



Report Identification Number: SV-19-005

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

Issue Date: Jul 08, 2019

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

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

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

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

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

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

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

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



Abbreviations

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 Still Born
Age: Unknown

Jurisdiction: Sullivan
Gender: Female

Date of Death: Unknown
Initial Date OCFS Notified: 02/14/2019

Presenting Information

OCFS was notified by the Sullivan County Department of Family Services (SCDFS) via the 7065 Agency Reporting Form that the 14yo mother gave birth at Orange Regional Medical Center on 1/28/19, and the fetus was not viable due to prematurity.

Executive Summary

On 1/28/19, SCDFS was notified by the Orange Regional Medical Center that the 14yo mother was 21 weeks pregnant and went into labor, resulting in a fetal demise. The mother was admitted to the hospital on 1/27/19 with extreme preterm labor. She delivered the following day and there was a heartbeat for approximately 15 minutes and no life-saving measures were performed, as the fetus was not considered viable. There was no death certificate registered and no autopsy was performed.

At the time of the fetal demise, Orange County Department of Social Services (OCDSS) had an open Preventive Services case with the maternal grandmother and her three children, the 14yo mother, 15yo aunt and 16yo uncle. The case opened on 7/24/18, due to ongoing concerns for educational neglect and inadequate supervision, as evidenced by the 15yo aunt and 14yo mother both becoming pregnant at age 14. The grandmother had an extensive history of indicated CPS investigations, Preventive Services and Foster Care services with OCDSS due to drug use, not obtaining mental health treatment for the 16yo uncle, inadequate supervision and educational neglect. The family moved to Sullivan County in July 2018 and OCDSS opened the Preventive Services case with the intentions of filing an Article 10 Neglect Petition against the grandmother and then planned to transfer the court orders to Sullivan County Family Court. SCDFS was assigned a secondary role on the case. The grandmother did not cooperate with the Preventive Services case and SCDFS received SCR reports on 10/30/18 and 1/7/19, with allegations of educational neglect and drug use by the grandmother. Both investigations were open at the time of the fetal demise. OCDSS did not file a Neglect Petition and the Preventive Services case closed on 3/28/19, with SCDFS continuing to investigate the concerns.

SCDFS thoroughly investigated the incident and assessed the 14yo mother and 16yo uncle to be safe in the grandmother's care. They indicated and closed the 10/30/18 and 1/7/19 investigations for educational neglect as the children had missed an excessive amount of school and were failing as a result. The grandmother completed drug treatment in the past and there was no evidence she used drugs and the children began regularly attending an educational program. Mental health counseling, bereavement services and preventive services were offered to the family and were declined.

The 15yo aunt and her infant daughter were assessed to be safe in the custody of the aunt's boyfriend's mother. SCDFS spoke to the mother's 15yo boyfriend, who was the father of the subject child. He was assessed to be safe in his parents' care and he declined bereavement services. The maternal grandfather (biological father of the mother, aunt and uncle) was incarcerated and SCDFS were unsuccessful in their attempts to speak to him.

PIP Requirement

OCFS' review resulted in some citations for which each cited county will submit a Program Improvement Plan (PIP) to the Regional Office which will identify what action(s) the respective LDSS' have taken, or will take, to address the cited issues. For citations where a PIP is currently implemented, the respective LDSS will review the plan(s) and revise as needed to further address ongoing concerns.



Findings Related to the CPS Investigation of the Fatality

Safety Assessment:

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

Determination:

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

Explain:

The incident was not reported to the SCR, therefore there was no safety assessment or determination of allegations.

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:

SCDFS thoroughly investigated the incident and the 1/7/19 investigation remained open at the time this report was written.

