



Report Identification Number: SV-17-058

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

Issue Date: May 31, 2018

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

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
FM-Foster Mother	SS-Surviving Sibling	PS-Parent Sub
CH/CHN-Child/Children	OA-Other Adult	
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
CPS-Child Protective Services		
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	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	
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	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: 8 month(s)

Jurisdiction: Ulster
Gender: Female

Date of Death: 12/07/2017
Initial Date OCFS Notified: 12/08/2017

Presenting Information

Sometime between 7:30 PM on 12/6/2017 and 12:18 PM on 12/7/2017, the 8-month-old SC expired while in the care of the 5 adults in the home. The SC was a healthy child with no known medical conditions that would explain her untimely death, and the caregivers could provide no explanation for it. The caregivers had not checked on SC between 7:30 PM and when they found her unresponsive just before 12:18 PM on 12/7/2017. SC's body was cold to the touch, her skin was blue in appearance, and there was lividity, all of which indicate she had been deceased for some time. The roles of the 3 other children in the home were unknown.

Executive Summary

On 12/7/2017, the Ulster County Department of Social Services (UCDSS) received an SCR report regarding the death of the 8-month-old female SC. There was no explanation for SC's death so her death was considered suspicious.

On 12/6/2017 around 7:30 PM, SF swaddled SC and placed her on her stomach in her portable crib. On 12/7/2017, just prior to 12:18 PM, SF discovered SC on her stomach and unresponsive. He called 911 at 12:18 PM. LE and EMS responded and it was determined SC was deceased. No life saving measures were performed and she was not taken to the ER.

UCDSS conducted several home visits throughout the case and assessed the safety of the 3 paternal cousins (PC1, PC2 and PC3), ages 12, 8, and 6. UCDSS interviewed the PCs, SM, SF, PGM, PU and PU's partner (UHM), all of which resided in the home. SM's 3 children, ages 4, 3 and 1, and SF's 7 yo child resided with different relatives at the time of SC's death and did not have regular contact with the SM and SF. The SS were assessed to be safe in the care of their relatives and SM and SF agreed for the children to remain with these relatives. Due to ongoing MH concerns for SM, substance abuse concerns for both parents, and supervision concerns that resulted in SC's death, UCDSS filed an Article 10 Neglect Petition in Ulster County Family Court on behalf of the SS on 2/7/2018. A temporary OP was issued barring SM and SF from any unsupervised contact with the children. It was ordered the 7 and 3 yo SS remained in Article 6 custody with relatives and the 4 and 1 yo SS were placed in Article 10 custody with relatives.

An autopsy was performed and the manner and cause of death were pending at the time this report was written. EMS records showed SC seemed small for her age. She was found supine in a portable crib, pulseless and apenic upon arrival. It was assumed based on the amount of lividity, modeling and cyanosis observed on SC's face, she was found prone. EMS records further stated SC was laying on heavily soiled sheets, with a blanket twisted around her lower extremities from the waist down. There was an empty formula can and dirty bowl next to her and the room was very cluttered. LE from 3 different agencies investigated the incident; no criminal charges had been filed and the investigation remained open, pending final autopsy results.

UCDSS appropriately substantiated the allegations of IG and LS and unsubstantiated the allegation of DOA/Fatality against SM and SF regarding SC. SM and SF were the sole caretakers for SC. SC was found deceased on 12/7/17, after SF put her to bed by swaddling her with 2 blankets to restrict movement, placed a pacifier in her mouth, placed her on her stomach, covered her entirely with a blanket and then placed another blanket over the portable crib. This method was common practice for SM and SF despite being educated multiple times on safe sleep guidelines. The parents did not check on SC for the 17 hours she was in the portable crib.



UCDSS unsubstantiated the allegations of DOA/Fatality, IG and LS against PGM, PU and UHM regarding SC as they were determined not to be regular caretakers for the SC. During the investigation, a subsequent SCR report was received and merged with allegations of IG and IF/CS against PU and UHM regarding PC3. These allegations were unsubstantiated due to a lack of credible evidence.

UCDSS provided SM with information on MH counseling and they referred SM and SF for substance abuse evaluations, although they declined. Bereavement counseling and burial assistance information was provided to the parents, although it was unknown if they utilized these services. The case was opened for ongoing CPS services and the Neglect Petitions were pending in Family Court at the time this report was written.

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? Yes, sufficient information was gathered to determine all allegations.
- Was the determination made by the district to unfound or indicate appropriate? Yes

Explain:

The decision to indicate and open the investigation for CPS ongoing services was appropriate.

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

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:

Casework activity was commensurate with the case circumstances.

