

Report Identification Number: NY-15-055 Prepared by: New York City Regional Office

Issue Date: 12/22/2015

This	s report, prepared pursuant to section 20(5) of the Social Services Law (SSL), concerns:
X	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 <u>only</u> 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
DrDoctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPR-Cardio-pulmonary 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 Supervision
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	ACS-Administration for Children's	NYPD-New York City Police
Service	Services	Department
PPRS-Purchased Preventive Rehabilitative Services		

Case Information

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Report Type: Child Deceased **Jurisdiction:** Queens **Date of Death:** 07/05/2015

Age: 4 day(s) Gender: Male Initial Date OCFS Notified: 07/05/2015

Presenting Information

The 7/5/15 SCR report alleged that the four-day-old infant was found deceased in a bassinet at the home by the mother and the father. The infant had been released from the hospital on 7/4/15 after being born premature. The infant was otherwise healthy and medically released from the hospital. As the infant was otherwise healthy and his death occurred at home, all the adults in the home were named as subjects pending the outcome of the investigation. The mother, father, PA, PGM and an adult cousin were the alleged subjects. The twelve-year old and ten-year-old children had unknown roles

Executive Summary

This male infant died on 7/5/15. As of 12/7/15, NYCRO has not yet received the M.E.'s report.

The allegations of the 7/5/15 report were DOA/Fatality, IG and LS of the infant by the mother, father, PA, PGM, and paternal cousin.

ACS' findings showed that the infant was born at approximately 38 weeks gestation. Following his birth, he remained hospitalized for routine medical care. On 7/4/15, the infant was discharged to the parents' care. The infant was last seen alive when the father fed the infant around 4:00 AM on 7/5/15, the infant was burped and placed on his back in the bassinet before he went to sleep. The infant was found by the mother in the bassinet unresponsive at approximately 6:30 AM in the room the infant shared with the parents. The mother alerted the father who called 911 at 6:51 AM. The father was coached by 911 to perform CPR. The father and PA continued CPR on the infant until EMS arrived. Upon EMS' arrival, the infant was limp, appeared purple in color and was not breathing. EMS transported the infant, parents and PA to Elmhurst Hospital at 7:10 AM. CPR was continued at the hospital; however, the infant remained unresponsive until pronounced deceased by emergency room (ER) physician at 7:32 AM.

The ME informed ACS that the photos taken showed the infant had no trauma to the body. There were no external injuries observed during the autopsy. According to the ME's preliminary findings it was medically determined that the infant died from sudden infant death syndrome (SIDS).

According to the ACS case record, there was no evidence that the parents, PA, PGM or the paternal cousin had history of DV, mental illness and substance abuse. The Specialist contacted the parents, interviewed them separately as well as all adult household relatives, the minor cousin and the half-sibling who were in the home at the time of the incident. All household members had similar accounts of the incident with no inconsistencies. It was revealed the mother received safe sleep education, was encouraged by hospital staff to breast feed and was taking prescribed medication while in the hospital and upon her discharge. A home visit was conducted by the Specialist to assess the infant's sleeping environment. Each room of the three bedroom apartment was observed to be safe and appropriate. An enactment was conducted of the room the infant shared with the parents. In the parents' room, the Specialist observed that the bassinet was one inch from the bed. The room also included a crib with baby products inside between the bassinet and a window with an air conditioner. The relatives residing in the household reported there was nothing in the bassinet that could cause the infant to suffocate. The mother and the twelve-year-old cousin reported

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there was a small blanket covering the infant below the waist.

Although there were no surviving children in the mothers' custody, the infant's half-sibling visited the father's home weekly. The half-sibling and twelve-year-old cousin reported they had no complaints about the care they received in the home by the parents or the other household members.

ACS offered bereavement and burial service to the parents. The parents accepted ACS' offer for PPRS on 8/27/15. However, on 9/15/15, ACS closed the services case after it was determined that the family did not need CPS involvement.

During the investigation, ACS gathered pertinent information about the circumstances surrounding the infant's death by observing the family's home and by obtaining relevant information from the parents, all household relatives, LE and emergency room staff. ACS made appropriate collateral contacts regarding the half-sibling and twelve-year-old cousin

On 9/3/15, ACS unsubstantiated the allegations of DOA/Fatality and IG of the infant by the parents, PG, PGM and the paternal cousin on the basis that the infant's death was related to sudden infant death syndrome (SIDS).

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?
 Was the safety decision on the approved Initial Safety Assessment appropriate?

Determination:

• Was sufficient information gathered to make determination(s) for all allegations as well as any others identified in the course of the investigation?

Yes, sufficient information was gathered to determine all allegations.

Was the determination made by the district to unfound or indicate

Yes

appropriate?

Explain:

The level of casework activity was commensurate with the case case circumstances.

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

Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements?

Was there sufficient documentation of supervisory consultation?