Required Actions Related to the Fatality

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

Fatality-Related Information and Investigative Activities

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Aunt/Uncle	No Role	Male	16 Year(s)
Deceased Child's Household	Deceased Child	No Role	Female	0 Day(s)
Deceased Child's Household	Grandparent	No Role	Female	41 Year(s)
Deceased Child's Household	Mother	No Role	Female	14 Year(s)
Other Household 1	Grandparent	No Role	Male	41 Year(s)

LDSS Response



SCDFS spoke to staff at Orange Regional Medical Center on 1/28/19 and learned of the incident. Hospital staff reported that no life saving measures were performed for the premature fetus, who had a heartbeat for approximately 15 minutes, but never took a breath. It was additionally reported that the mother tested positive for marijuana when she was admitted to the hospital and that the 15yo father was with the mother at the time she gave birth. Hospital records confirmed the mother was admitted on 1/27/19 in preterm labor and had a fetal demise on 1/28/19.

SCDFS notified the Spring Valley Regional Office of the incident and submitted the required 7065 Agency Reporting Form. They appropriately assessed the 14yo mother, 15yo father, 15yo aunt and 16yo uncle to be safe and conducted home visits at each of their homes. SCDFS spoke to school staff and consulted their legal department throughout the case. It was determined a Neglect Petition would not be filed by SCDFS as the family had suitable and stable housing, there were no concerns the grandmother used drugs and the children began regularly attending an educational program. SCDFS spoke to the grandmother about possible Family Court action in the future if she failed to provide adequate supervision or if the children did not attend school regularly. Preventive services, mental health counseling and bereavement services were appropriately offered to the family.

Multidisciplinary Investigation/Review

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

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

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"/>
Contact with source?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fatality Safety Assessment Activities

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



At 7 days?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Explain:
SCDFS adequately assessed the safety of the mother, aunt, uncle and father.

Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
Were there surviving children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Legal Activity Related to the Fatality

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

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Homemaking Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Parenting Skills	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Domestic Violence Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Early Intervention	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Alcohol/Substance abuse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Child Care	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Intensive case management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Family or others as safety resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

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:

The aunt and uncle declined bereavement services or mental health counseling.

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

Explain:

The mother, father and grandmother declined bereavement services or mental health counseling.

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
01/07/2019	Mother, Female, 14 Years	Grandparent, Female, 41 Years	Educational Neglect	Substantiated	Yes
	Aunt/Uncle, Male, 16 Years	Grandparent, Female, 41 Years	Educational Neglect	Substantiated	
	Mother, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 16 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 16 Years	Grandparent, Female, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	

Report Summary:

An SCR report was received by SCDFS and alleged the mother and uncle had poor attendance and were failing the school year. The uncle had poor hygiene and dirty clothes, and the grandmother failed to address these issues.

Report Determination: Indicated

Date of Determination: 06/05/2019

Basis for Determination:

The children had excessive unexcused absences, the uncle was not enrolled in a school program for a period of time and the children were failing most of their classes. The grandmother failed to ensure the children attended school.

**OCFS Review Results:**

SCDFS interviewed all household members and spoke to the necessary collaterals. The grandfather was not added to the case or provided with a Notice of Existence letter until 5/29/19. SCDFS consulted with their legal department and a Neglect Petition was not filed. The children were regularly attending an educational program, the family had suitable and stable housing and the children refused counseling services. The 14yo mother went into preterm labor on 1/28/19 and the fetus was not viable. SCDFS investigated the incident and referred the family for bereavement counseling.

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

Issue:

Failure to provide notice of report

Summary:

The grandfather was not provided with a Notice of Existence letter within the required seven day time frame.

Legal Reference:

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

Action:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/30/2018	Mother, Female, 14 Years	Grandparent, Female, 41 Years	Educational Neglect	Substantiated	Yes
	Aunt/Uncle, Male, 16 Years	Grandparent, Female, 41 Years	Educational Neglect	Substantiated	
	Mother, Female, 14 Years	Other Adult - Grandmother's Partner , Male, 36 Years	Educational Neglect	Substantiated	

Report Summary:

An SCR report was received by SCDFS and alleged the mother had excessive absences from school and was failing most of her classes as a result.

Report Determination: Indicated

Date of Determination: 05/21/2019

Basis for Determination:

The children had excessive unexcused absences, the uncle was not enrolled in a school program for a period of time and the children were failing most of their classes. The grandmother and her partner, whom had regular caretaking responsibilities, failed to ensure the children attended school.