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: 12/07/2017

Time of Death: Unknown

Time of fatal incident, if different than time of death:

Unknown

County where fatality incident occurred:

Ulster

Was 911 or local emergency number called?

Yes

Time of Call:

12:18 PM

Did EMS respond to the scene?

Yes

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

How long before incident was the child last seen by caretaker? 17 Hours

Is the caretaker listed in the Household Composition? Yes - Caregiver 2

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	Aunt/Uncle	Alleged Perpetrator	Male	32 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Female	8 Month(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	26 Year(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Female	50 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	23 Year(s)
Deceased Child's Household	Other Child - PC3	Alleged Victim	Female	6 Year(s)
Deceased Child's Household	Other Child - PC1	No Role	Female	12 Year(s)
Deceased Child's Household	Other Child - PC2	No Role	Male	8 Year(s)
Deceased Child's Household	Unrelated Home Member	Alleged Perpetrator	Female	32 Year(s)
Other Household 1	Other Adult - BF2	No Role	Male	26 Year(s)
Other Household 1	Sibling	No Role	Female	3 Year(s)
Other Household 2	Grandparent	No Role	Male	40 Year(s)
Other Household 2	Grandparent	No Role	Female	45 Year(s)
Other Household 2	Sibling	No Role	Female	1 Year(s)



Other Household 2	Sibling	No Role	Male	4 Year(s)
Other Household 3	Grandparent	No Role	Female	46 Year(s)
Other Household 3	Sibling	No Role	Male	7 Year(s)
Other Household 4	Other Adult - BF1	No Role	Male	26 Year(s)
Other Household 5	Other Adult - BF3	No Role	Male	32 Year(s)
Other Household 6	Other Adult - 7 yo SS's BM	No Role	Female	26 Year(s)

LDSS Response

UCDSS initiated their investigation within 24 hours of receipt of the SCR report. They attempted to contact the source and completed a CPS history check.

The home was assessed to be safe for the PCs. SM and SF's bedroom was observed where the incident took place. The portable crib was taken by LE and was not present in the home. All adult household members were interviewed at the home and the PCs were interviewed at the CAC. It was learned SC was born 3 weeks early and was on soy formula due to excessive spitting up, but was otherwise healthy. SF and SM always placed SC on her stomach to sleep, swaddled her and covered her head with a blanket. SM and SF said they did this because SC was "nosy," would "keep herself awake," and it was "the only way she would go to sleep".

Regarding the incident, it was learned on 12/6/2017, around 7:00 PM, SF swaddled SC with a receiving blanket, wrapped another blanket around SC, put a pacifier in her mouth and laid her down on her stomach. He covered SC's entire body, including her head, with a blanket and then covered the outside of the portable crib with another blanket as a light and noise barrier. At 8:30 PM SM took a break from work and went home. SF drove her back to work and returned home. Around 12 AM SF picked up SM from work and they arrived back home at 12:35 AM and went to bed. SM awoke and picked up UHM from work around 7 AM, then SM went back to bed. The parents did not check on SC throughout the night. SM and SF awoke around 12 PM and SF checked on SC and found her on her stomach, still swaddled, and cold to the touch. He rolled SC over on her back and ran downstairs to get PGM while he called 911. The PCs, UHM, PU and PGM said they saw SC before she went to bed and said she was fine at that time. They had no information about the incident.

The 4 SS were assessed to be safe in the care of relatives. At the time of SC's death, the 4 and 1 yo SS resided with the MGM since 2016 and rarely visited SM, the 3 yo SS resided with her BF (BF2) in North Carolina since 2014 and had no contact with SM and the 7 yo SS resided with his Step-PGM since 2016 and rarely visited SF.

During the investigation, UCDSS learned SM had a history of MH concerns and was not under the care of a MH professional. SM and SF had a history of marijuana use and SM admitted to smoking marijuana after she returned home from work on 12/7/2017. SF denied he used any drugs on the day of the incident. There was a history of homelessness and concerns for both parents' ability to care for the children. SM and SF were educated about safe sleep guidelines by UCDSS during prior CPS involvement, as well as by SC's pediatrician. An Article 10 Neglect Petition was appropriately filed on behalf of the SS and a CPS ongoing services case was opened. At the initial court appearance a temporary OP was issued barring the SM and SF from any unsupervised contact. The 7 yo SS was ordered to return to Florida with his BM who maintained Article 6 custody, the 4 yo SS was placed in Article 10 custody with the MGM, the 1 yo SS was placed in Article 10 custody with her BF (BF3) and the 3 yo SS remained in the custody of BF2 in North Carolina.

