the parents took her to St. Luke's Hospital emergency room (ER). She was examined and given medication and discharged an hour later. On 8/28/14, the child's condition worsened. The mother contacted the father, who resided elsewhere and he met them at the hospital. Later that night the child died.

The pediatrician reported the nine-year-old was hospitalized in 2011, 2012, and 2013 and was last seen on 9/16/13, when

she was brought in to the office with cramping, vomiting and joint pain. The doctor sent the child to the ER stating she was in "crisis". A follow up, which was not kept, was scheduled for 10/13/13 and a physical exam on 12/11/13. The doctor told the parents the child should be seen every five months and evaluated by the hematologist every six months. The child was last seen by the hematologist in 12/11 and missed appointments in 2013.

The director reported that Graham Windham provided homemaking services to the family periodically from 2010 through 11/20/14 when the mother and at times the father was hospitalized. The services were from Monday through Friday from 8:00 A.M. to 4:00 P.M. during the school year.

On 9/4/14, the Specialist visited the case address and interviewed the family, separately. Their accounts were consistent. The parents stated they did not read the discharge papers that would have informed them of the follow up appointments. The parents admitted they missed some of the children's appointments due to their clinical conditions.

ACS filed an Article 10 Neglect petition in Manhattan Family Court on 9/8/14 on behalf of the surviving children requesting mandated services for the family. The children were released to the mother with ACS supervision.

ACS addressed the family's concerns by making referrals and follow-ups. The homemaker and CP were to assist with appointments. The sixteen-year-old child completed an application for an educational program. On 9/18/14, the six, seven and eight-year-old siblings were examined. The six and eight-year-old children were diagnosed with a medical condition and appointments were made for a specialist. The mother refused a mental health evaluation.

On 9/18/14, the CP reported she visited the family on 8/28/14, between 7:30 and 8:00 P.M.; the nine-year-old was asleep. The CP conversed with the other children regarding school before leaving. ACS documentation stated the CP had just begun working with the family and was not aware of the medical condition of the nine-year-old. This information should have been documented by the agency and reviewed by the case planner in preparation for planning services to the family.

On 11/4/14, the judge adjourned the case until 2/10/15.

ACS continued to monitor the family through contacts with school staff, medical providers, homemaker and joint visits with the CP. The preventive service case was transferred to New Alternatives for Children on 11/21/14 because of the medically fragile children.

This case has not been determined.

Official Manner and Cause of Death

Official Manner: Natural

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)? No

Comments: The ACS investigation adhered to previously approved protocols for joint investigation.

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

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Comments: This region does not have an OCFS approved Child Fatality Review Team.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
Deceased Child Female 9 Year(s)	Mother Female 42 Year(s)	DOA / Fatality	Pending
Deceased Child Female 9 Year(s)	Mother Female 42 Year(s)	Inadequate Guardianship	Pending
Deceased Child Female 9 Year(s)	Mother Female 42 Year(s)	Lack of Medical Care	Pending
Deceased Child Female 9 Year(s)	Father Male 41 Year(s)	Lack of Medical Care	Pending
Deceased Child Female 9 Year(s)	Father Male 41 Year(s)	DOA / Fatality	Pending
Deceased Child Female 9 Year(s)	Father Male 41 Year(s)	Inadequate Guardianship	Pending

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"/>
The SCR Report source contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input 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"/>
Did the investigation adhere to established protocols for a joint investigation?	<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"/>

Additional information:

ACS made the appropriate contacts and obtained and documented the necessary information. The appropriate services were implemented and the family has benefited from the services.

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine

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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"/>

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Legal Activity Related to the Fatality

Was there legal activity as a result of the fatality investigation?

Family Court

Criminal Court

Order of Protection

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
09/08/2014	There was not a fact finding	There was not a disposition
Respondent:	014123 Father Male 41 Year(s)	
Comments:	According to the case documentation, all attorneys involved in the case agreed there will be no fact finding; case was adjourned to 2/20/15.	