OCFS Review Results:

SCDFS interviewed all household members and spoke to the necessary collaterals. The grandfather was not added to the case, he was not provided with a Notice of Existence letter and no attempts were made to interview him. The allegations were appropriately substantiated and the case was closed. The 14yo mother went into preterm labor during the investigation and the fetus was not viable. The investigation of the incident was documented in the 1/7/19 case. The Preventive Services case with OCDSS closed on 3/28/19, as the family permanently relocated to Sullivan County and the 1/7/19 investigation remained open with SCDFS.

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

Issue:

Failure to provide notice of report

Summary:

The grandfather was not added to the case or provided with a Notice of Existence letter.

**Legal Reference:**

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

Action:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/22/2018	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	Yes
	Other Child - Cousin , Female, 2 Days	Grandparent, Female, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Other Adult - Grandmother's Partner , Male, 35 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - Cousin , Female, 2 Days	Other Adult - Grandmother's Partner , Male, 35 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Aunt/Uncle, Male, 15 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	

Report Summary:

An SCR report was received by OCDSS and alleged the grandmother smoked marijuana with the aunt in the past and alleged the grandmother and her partner were under the influence of drugs at the time of the report and the partner was driving with the aunt and her newborn baby in the vehicle.

Report Determination: Unfounded

Date of Determination: 01/17/2019

Basis for Determination:

The Investigation Conclusion Narrative was nearly identical to the 1/19/18 case and stated the allegations were "substantiated on the 1/19/18 report and unfounded in the additional reports for the purpose of not being repetitive" and the allegations in this report were not addressed. OCDSS documented in a progress note they unsubstantiated the allegation of parent's drug/alcohol misuse, as the grandmother was engaged in substance abuse treatment and although at times she had relapsed, it was not to the extent that it had an impact on the children.

OCFS Review Results:

Allegations of Educational Neglect, Lack of Supervision, Lack of Medical Care and Inadequate Guardianship were substantiated in the 1/19/18 investigation. These allegations should have been added to this case and substantiated, as both investigations were conducted concurrently and unbounding this case contradicted the decision of the 1/19/18 case. Eight progress notes were entered more than 30 days past the event dates.

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

Issue:

Appropriateness of allegation determination

Summary:

Allegations of Educational Neglect, Lack of Supervision, Lack of Medical Care and Inadequate Guardianship should have been added to this case and substantiated. The 1/19/18 case and this case were conducted concurrently and unbounding this case contradicted the decision to indicate the 1/19/18 case.

Legal Reference:

FCA 1012 (e) & (f);18 NYCRR 432.2(b)(3)(iv)



Action:

OCDSS will refer to the CPS Program Manual and/or consult with the Spring Valley Regional Office when determining the appropriateness of allegations, and will take into consideration all information when applying the circumstances to the definition(s).

PIP Requirement:

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

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

Eight progress notes were entered more than 30 days past the event date.

Legal Reference:

18 NYCRR 428.5

Action:

All progress notes will be entered as contemporaneously as possible to their event dates.

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
05/23/2018	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 41 Years	Educational Neglect	Unsubstantiated	Yes
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 41 Years	Lack of Medical Care	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Educational Neglect	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Lack of Medical Care	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Mother, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	



Mother, Female, 14 Years	Grandparent, Female, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Educational Neglect	Unsubstantiated
Mother, Female, 14 Years	Grandparent, Female, 41 Years	Educational Neglect	Unsubstantiated
Aunt/Uncle, Female, 14 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Educational Neglect	Unsubstantiated
Mother, Female, 14 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Educational Neglect	Unsubstantiated
Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Sexual Abuse	Unsubstantiated
Aunt/Uncle, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated
Mother, Female, 14 Years	Grandparent, Female, 41 Years	Inadequate Guardianship	Unsubstantiated

Report Summary:

An SCR report was received by OCDSS and alleged the grandmother moved to Sullivan County two months prior, the children were not attending school and it had a negative impact on their academics. Subsequent SCR reports were received on 6/13/18 and 6/15/18 with similar allegations and were merged.