UCDSS contacted multiple collaterals including family members, EMS, ME, pediatrician, and the UHM and PU's Preventive Services caseworker and an intensive home-based service provider. It was learned PU, UHM and their 3 children had an open Preventive Services case due to concerns for their ability to manage PC2's behavior. The family



continued to receive the needed services through the open case. The cause and manner of death were pending and the LE investigation remained open at the time this report was written. UCDSS indicated and opened the case and Neglect Petitions were pending in Family Court at the time this report was written.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Undetermined if injury or medical cause

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

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

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
046174 - Other Child - PC3, Female, 6 Year(s)	046170 - Aunt/Uncle, Male, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
046174 - Other Child - PC3, Female, 6 Year(s)	046169 - Unrelated Home Member, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
046174 - Other Child - PC3, Female, 6 Year(s)	046170 - Aunt/Uncle, Male, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
046174 - Other Child - PC3, Female, 6 Year(s)	046169 - Unrelated Home Member, Female, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046169 - Unrelated Home Member, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046169 - Unrelated Home Member, Female, 32 Year(s)	DOA / Fatality	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046170 - Aunt/Uncle, Male, 32 Year(s)	Lack of Supervision	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046166 - Mother, Female, 23 Year(s)	Lack of Supervision	Substantiated
046301 - Deceased Child, Female, 8 Month(s)	046167 - Father, Male, 26 Year(s)	Lack of Supervision	Substantiated
046301 - Deceased Child, Female, 8 Month(s)	046168 - Grandparent, Female, 50 Year(s)	Lack of Supervision	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046169 - Unrelated Home Member, Female, 32 Year(s)	Lack of Supervision	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046167 - Father, Male, 26 Year(s)	Inadequate Guardianship	Substantiated
046301 - Deceased Child, Female, 8 Month(s)	046167 - Father, Male, 26 Year(s)	DOA / Fatality	Unsubstantiated



Child Fatality Report

046301 - Deceased Child, Female, 8 Month(s)	046170 - Aunt/Uncle, Male, 32 Year(s)	DOA / Fatality	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046166 - Mother, Female, 23 Year(s)	DOA / Fatality	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046168 - Grandparent, Female, 50 Year(s)	DOA / Fatality	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046168 - Grandparent, Female, 50 Year(s)	Inadequate Guardianship	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046170 - Aunt/Uncle, Male, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
046301 - Deceased Child, Female, 8 Month(s)	046166 - Mother, Female, 23 Year(s)	Inadequate Guardianship	Substantiated

CPS Fatality Casework/Investigative Activities

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

Additional information:

School staff for the 3 PC were not spoken to, although attempts were made.

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate safety assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:				
Within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



At 7 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Explain as necessary:
 BF3 was given Article 10 custody of the 1 yo SS. MGM was given Article 10 custody of the 4 yo SS. BF2 retained Article 6 custody of the 3 yo SS. The 7 yo SS's BM retained Article 6 custody of him.

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:
02/07/2018	There was not a fact finding	There was not a disposition
Respondent:	046166 Mother Female 23 Year(s)	
Comments:	An Article 10 Neglect Petition was filed in Family Court and was pending against SM regarding the 4, 3 and 1 yo SS.	

Family Court Petition Type: FCA Article 10 - CPS		
Date Filed:	Fact Finding Description:	Disposition Description:
02/07/2018	There was not a fact finding	There was not a disposition
Respondent:	046167 Father Male 26 Year(s)	
Comments:	An Article 10 Neglect Petition was filed in Family Court and was pending against SF regarding all 4 SS.	

Family Court Petition Type: Other Family Court (Including Article 6 Custody/Guardianship)		
Date Filed:	Fact Finding Description:	Disposition Description:
	There was not a fact finding	There was not a disposition
Respondent:	None	
Comments:	MGF and BF1 applied for Article 6 Custody of the 4 yo SS. The petition is pending in Family Court.	

Have any Orders of Protection been issued? Yes	
From: 02/09/2018	To: Unknown
Explain: A temporary OP was issued in Family Court that barred SM and SF from all unsupervised contact with the SS.	

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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input checked="" type="checkbox"/>	<input 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 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 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 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:
 SM and SF may have benefited from family planning and parenting skills 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? Yes

Explain:
 The SS stayed with relatives through a safety plan immediately following the fatality. An Article 10 Neglect Petition was filed and the SS were all placed in the custody of relatives.

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

Explain:
 SM, SF, PU and UHM were provided with information for funeral assistance and bereavement counseling. SM utilized mobile crisis and engaged in MH counseling.