Services Provided to the Family in Response to the Fatality

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
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Additional information, if necessary:
 The parents were offered assistance with funeral expenses; however, it is unclear whether they received the assistance. Regarding housing assistance, the mother is on a waiting list to move from the apartment where the child died. She currently resides in NYCHA. The family completed intensive case management prior to the fatality.

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? Yes

Explain:
 Based on the recent discovery of the siblings medical condition, ACS changed the preventive service agency to better accommodate the family.

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

Explain:
 The parents engaged in some services; however, the mother refused the mental health evaluation and the father declined assistance with his sobriety. The family put in place a plan to address DV and the younger siblings were scheduled to learn American Sign Language (ASL) to better communicate with the adult brother who resides in the home.

History Prior to the Fatality

Child Information

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?	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

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)
03/12/2012	1601-Deceased Child,Female, 6 Years	1661-Mother,Female, 42 Years	Inadequate Guardianship	Unfounded	No

Report Summary:
 The report alleged that the mother encouraged the children to fight and she encouraged the then six-year-old child to fight at school.

The mother and children denied that the mother encouraged them to fight; however, the mother stated she advised the six-year-old child to defend herself as she was being bullied.

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The family noted that the child had success with fending off the bullies when she defended herself.

Determination: Unfounded

Date of Determination: 04/24/2012

Basis for Determination:

ACS unfounded the allegations citing a lack of evidence and the issues were addressed in therapy.

OCFS Review Results:

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)
03/11/2013	1672-Sibling,Male, 16 Years	1662-Mother,Female, 42 Years	Excessive Corporal Punishment	Unfounded	No
	1672-Sibling,Male, 16 Years	1662-Mother,Female, 42 Years	Inadequate Guardianship	Unfounded	
	1672-Sibling,Male, 16 Years	1668-Father,Male, 44 Years	Excessive Corporal Punishment	Unfounded	
	1672-Sibling,Male, 16 Years	1668-Father,Male, 44 Years	Inadequate Guardianship	Unfounded	

Report Summary:

The report alleged that the adult son informed the mother of the physical abuse "some time ago" that the father inflicted on the sixteen-year-old son, and the mother failed to intervene.

The adult and the sixteen-year-old siblings father is not the father of the four younger siblings. The father of the adult and the sixteen-year-old was awarded full custody when they were very young children. They were not aware of their mother's or half siblings whereabouts. They recently found the mother and started a relationship with her, against the father's will.

Determination: Unfounded

Date of Determination: 04/02/2013

Basis for Determination:

The sixteen-year-old had no marks and denied the abuse; however, he admitted he was rude to his father causing a fist fight. He explained that his father refused to allow him to visit his mother and siblings.

The allegations of C/T/S, and S/D/S and IG against the father of the adult and sixteen-year-old were unfounded citing lack of credible evidence and the child's denial. There were no bruises or marks found on the child. The child appeared to be well cared for by the father and stepmother.

The allegations of IG against the mother was unfounded as the child did not live with the mother for over 14 years, and she had no visitation at that time.

OCFS Review Results:

The allegations were appropriately unfounded.

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)
03/19/2013	1574-Deceased	1663-Mother,Female,	Excessive Corporal	Unfounded	No

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Child,Female, 8 Years	42 Years	Punishment
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Report Summary:

The SCR registered a duplicate report on the following day. Both reports alleged that the mother attempted to strike the then eight-year-old child with a belt as a form of punishment for not wanting to go to school.

When interviewed separately, the mother and all children reported that the mother raised the belt to scare the child but she ran and hit her face on the couch. ACS then counseled the mother on methods of punishments.

Determination: Unfounded **Date of Determination:** 04/18/2013

Basis for Determination:

ACS unsubstantiated the allegations of XCP and LBW of the then eight-year-old child by the mother. ACS cited lack of credible evidence, stating that the child ran to avoid punishment and that she had a history of lying when she did not get her own way. The child continued to receive therapy for behavioral issues.