Report Determination: Unfounded**Date of Determination:** 01/17/2019**Basis for Determination:**

The Investigation Conclusion Narrative was nearly identical to the 1/19/18 case and stated the allegations were "substantiated on the 1/19/18 report and unfounded in the additional reports for the purpose of not being repetitive."

OCFS Review Results:

This case should have been indicated, as it was investigated concurrently with the 1/19/18 investigation, was based on the same evidence and unbounding this case contradicted the decision of the 1/19/18 case. Thirteen progress notes were entered more than 30 days past the event date.

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

Issue:

Appropriateness of allegation determination

Summary:

This case should have been indicated, as it was investigated concurrently with the 1/19/18 investigation, was based on the same evidence and unbounding this case contradicted the decision of the 1/19/18 case.

Legal Reference:

FCA 1012 (e) & (f); 18 NYCRR 432.2(b)(3)(iv)

Action:

OCDSS will refer to the CPS Program Manual and/or consult with the Spring Valley Regional Office when determining the appropriateness of allegations, and will take into consideration all information when applying the circumstances to the definition(s).

PIP Requirement:

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

Issue:

Timely/Adequate Case Recording/Progress Notes

**Summary:**

Thirteen progress notes were entered more than 30 days past the event date.

Legal Reference:

18 NYCRR 428.5

Action:

All progress notes will be entered as contemporaneously as possible to their event dates.

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/06/2018	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Educational Neglect	Unsubstantiated	Yes

Report Summary:

An SCR report was received by OCDSS and alleged the uncle had an excessive number of absences which had a negative impact on his academics.

Report Determination: Unfounded

Date of Determination: 01/17/2019

Basis for Determination:

The Investigation Conclusion Narrative was nearly identical to the 1/19/18 case and stated the allegations were "substantiated on the 1/19/18 report and unfounded in the additional reports for the purpose of not being repetitive."

OCFS Review Results:

This case should have been indicated, as it was investigated concurrently with the 1/19/18 investigation, was based on the same evidence and unbounding this case contradicted the decision of the 1/19/18 case. More than half of the progress notes were entered more than 30 days past the event date.

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

Issue:

Appropriateness of allegation determination

Summary:

This case should have been indicated, as it was investigated concurrently with the 1/19/18 investigation, was based on the same evidence and unbounding this case contradicted the decision of the 1/19/18 case.

Legal Reference:

FCA 1012 (e) & (f); 18 NYCRR 432.2(b)(3)(iv)

Action:

OCDSS will refer to the CPS Program Manual and/or consult with the Spring Valley Regional Office when determining the appropriateness of allegations, and will take into consideration all information when applying the circumstances to the definition(s).

PIP Requirement:

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

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:



More than half of the progress notes were entered more than 30 days past the event date.

Legal Reference:

18 NYCRR 428.5

Action:

All progress notes will be entered as contemporaneously as possible to their event dates.

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
01/19/2018	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Educational Neglect	Substantiated	Yes
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Substantiated	
	Aunt/Uncle, Male, 15 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Educational Neglect	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Other Adult - Grandmother's Partner, Male, 35 Years	Educational Neglect	Unsubstantiated	
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Educational Neglect	Substantiated	
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Substantiated	
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Lack of Supervision	Substantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Educational Neglect	Substantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Substantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Lack of Supervision	Substantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Lack of Medical Care	Substantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Lack of Supervision	Substantiated	
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

Report Summary:

An SCR report was received by OCDSS and alleged the grandmother had a history of abusing drugs and the children were previously removed and placed in Foster Care. The grandmother abused drugs while caring for the children, was



not meeting the uncle's mental health needs, was unable to control the aunt's behavior and all three children were missing an excessive amount of school. Subsequent reports were received on 1/19/18, 2/20/18, 2/21/18, and 3/6/18 and merged with similar allegations.