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? No
- Was the child ever placed outside of the home prior to the death? No
- Were there any siblings ever placed outside of the home prior to this child's death? No
- Was the child acutely ill during the two weeks before death? No

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
 Was not noted in the case record to have any of the issues listed

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)	Status/Outcome	Compliance Issue(s)
11/30/2017	Other Child - BF3's Son , Male, 4 Years	Other Adult - BF3, Male, 32 Years	Inadequate Food / Clothing / Shelter	Far-Closed	Yes
	Other Child - BF3's Son , Male, 4 Years	Other Adult - BF3, Male, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - Other Child , Female, 15 Years	Other Adult - BF3, Male, 32 Years	Childs Drug / Alcohol Use	Far-Closed	
	Other Child - Other Child , Female, 15 Years	Other Adult - BF3, Male, 32 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Sibling, Female, 1 Years	Other Adult - BF3, Male, 32 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Sibling, Female, 1 Years	Other Adult - BF3, Male, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - BF3's Son, Male, 11 Months	Other Adult - BF3, Male, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - BF3's Daughter , Female, 24 Days	Other Adult - BF3, Male, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - Other Child , Female, 15 Years	Other Adult - BF3, Male, 32 Years	Educational Neglect	Far-Closed	
	Other Child - Other Child , Female, 15 Years	Other Adult - BF3, Male, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - BF3's Son, Male, 11 Months	Other Adult - BF3, Male, 32 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - BF3's Daughter , Female, 24 Days	Other Adult - BF3, Male, 32 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - BF3's Son , Male, 4 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - BF3's Son , Male, 4 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Guardianship	Far-Closed	
	Other Child - Other Child , Female, 15 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
Sibling, Female, 1 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Food / Clothing / Shelter	Far-Closed		
Other Child - BF3's Son, Male, 11 Months	Other Adult - Other Adult , Female, 20 Years	Inadequate Guardianship	Far-Closed		



Other Child - BF3's Daughter , Female, 24 Days	Other Adult - Other Adult , Female, 20 Years	Inadequate Guardianship	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Guardianship	Far-Closed
Sibling, Female, 1 Years	Other Adult - Other Adult , Female, 20 Years	Inadequate Guardianship	Far-Closed
Other Child - BF3's Son, Male, 11 Months	Other Adult - Other Adult , Female, 20 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Other Child - BF3's Daughter , Female, 24 Days	Other Adult - Other Adult , Female, 20 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - 15 yo OC's BF, Male, 63 Years	Inadequate Guardianship	Far-Closed
Other Child - BF3's Son , Male, 4 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Other Child - BF3's Son , Male, 4 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Guardianship	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Childs Drug / Alcohol Use	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Sibling, Female, 1 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Guardianship	Far-Closed
Other Child - BF3's Son, Male, 11 Months	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Other Child - BF3's Son, Male, 11 Months	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Guardianship	Far-Closed
Other Child - BF3's Daughter , Female, 24 Days	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Guardianship	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Educational Neglect	Far-Closed
Other Child - Other Child , Female, 15 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Guardianship	Far-Closed
Sibling, Female, 1 Years	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Other Child - BF3's Daughter , Female, 24 Days	Other Adult - 15 yo OC's BM, Female, 56 Years	Inadequate Food / Clothing / Shelter	Far-Closed

Report Summary:

An SCR report alleged concerns for the behavior of the 15 yo child in BF3's home. A subsequent report was received and merged which alleged the home was deplorable and BF3 abused marijuana and left drug paraphernalia accessible to the 1 yo SS and other children in the home.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All household members were spoken to and engaged. The 1 yo SS and other children were observed. The home was assessed to contain no safety hazards. The family was receiving the necessary services to meet the needs of the 15 yo child. The 7 day safety assessment was due by 12/7/2017 and was not completed until 12/13/2017. SM was not notified of the receipt or closing of the FAR case. BF3 was not notified of the receipt of the FAR case and the 15 yo OC's BF was not notified of the closing of the FAR case.



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

Issue:
FAR-Timely/Adequate 7-Day Assessment

Summary:
The 7 day safety assessment was due by 12/7/2017 and was not completed until 12/13/2017.

Legal Reference:
18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:
UCDSS will complete safety assessments within regulatory required timeframes.

Issue:
FAR-Failure to Provide Notice of Report

Summary:
SM was not notified of the receipt or closing of the FAR case. BF3 was not notified of the receipt of the FAR case and the 15 yo OC's BF was not notified of the closing of the FAR case.