OCFS Review Results:

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)
06/13/2013	1575-Deceased Child,Female, 8 Years	1665-Mother,Female, 42 Years	Inadequate Guardianship	Indicated	No
	1681-Sibling,Female, 7 Years	1665-Mother,Female, 42 Years	Inadequate Guardianship	Indicated	
	1682-Sibling,Female, 6 Years	1665-Mother,Female, 42 Years	Inadequate Guardianship	Indicated	
	1683-Sibling,Female, 5 Years	1665-Mother,Female, 42 Years	Inadequate Guardianship	Indicated	

Report Summary:

This report alleged that the mother was verbally abusive and out of control screaming at the father in the school and on their way home home from school. It added that the mother forcefully hit the children in their back with her hand causing one of them to stumble.

ACS began to treat the investigation as a high priority as they became concerned about the impact the DV, XCP and mother's diagnosis had on the children of separated parents. The schools reported an increase in absences and lateness and complaints of sibling rivalry. The mother admitted to physical punishment and the father reported the incident occurred. The preventive and homemaker workers reported no safety concerns.

Determination: Indicated **Date of Determination:** 08/12/2013

Basis for Determination:

On 8/12/13, ACS substantiated the allegations of IG and ECP citing the mother's statement "she did not take into account the effect the argument would have on the children in the school and the community. The investigation was closed and the case remained open with continued preventive services and homemaker services.

OCFS Review Results:

ACS addressed concerns regarding the DV by referring the parents to counseling although they insisted they had no incidents in the past two years. The father who was very involved with the children and was the main support for the family; reported he had stopped drinking and was working on his sobriety. The then eight-year-old child's attendance in therapy had declined and she had not renewed the medication since 8/13.

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)
01/07/2014	1624-Deceased Child,Female, 8 Years	1666-Mother,Female, 42 Years	Lack of Medical Care	Unfounded	No

Report Summary:

The 1/7/14 report alleged LMC of the eight-year-old child by the mother. The report alleged the mother discontinued medically recommended treatment for the child since last seen in 10/13.

The investigation revealed the mother scheduled an appointment for the child to attend another hospital because the medication caused the child to experience nightmares. All family members stated the child's behavior was manageable and the mother's plan was contact 911 for assistance in case of a crisis.

Determination: Unfounded **Date of Determination:** 02/13/2014

Basis for Determination:

ACS unsubstantiated the allegations of LMC of the eight-year-old child by the mother. The report was unfounded and closed with the case remaining open for preventive and clinical services.

OCFS Review Results:

ACS based their decision on the clinical providers information that made it clear the child's "behavior was controllable."

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)
06/13/2014	1625-Sibling,Male, 16 Years	1667-Mother,Female, 42 Years	Educational Neglect	Unfounded	No

Report Summary:

The report alleged that the now sixteen-year-old child had 47 absences and was failing as a result. It alleged the mother was aware of the excessive absences but took "no effective action" to resolve the problem. The report alleged that the child broke his arm on 5/7/14, and the mother failed to make alternative academic arrangements in light of the injury.

The child corroborated the mother's account stating that she woke him up every morning to go to school but he refused.

Determination: Unfounded **Date of Determination:** 08/12/2014

Basis for Determination:

ACS based their determination on the child's admission to refusing to go to school despite the mother waking him and encouraging him to go to school. The child was deemed truant.

OCFS Review Results:

The report was appropriately unfounded.

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

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

The SM was the subject of a report dated 12/02/09. The reports alleged IG of the children by the parents. On 1/29/10, the allegation of IG in the 12/2/09 report was substantiated against the parents.

The 12/2/2009 report alleged IG of the then four, three, two and one-year-old children by their parents; and PD/AM by the father. The narrative stated the parents put undue burden on the four-year-old (now deceased) child to care for the younger

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siblings when they became ill. The parents had medical conditions that caused them to be hospitalized or bedridden at times. The BxFO revealed it was a part of the safety plan the SM put in place while the family resided in a shelter. The four-year-old child was trained to care for her siblings and to take the elevator to the lobby to seek help from the security desk.

On 1/28/10, ACS determined there was credible evidence to substantiate the IG allegation against the parents and the case was indicated but remained open for PPRS services.

Known CPS History Outside of NYS

There was no known history outside of NYS.