Report Determination: Indicated

Date of Determination: 01/17/2019

Basis for Determination:

The allegations were appropriately substantiated as the grandmother failed to obtain the needed mental health counseling for the uncle and she did not provide the children with adequate supervision. The mother and aunt both became pregnant at age 14, and the aunt moved in with her boyfriend and his parents. OCDSS opened a Preventive Services case, and despite services in place, the mother and uncle still did not attend school regularly. The family moved to Sullivan County and the concerns for supervision and attendance continued. The case remained open for Preventive Services with OCDSS and they documented intentions of filing an Article 10 Neglect Petition against the grandmother.

OCFS Review Results:

This investigation remained open for a year, and during that time, 12 additional reports were received; five were investigated separately and seven were merged into open investigations. The family moved to Sullivan County in March 2018, and OCDSS kept their investigation open and throughout the case documented intentions of filing an Article 10 Neglect Petition. OCDSS opened a Preventive Services case in July 2018. More than half of the progress notes were entered more than 30 days past the event date.

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

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

More than half of the of the progress notes were entered more than 30 days past the event date.

Legal Reference:

18 NYCRR 428.5

Action:

All progress notes will be entered as contemporaneously as possible to their event dates.

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/30/2017	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Inadequate Food / Clothing / Shelter	Far-Closed	No
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Far-Closed	
	Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	Mother, Female, 13 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Far-Closed	



Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Lack of Medical Care	Far-Closed
Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Inadequate Food / Clothing / Shelter	Far-Closed
Aunt/Uncle, Male, 15 Years	Grandparent, Female, 40 Years	Inadequate Guardianship	Far-Closed
Aunt/Uncle, Female, 14 Years	Grandparent, Female, 40 Years	Inadequate Food / Clothing / Shelter	Far-Closed

Report Summary:

An SCR report was received and tracked FAR by OCDSS that alleged the grandmother bought and used drugs and alcohol on a daily basis and was unable to provide adequate care for the uncle, aunt and mother as a result. It was additionally alleged there was no food in the home and the aunt had medical issues that the grandmother refused to seek medical attention for.

OCFS Review Results:

OCDSS appropriately tracked the case FAR. All household members were engaged, safety was adequately assessed, the FLAG was completed thoroughly and notifications of receipt and closing were provided to all required persons. Necessary collaterals were contacted and it was learned the grandmother was engaged in substance abuse services for several years, although had recently tested positive for cocaine on several occasions and had not engaged in the recommended group treatment. Preventive Services were offered due to the extensive history and current concerns and the grandmother declined. New concerns arose for the uncle's school attendance and a new SCR report was made and investigated.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/17/2016	Aunt/Uncle, Male, 14 Years	Grandparent, Female, 58 Years	Choking / Twisting / Shaking	Unsubstantiated	Yes
	Mother, Female, 12 Years	Grandparent, Female, 58 Years	Excessive Corporal Punishment	Unsubstantiated	
	Mother, Female, 12 Years	Grandparent, Female, 58 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 14 Years	Grandparent, Female, 58 Years	Excessive Corporal Punishment	Unsubstantiated	
	Aunt/Uncle, Male, 14 Years	Grandparent, Female, 58 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Female, 13 Years	Grandparent, Female, 58 Years	Excessive Corporal Punishment	Unsubstantiated	
	Aunt/Uncle, Female, 13 Years	Grandparent, Female, 58 Years	Inadequate Guardianship	Unsubstantiated	
	Mother, Female, 12 Years	Grandparent, Male, 58 Years	Excessive Corporal Punishment	Unsubstantiated	
	Mother, Female, 12 Years	Grandparent, Male, 58 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 14 Years	Grandparent, Male, 58 Years	Excessive Corporal Punishment	Unsubstantiated	



Aunt/Uncle, Male, 14 Years	Grandparent, Male, 58 Years	Inadequate Guardianship	Unsubstantiated
Aunt/Uncle, Female, 13 Years	Grandparent, Male, 58 Years	Excessive Corporal Punishment	Unsubstantiated
Aunt/Uncle, Female, 13 Years	Grandparent, Male, 58 Years	Inadequate Guardianship	Unsubstantiated

Report Summary:

Three SCR reports were received by Ulster County Department of Social Services (UCDSS) and merged that alleged there was an argument between the maternal great-grandmother and the uncle, which escalated to the great-grandmother and great-grandfather physically disciplining the uncle and the uncle making suicidal threats.