Legal Reference:
18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:
No later than 7 days after receipt of a child protective report that has been assigned to the FAR track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/13/2017	Deceased Child, Female, 5 Months	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Unfounded	No
	Deceased Child, Female, 5 Months	Mother, Female, 22 Years	Inadequate Guardianship	Unfounded	
	Deceased Child, Female, 5 Months	Mother's Partner, Male, 25 Years	Inadequate Guardianship	Unfounded	
	Deceased Child, Female, 5 Months	Mother's Partner, Male, 25 Years	Parents Drug / Alcohol Misuse	Unfounded	

Report Summary:
An SCR report alleged SM and her alleged partner were using marijuana and pills to the point of impairment while caring for SC. While impaired SM became easily aggravated with SC, yelled at her, and had delayed reactions. SM and her partner were impaired at the time of the report while caring for SC. The SM and her partner smoked marijuana in an enclosed space with poor ventilation, exacerbating SC's asthma.

Determination: Unfounded **Date of Determination:** 11/09/2017

Basis for Determination:
UCDSS unsubstantiated the allegations of IG and PD/AM against SM and her alleged partner regarding SC. SM appeared sober at all home visits and no drugs or paraphernalia were observed at the home. SM admitted to marijuana use and tested positive for only marijuana in a drug test. SM denied she used while caring for SC and there were no concerns raised for SC. The Preventive Services case closed upon this case closing as SM and SF declined to continue receiving services. SM's alleged partner did not reside in the home and had no caretaking responsibilities for SC.

OCFS Review Results:
UCDSS appropriately unsubstantiated the allegations. All household members we interviewed as well as SM's alleged



partner. SC was observed on several occasions and appeared well cared for. UCDCSS went over safe sleep guidelines with SM and observed a safe sleep environment for SC. UCDCSS coordinated with the Preventive Services caseworker to ensure all service needs were met.

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)
06/14/2017	Deceased Child, Female, 3 Months	Father, Male, 26 Years	Inadequate Guardianship	Indicated	Yes

Report Summary:

An SCR report alleged SF attacked SM in the presence of the SC. There was an incident where SF choked SM to the point where she blacked out and on 6/13/2017 SF hit SM. Both incidents occurred in SC's presence.

Determination: Indicated

Date of Determination: 08/17/2017

Basis for Determination:

The allegation of IG was substantiated against SF regarding SC. There was credible evidence gathered that on at least one occasion, SF physically assaulted SM in the presence of the SC. Preventive Services and intensive home based services opened on 6/17/2017, due to a referral during a prior FAR case. A subsequent SCR report was received and remained open for investigation.

OCFS Review Results:

UCDCSS interviewed SM and contacted the appropriate collaterals. Attempts were made to interview SF, although he refused. The appropriate service referrals were made and Preventive Services had just begun. UCDCSS went over safe sleep guidelines with SM and provided a portable crib for SC. The 7 day safety assessment was due by 6/21/2017 and not completed until 8/3/2017.

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 due by 6/21/2017 and not completed until 8/3/2017.

Legal Reference:

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

Action:

UCDCSS will complete safety assessments within regulatory required timeframes.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
05/31/2017	Deceased Child, Female, 2 Months	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed	Yes
	Deceased Child, Female, 2 Months	Mother, Female, 22 Years	Lack of Supervision	Far-Closed	
	Deceased Child, Female, 2 Months	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Deceased Child, Female, 2 Months	Father, Male, 26 Years	Inadequate Guardianship	Far-Closed	



Deceased Child, Female, 2 Months	Father, Male, 26 Years	Lack of Supervision	Far-Closed
Deceased Child, Female, 2 Months	Father, Male, 26 Years	Inadequate Food / Clothing / Shelter	Far-Closed

Report Summary:

An SCR report alleged SM and SF regularly left the SC unsupervised in the shelter room screaming while the parents were outside the room screaming at each other. On 5/31/2017, the SM was outside holding the infant upside down by the ankles for a prolonged period of time.

OCFS Review Results:

This case was subsequent to an open FAR investigation and initially tracked FAR. All family members were engaged and a referral was made for an intensive home based program and Preventive Services. This case was appropriately closed when a subsequent SCR report was received that was deemed to be FAR ineligible. SM was not notified of the closing of the FAR case and SF was not notified of the receipt or closing of the FAR case.

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

Issue:

FAR-Failure to Provide Notice of Report

Summary:

SM was not notified of the closing of the FAR case and SF was not notified of the receipt or closing of the FAR case.