Yes, the case record has detail of

the consultation

Explain:

N/Å



	Required Action	s Related to the Fatality				
Are there Required Actions related to the compliance issue(s)? □Yes ⊠No						
Fa	ntality-Related Informa	tion and Investigative Activities				
	Incide	nt Information				
Date of Death: 07/05/2015		Time of Death: 07:32 AM				
Time of fatal incident, if diff	ferent than time of death:	Unknown				
County where fatality incide	ent occurred:	QUEENS				
Was 911 or local emergency		Yes				
Time of Call:		06:51 AM				
Did EMS to respond to the s	scene?	Yes				
At time of incident leading to		cohol or drugs? N/A				
Child's activity at time of inc		8				
⊠ Sleeping	☐ Working	☐ Driving / Vehicle occupant				
☐ Playing	☐ Eating	□ Unknown				
☐ Other	Č					
Did child have supervision a	t time of incident leading t	to death? Yes				
How long before incident was Is the caretaker listed in the	Household Composition?					
At time of incident supervisor impaired.	or was: Not					
Total number of deaths at in Children ages 0-18: 1	icident event:					

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Aunt/Uncle	Alleged Perpetrator	Female	41 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Male	4 Day(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	32 Year(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Female	61 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	28 Year(s)
Deceased Child's Household	Other Adult	Alleged Perpetrator	Male	20 Year(s)

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Deceased Child's Household	Other Child	No Role	Female	12 Year(s)
Other Household 1	Other	No Role	Female	32 Year(s)
Other Household 1	Sibling	No Role	Female	10 Year(s)

LDSS Response

According to the paramedic who responded to the scene, FDNY was the first to arrive to the home. The paramedic reported the infant was observed positioned on his back while CPR was performed by FDNY on the bed in the parents' bedroom. The infant appeared blue in color and there were no obvious signs of death or rigor mortis. The paramedic confirmed the parents and a relative traveled along with the infant in the ambulance to the hospital.

ACS obtained information from the hospital Emergency Room Dr. who said on 7/5/15 upon arrival in the hospital, the infant was in cardiac arrest. The infant's body temperature was low and he had no pulse or respirations. The hospital staff continued CPR in addition to medicating and intubating the infant until he was pronounce deceased.

The ME stated that photos of the infant's body were taken and the preliminary findings showed the infant had no internal injuries and no trauma to the body. The final autopsy report was pending the results of additional tests.

The Specialist visited the half-sibling's home and assessed there was no safety concerns. The Specialist interviewed the half-sibling's mother who said there were no concerns regarding the care the father and infant's mother provided the half-sibling. The half-sibling's mother said the half-sibling visited the fathers' home weekly in the summer and the father provided well for the half-sibling. The Specialist interviewed the half-sibling who reported she was happy to have a brother; however, on the morning of the infant's death she was asleep and did not see the infant. The half-sibling stated she and the twelve-year-old cousin stayed at the infant's home with the PGF before they were both taken to the hospital where they learned, the infant had died. ACS confirmed the half-sibling and minor cousin's enrollment in school on 7/6/15.

On 8/7/15 the Dr. who had discharged infant from hospital on 7/4/15 said, at the time the infant was discharged to the parents' care, the infant was fine and there were no medical concerns or issues. The Dr. noted that the medication prescribed to the mother would not have prevented the mother from breast feeding the infant nor cause an adverse impact on the infant's health. ACS obtained the medical information requested by ACS staff for the mother, infant, half-sibling and minor cousin.

According to LE, on 7/6/15 the parents were accompanied by other relatives at the hospital. The LE verified the parents were informed of the infant's death and were escorted home by LE. On 8/27/15, ACS staff contacted LE and was informed that the police closed their investigation and there were no criminal actions.

Both parents denied they had a history of substance abuse or health issues. The Specialist offered the parents bereavement services on 7/6/15. On 8/10/15, ACS provided the father a list of bereavement counseling providers and on 8/27/15, a referral was made for services. ACS opened the Family Services Stage of the case and continued to offer the family preventive services for the purpose of providing support services. However, ACS closed the services case on 9/15/15. ACS noted that the family no longer required CPS involvement and the family was actively engaged in bereavement services.

During the investigation, ACS entered timely progress notes, made diligent efforts, and obtained information from pertinent collateral contacts. ACS made sufficient and relevant face-to-face casework contact with the parents and all household members.

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On 9/3/15, ACS unsubstantiated the allegations of DOA/Fatality and IG of the infant by all the adults in the home on the basis that the death certificate indicated the infant died of sudden infant death syndrome. There was no indication that the parents or the relatives had acted in any manner to endanger or harm the infant.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Unknown

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 investigation adhered to previously approved protocols for joint investigation.