Services Open at the Time of the Fatality

Was the deceased child(ren) involved in an open preventive services case at the time of the fatality? Yes
Date the preventive services case was opened: 01/20/2010

Evaluative Review of Services that were Open at the Time of the Fatality

	Yes	No	N/A	Unable to Determine
Did the service provider(s) comply with the timeliness and content requirements for progress notes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the services provided meet the service needs as outlined in the case record?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did all service providers comply with mandated reporter requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there information in the case record that indicated the existence of behaviors or conditions that placed the children in the case in danger or increased their risk of harm?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was the response appropriate to the circumstances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain: These conditions were not addressed until after the fatality occurred.				

Casework Contacts

	Yes	No	N/A	Unable to Determine
Did the service provider comply with case work contacts, including face-to-face contact as required by regulations pertaining to the program choice?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were face-to-face contacts with the child in the child's placement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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location made with the required frequency?				
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Services Provided

	Yes	No	N/A	Unable to Determine
Were services provided to siblings/other children in the household as necessary to achieve safety, permanency, and well-being?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were services provided to parents as necessary to achieve safety, permanency, and well-being?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Family Assessment and Service Plan (FASP)

	Yes	No	N/A	Unable to Determine
Was the most recent FASP approved on time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there a current Risk Assessment Profile/Risk Assessment in the most recent FASP?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Provider

	Yes	No	N/A	Unable to Determine
Were Services provided by a provider other than the Local Department of Social Services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional information, if necessary:
 Graham Windham provided preventive services to the family beginning on 1/20/10 to 11/20/14. The services were put in place due to both parents medical issues and frequent hospitalizations. The adult and sixteen-year-old were not living with the family until recently.

Required Action(s)

Are there Required Actions related to compliance issues for provisions of CPS or Preventive services ?
 Yes No

Issue:	Provide preventive services according to the needs of the child and the child's family
Summary:	The service providers failed to appropriately address and service the needs of this family for several years. The children's medical needs have not been addressed. The agencies did not assist the family as required.
Legal Reference:	18 NYCRR 423.4(a); SSL 424 (13)

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Action:	The Administration for Children's Services (ACS) must submit a corrective action plan within 45 days that identifies what action it has, or will take, to address the citation(s) identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.
Issue:	Failure to Monitor
Summary:	This family was not adequately monitored by the PPRS service providers.
Legal Reference:	18 NYCRR 432.2(b)(5)
Action:	The Administration for Children's Services (ACS) must submit a corrective action plan within 45 days that identifies what action it has, or will take, to address the citation(s) identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.
Issue:	Timely/Adequate Case Recording/Progress Notes
Summary:	According to ACS documentation, the CP did not have information regarding the health of the nine-year-old child. This information should have been documented by the PPRS agencies as it was the focal point of services for the family.
Legal Reference:	18 NYCRR 428.5(a) and (c)
Action:	The Administration for Children's Services (ACS) must submit a corrective action plan within 45 days that identifies what action it has, or will take, to address the citation(s) identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

Preventive Services History

ACS initiated an FSS to service the children when the parents were hospitalized or too ill to provide adequate care. On 12/7/09, the Children's Aid Society (CAS) provided homemaking services to the family "on and off" from 2010 thru 2013 whenever the parents were hospitalized.

On 1/19/10, Graham Windham started preventive services on Monday thru Friday from 8:00 A.M. to 4:00 P.M. during the school year to present.

Family Assessment Service Planning (FASP)

	Yes	No	N/A	Unable to Determine
Was the most recent required FASP approved on time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Casework Contacts

	Yes	No	N/A	Unable to Determine

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Were face-to-face contacts with the child in the child's placement location made with the required frequency?

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

LDSS: Pertinent Information Related to the Fatality

On 11/20/14, Graham Windham closed their case and as of 11/21/14, New Alternatives (NAC) is now servicing the family. NAC provides a preventive program for families with medically fragile children. This family is deemed as high risk with "intensive" medical advocacy to ensure the safety and well-being of the children. The eight and six-year-old children were deemed medically fragile as they were confirmed to have the sickle cell trait.

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