Legal Reference:

18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:

No later than seven days after receipt of a child protective report that has been assigned to the family assessment response track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
05/09/2017	Other Child - PC1, Female, 12 Years	Unrelated Home Member, Female, 32 Years	Inadequate Guardianship	Far-Closed	Yes
	Other Child - PC2, Male, 8 Years	Unrelated Home Member, Female, 32 Years	Inadequate Guardianship	Far-Closed	
	Other Child - PC2, Male, 8 Years	Aunt/Uncle, Male, 31 Years	Inadequate Guardianship	Far-Closed	
	Other Child - PC1, Female, 12 Years	Aunt/Uncle, Male, 31 Years	Inadequate Guardianship	Far-Closed	
	Other Child - PC2, Male, 8 Years	Aunt/Uncle, Male, 31 Years	Inadequate Food / Clothing / Shelter	Far-Closed	

Report Summary:

An SCR report alleged on Sunday, 4/7/2017, the PU became upset with PC2 because he stole a dollar from a wallet. PU slapped PC2 to the back of his head multiple times. PU then made PC2 stand outside in the cold without a coat or a shirt on.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. The necessary collaterals were contacted and there were no safety concerns for the children. It was determined the family was receiving the



necessary services and they declined any additional service referrals. The 7 day safety assessment was due by 5/16/2017 and was not completed until 5/23/2017.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7 day safety assessment was due by 5/16/2017 and was not completed until 5/23/2017.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

UCDSS will complete safety assessments within regulatory required timeframes.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/11/2017	Sibling, Female, 10 Months	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed	Yes
	Deceased Child, Female, 1 Days	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Sibling, Male, 4 Years	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Sibling, Female, 10 Months	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed	
	Deceased Child, Female, 1 Days	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed	
	Deceased Child, Female, 1 Days	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Sibling, Male, 4 Years	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Sibling, Female, 10 Months	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Sibling, Male, 4 Years	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Female, 10 Months	Father, Male, 25 Years	Inadequate Guardianship	Far-Closed	
	Deceased Child, Female, 1 Days	Father, Male, 25 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Sibling, Male, 4 Years	Father, Male, 25 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Female, 10 Months	Father, Male, 25 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Sibling, Female, 10 Months	Father, Male, 25 Years	Parents Drug / Alcohol Misuse	Far-Closed	
Sibling, Male, 4 Years	Father, Male, 25 Years	Parents Drug / Alcohol Misuse	Far-Closed		



Deceased Child, Female, 1 Days	Father, Male, 25 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Deceased Child, Female, 1 Days	Father, Male, 25 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 4 Years	Father, Male, 25 Years	Inadequate Food / Clothing / Shelter	Far-Closed

Report Summary:

An SCR report alleged SM gave birth to SC on 3/10/2017 and SM tested positive for marijuana. The SM had 2 older children that were not in her care. A subsequent report was received and merged with additional concerns the SM had no income or supplies for the SC and was selling her resources to pay for drugs.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. SC was observed and her needs were met by the parents. UCDSS appropriately referred SM for a substance abuse evaluation and she began treatment. SM and SF were provided with housing assistance by UCDSS. The case was closed and a Preventive Services case was opened to provide the SM and SF with housing assistance and substance abuse services. The 7-day safety assessment was due by 3/18/2017 and was not completed until 3/20/2017. SM was not notified of the closing of the FAR case. SF and BF3 were not notified of the receipt or closure of the FAR case.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7-day safety assessment was due by 3/18/2017 and was not completed until 3/20/2017.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

UCDSS will complete safety assessments within regulatory required timeframes.

Issue:

FAR-Failure to Provide Notice of Report

Summary:

SM was not notified of the closing of the FAR case. SF and BF3 were not notified of the receipt or closure of the FAR case.

Legal Reference:

18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:

No later than seven days after receipt of a child protective report that has been assigned to the family assessment response track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
12/18/2016	Sibling, Male, 3 Years	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	Yes
	Sibling, Female, 8 Months	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed	



Sibling, Male, 3 Years	Mother, Female, 22 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Sibling, Male, 3 Years	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed
Sibling, Female, 8 Months	Mother, Female, 22 Years	Inadequate Guardianship	Far-Closed
Sibling, Female, 8 Months	Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed
Sibling, Male, 3 Years	Grandparent, Female, 44 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Sibling, Male, 3 Years	Grandparent, Female, 44 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 3 Years	Grandparent, Female, 44 Years	Parents Drug / Alcohol Misuse	Far-Closed
Sibling, Female, 8 Months	Grandparent, Female, 44 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Sibling, Female, 8 Months	Grandparent, Female, 44 Years	Inadequate Guardianship	Far-Closed
Sibling, Female, 8 Months	Grandparent, Female, 44 Years	Parents Drug / Alcohol Misuse	Far-Closed

Report Summary:

An SCR report alleged SM had a history of not adequately providing for the children, who had been living with the MGP. In the past, SM had no food for them. As of the report date, SM and MGM had no provisions for the children and would not have any provisions for 2 weeks until SM was paid again. A subsequent SCR report was received and merged that alleged drug use by SM, alcohol misuse by MGM, and physical discipline by the MGM.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and it was noted the concerns were addressed in a FAR case closed just 1 day prior. The children's needs were being met and there were no safety concerns noted. The MGP were already engaged in Preventive Services to address their housing needs and were engaged in MH counseling. BF3 and the MGP were not notified of the receipt or closing of the FAR case.