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

Comments: There is no OCFS approved Child Fatality Review Team in the New York City region.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
018623 - Deceased Child, Male, 4 Day(s)	018624 - Father, Male, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018622 - Mother, Female, 28 Year(s)	Inadequate Guardianship	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018622 - Mother, Female, 28 Year(s)	DOA / Fatality	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018626 - Grandparent, Female, 61 Year(s)	DOA / Fatality	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018627 - Aunt/Uncle, Female, 41 Year(s)	DOA / Fatality	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	019501 - Other Adult - cousin, Male, 20 Year(s)	DOA / Fatality	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	019501 - Other Adult - cousin, Male, 20 Year(s)	Inadequate Guardianship	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018627 - Aunt/Uncle, Female, 41 Year(s)	Inadequate Guardianship	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018624 - Father, Male, 32 Year(s)	DOA / Fatality	Unsubstantiated
018623 - Deceased Child, Male, 4 Day(s)	018626 - Grandparent, Female, 61 Year(s)	Inadequate Guardianship	Unsubstantiated

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CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	×			
When appropriate, children were interviewed?	×			
Alleged subject(s) interviewed face-to-face?	×			
All 'other persons named' interviewed face-to-face?			×	
Contact with source?	×			
All appropriate Collaterals contacted?	×			
Was a death-scene investigation performed?	×			
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)?	X			
Coordination of investigation with law enforcement?	×			
Did the investigation adhere to established protocols for a joint investigation?	×			
Was there timely entry of progress notes and other required documentation?	X			

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	X			
Was there an adequate safety assessment of impending or immediate d in the household named in the report:	langer to su	ırviving sib	lings/other	children
Within 24 hours?	×			
At 7 days?	×			
At 30 days?	×			
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	X			
Are there any safety issues that need to be referred back to the local district?		X		
When safety factors were present that placed the surviving			×	

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siblings/other children in the household in impending or immediate danger of serious harm, were the safety interventions, including parent/caretaker actions adequate?							
	Fatality Risk	Assessment	/ Risk Assess	ment Profile			
			,				
				Yes	No	N/A	Unable to Determine
Was the risk assessment/RAP adeq	uate in this	case?		×			
During the course of the investigati gathered to assess risk to all survivi household?				X			
Was there an adequate assessment	of the famil	ly's need fo	r services?	×			
Did the protective factors in this capetition in Family Court at any timinvestigation?			file a		X		
Were appropriate/needed services of	offered in tl	his case		×			
Place	ment Activiti	ies in Respor	se to the Fata	ality Investig	gation		
							_
				Yes	No	N/A	Unable to Determine
Did the safety factors in the case sh siblings/other children in the house foster care at any time during this f	hold be ren	noved and p	_	Yes	No ×	N/A	
siblings/other children in the house	hold be ren atality inve children ir	noved and pestigation?	placed in			_	
siblings/other children in the house foster care at any time during this f Were there surviving siblings/other	hold be ren atality inve children ir	noved and pestigation?	placed in		X		
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Economic support			\boxtimes	
Funeral arrangements			×	
Housing assistance			×	
Mental health services			×	
Foster care			×	
Health care			×	
Legal services			×	
Family planning			×	
Homemaking Services			×	
Parenting Skills			×	
Domestic Violence Services			×	
Early Intervention			×	
Alcohol/Substance abuse			×	
Child Care			×	
Intensive case management			×	
Family or others as safety resources			X	
Other			X	

Additional information, if necessary:

According to the ACS record, the parents' request for burial assistance occurred after the infant's burial therefore, it was not provided. The parents were referred and accepted bereavement referral with PPRS on 8/27/15. Subsequently, ACS determined that CPS involvement was not required. The parents received community based services.

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? N/A

Explain:

There were no identified immediate needs.

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

Explain:

On 7/6/15, ACS offered bereavement services to the parents who said they would consider accepting the services. On 8/10/15, ACS provided the father with referrals for bereavement counseling. The parents accepted the referral for community based services.

History Prior to the Fatality

Child Information



Did the child have a history of alleged child abuse/maltreatment?	No
Was there an open CPS case with this child at the time of death?	No
Was the child ever placed outside of the home prior to the death?	No
Were there any siblings ever placed outside of the home prior to the	his child's death? No
Was the child acutely ill during the two weeks before death?	No
Infants Under One Year	·Old
During pregnancy, mother:	
✓ Had medical complications / infections	☐ Had heavy alcohol use
☐ Misused over-the-counter or prescription drugs	☐ Smoked tobacco
☐ Experienced domestic violence	☐ Used illicit drugs
☐ Was not noted in the case record to have any of the issues listed	_ 0000 00000
,	
Infant was born:	
☐ Drug exposed	☐ With fetal alcohol effects or syndrome
☑ With neither of the issues listed noted in case record	
CPS - Investigative History Three Yea	ars Prior to the Fatality
C15-investigative mistory Timee rea	is fill to the fatancy
There is no CPS investigative history within three years prior to the fa	tality.
CPS - Investigative History More Than Three	Years Prior to the Fatality
There was no known CPS history more than three years prior to fatalit	y.
Known CPS History Outside	e of NYS
There was no known CPS history outside of NYS.	
Services Open at the Time o	f the Fatality
Required Action(s)	
Are there Required Actions related to compliance issues for provis □Yes ⊠No	sions of CPS or Preventive services?
Preventive Services His	tory

other children residing in the deceased child's household at the time of the fatality.

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There is no record of Preventive Services History provided to the deceased child, the deceased child's siblings, and/or the



Required Action(s)
Are there Required Actions related to the compliance issues for provision of Foster Care Services? $\square Yes \ \square No$
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
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

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