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

Issue:

FAR-Failure to Provide Notice of Report

Summary:

BF3 and the MGP were not notified of the receipt or closing of the FAR case.

Legal Reference:

18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:

No later than seven days after receipt of a child protective report that has been assigned to the family assessment response track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
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11/21/2016	Other Child - PC1, Female, 11 Years	Unrelated Home Member, Female, 31 Years	Inadequate Guardianship	Far-Closed	Yes
	Other Child - PC2, Male, 7 Years	Unrelated Home Member, Female, 31 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - PC1, Female, 11 Years	Unrelated Home Member, Female, 31 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - PC2, Male, 7 Years	Unrelated Home Member, Female, 31 Years	Inadequate Guardianship	Far-Closed	
	Other Child - PC1, Female, 11 Years	Aunt/Uncle, Male, 31 Years	Excessive Corporal Punishment	Far-Closed	
	Other Child - PC1, Female, 11 Years	Aunt/Uncle, Male, 31 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Inadequate Food / Clothing / Shelter	Far-Closed	
	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Excessive Corporal Punishment	Far-Closed	
	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Lacerations / Bruises / Welts	Far-Closed	
	Other Child - PC1, Female, 11 Years	Aunt/Uncle, Male, 31 Years	Inadequate Guardianship	Far-Closed	
	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Inadequate Guardianship	Far-Closed	

Report Summary:

An SCR report alleged UHM and PU were aware their children had poor hygiene, were unkempt and wore dirty clothes. The PU hit the children with a metal object as punishment on their hands and feet. PC2 sustained a small laceration on one of his hands. PU got angry and out of control scaring the children. PU threw one of the dogs down the stairs of the basement.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. There were no safety concerns for the children. Necessary collateral contacts were made and the case was closed when it was determined the family was receiving the needed services and no additional service needs were identified. The 7 day safety assessment was due by 11/28/2016 and was not completed until 12/5/2016.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7 day safety assessment was due by 11/28/2016 and was not completed until 12/5/2016.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

UCDSS will complete safety assessments within regulatory required timeframes.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
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Child Fatality Report

08/31/2016	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Choking / Twisting / Shaking	Far-Closed	Yes
	Other Child - PC2, Male, 7 Years	Aunt/Uncle, Male, 31 Years	Inadequate Guardianship	Far-Closed	

Report Summary:
An SCR report alleged the PU became angry with PC2 and choked him, making it difficult for the child to breathe.

OCFS Review Results:
UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. There were no safety concerns for the children. Necessary collateral contacts were made and the case was closed when it was determined the family was receiving the needed services and no additional service needs were identified. The 7 day safety assessment was due by 9/7/2016 and was not completed until 9/9/2016. UHM and PU were not notified of the receipt of the FAR case.

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

Issue:
FAR-Timely/Adequate 7-Day Assessment

Summary:
The 7 day safety assessment was due by 9/7/2016 and was not completed until 9/9/2016.

Legal Reference:
18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:
UCDSS will complete safety assessments within regulatory required timeframes.

Issue:
FAR-Failure to Provide Notice of Report

Summary:
UHM and PU were not notified of the receipt of the FAR case.

Legal Reference:
18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:
No later than seven days after receipt of a child protective report that has been assigned to the family assessment response track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/04/2016	Sibling, Female, 3 Months	Mother, Female, 21 Years	Parents Drug / Alcohol Misuse	Far-Closed	Yes
	Sibling, Male, 3 Years	Mother, Female, 21 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Male, 3 Years	Mother, Female, 21 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 3 Months	Mother, Female, 21 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Male, 3 Years	Mother, Female, 21 Years	Parents Drug / Alcohol Misuse	Far-Closed	



Sibling, Male, 3 Years	Father, Male, 25 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 3 Years	Father, Male, 25 Years	Parents Drug / Alcohol Misuse	Far-Closed
Sibling, Female, 3 Months	Father, Male, 25 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 3 Years	Father, Male, 25 Years	Lack of Supervision	Far-Closed
Sibling, Female, 3 Months	Father, Male, 25 Years	Lack of Supervision	Far-Closed
Sibling, Female, 3 Months	Father, Male, 25 Years	Parents Drug / Alcohol Misuse	Far-Closed
Sibling, Male, 3 Years	Other Adult - BF3, Male, 31 Years	Parents Drug / Alcohol Misuse	Far-Closed
Sibling, Female, 3 Months	Other Adult - BF3, Male, 31 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 3 Years	Other Adult - BF3, Male, 31 Years	Inadequate Guardianship	Far-Closed
Sibling, Male, 3 Years	Other Adult - BF3, Male, 31 Years	Lack of Supervision	Far-Closed
Sibling, Female, 3 Months	Other Adult - BF3, Male, 31 Years	Parents Drug / Alcohol Misuse	Far-Closed

Report Summary:

An SCR report alleged SM, SF and BF3 were selling marijuana out of the home, using marijuana in the presence of the 4 and 1 yo SS, and not properly supervising the children.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. The children moved in with the MGP and there were no safety concerns. The FAR case closed when SM declined any additional services. A Preventive Services case opened to provide housing assistance to the MGPs. The 7-day safety assessment was due by 8/11/2016 and was not completed until 8/15/2016. SM was not provided with a notice of receipt of the FAR case and BF3 was not provided with a notice of receipt or closing of the FAR case.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7-day safety assessment was due by 8/11/2016 and was not completed until 8/15/2016.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

UCDSS will complete safety assessments within regulatory required timeframes.

Issue:

FAR-Failure to Provide Notice of Report

Summary:

SM was not provided with a notice of receipt of the FAR case and BF3 was not provided with a notice of receipt or closing of the FAR case.

Legal Reference:



18 NYCRR 432.13 (e)(2)(i)(a)-(d)

Action:

No later than seven days after receipt of a child protective report that has been assigned to the family assessment response track, the child protective service must provide written notification to every parent, guardian or other person legally responsible for the child or children named in the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
01/21/2015	Other Child - PC1, Female, 10 Years	Unrelated Home Member, Female, 30 Years	Choking / Twisting / Shaking	Far-Closed	Yes
	Other Child - PC1, Female, 10 Years	Unrelated Home Member, Female, 30 Years	Inadequate Guardianship	Far-Closed	

Report Summary:

An SCR report alleged on 1/20/2015, UHM got angry and out of control with PC1 for unknown reasons and choked the child. It was unknown if PC1 sustained any injury.

OCFS Review Results:

UCDSS appropriately tracked the case FAR. All family members were spoken to and engaged. There were no safety concerns for the children. There were no service needs identified and the case was closed. The 7 day safety assessment was due by 1/28/2015 and was not completed until 2/4/2015.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7 day safety assessment was due by 1/28/2015 and was not completed until 2/4/2015.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

UCDSS will complete safety assessments within regulatory required timeframes.

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

An SCR report 5/23/2009 was unsubstantiated for the allegations of IG and LS against PU, UHM and PGM regarding PC1 and IG regarding PC3.

An SCR report 8/16/2010 was unsubstantiated for the allegations of IG and IF/C/S against SF and BM of 7 yo SS regarding the 7 yo SS.

An SCR report 10/21/2010 was unsubstantiated for the allegation of IG against SF and BM of 7 yo SS regarding the 7 yo SS.

An SCR report 3/14/2011 was unsubstantiated for the allegations of IG and IF/C/S against SF and BM of 7 yo SS regarding the 7 yo SS.



Preventive Services History

A Preventive Services case opened 12/13/2016 for the MGP and the 4 and 1 yo SS. The MGP were provided with housing assistance and referred for MH counseling. The case closed 9/23/2017 when the MGP obtained permanent housing and MH counseling.

A Preventive Services case opened 6/15/2017 for SM, SF and SC due to housing, substance abuse and DV concerns. SM did not want to engage in substance abuse treatment for her marijuana use and there was no impact identified for SC. SM was educated on safe sleep guidelines by UCDSS and the pediatrician due to concerns SC was placed to sleep on her stomach and her head was covered with a blanket. SM and SF completed an intensive home based program (Families Now) on 7/13/2017. The parents obtained permanent housing at the PU's home and had family support in caring for SC. SM and SF declined to continue with Preventive Services and the case closed 11/16/2017.

A Preventive Services case opened 10/3/2017 for PU, UHM and their 3 children to provide assistance with managing the behaviors of PC2. A multitude of services were provided to the family including Families Now, Parson's Waiver services, MH counseling and parent education. The case remained open at the time this report was written.

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