Report Determination: Unfounded**Date of Determination:** 02/16/2017**Basis for Determination:**

The great-grandparents had custody of the uncle, mother and aunt. The uncle had mental health issues and acted out aggressively. The great-grandparents denied using physical discipline on the children and said there was an incident where they defended themselves and stopped the uncle from hurting himself by pushing him. The uncle received inpatient mental health treatment and refused to return to the great-grandparent's home. The grandmother applied for and regained custody of the children on 12/20/16. Preventive Services were offered to the grandmother and she declined.

OCFS Review Results:

UCDSS contacted the necessary collaterals, including the school, mental health hospital, uncle's mental health counselor and grandmother's substance abuse counselor. A referral was made for SPOA services for the uncle and Preventive Services were appropriately offered. The 7-day safety assessment was due by 9/24/16 and was not completed and approved until 10/7/16.

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 9/24/16 and was not completed until 10/7/16.

Legal Reference:

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

Action:

UCDSS will complete all safety assessments in accordance with statutory requirements.

PIP Requirement:

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

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

The grandmother had indicated SCR reports dated 12/09/03, 4/13/04, 9/14/06, 9/24/06, 11/26/06, 8/21/12, 10/16/12 and 1/8/13 in Orange County. The allegations were PD/AM, IG, LS, EdN and LMC. She had a history of abusing drugs, not supervising the mother, aunt and uncle adequately, not ensuring they went to school and not maintaining proper housing or a minimal degree of care. There were two Preventive Services cases opened and in 2012 the children were placed in Foster Care, then placed in the custody of the maternal great-grandmother.

SCR reports dated 3/17/10 and 3/31/11 were unfounded against the grandmother and SCR reports dated 1/13/11, 1/4/12,



3/5/12 and 7/10/12 were tracked FAR regarding the mother and uncle in Orange County.

The grandfather had indicated SCR reports dated 4/13/04 and 11/1/04 regarding the mother and uncle in Orange County.

Known CPS History Outside of NYS

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

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:

Was the deceased child(ren) involved in an open Child Protective Services case at the time of the fatality? Yes
Date the Child Protective Services case was opened:

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

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"/>

Required Action(s)

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

Yes No

Issue:	Assessment as to need for Family Court Action
Summary:	OCDSS appropriately assessed the need for Family Court action in May 2018, documented that an Article 10 Neglect Petition would be filed and opened the Preventive Services case. The mother did not cooperate with OCDSS and the petition was not filed.
Legal Reference:	SSL 424.11; 18 NYCRR 432.2(b)(3)(vi)
Action:	OCDSS shall, in all cases where a child abuse or maltreatment report is being investigated, assess whether the best interests of the child require Family Court or Criminal Court action and shall initiate such action, whenever necessary.



Preventive Services History

OCDSS opened a Preventive Services case on 7/24/18 and SCDFS was assigned a secondary role as the family had moved to Sullivan County. OCDSS documented that they planned to file an Article 10 Neglect Petition against the maternal grandmother for not properly supervising the children, educational neglect and not obtaining mental health services for the 16yo uncle. The grandmother was minimally cooperative with services and OCDFS closed the Preventive Services case on 3/28/19. It was not documented why OCDSS did not file a petition.

OCDSS opened a Preventive Services case on 11/27/12, due to concerns the grandmother was using drugs, the children missed an excessive amount of school and they had unstable housing. The father was in jail at the time. An Article 10 Neglect Petition was filed and the children were placed in Foster Care when the grandmother did not comply with court orders. They were later placed with the maternal great-grandparents. The case closed on 12/22/14, when the great-grandparents obtained Article 6 custody of the children.

OCDSS opened a Preventive Services case on 7/16/05 and filed an Article 10 Neglect Petition against the grandmother due to concerns she was using drugs. She completed the court ordered services, including inpatient treatment, and the case closed on 3/7/06.

Foster Care Placement History

On 4/8/13 the mother, aunt and uncle were placed in Foster Care following a finding of Neglect in Orange County Family Court due to educational neglect and the grandmother's drug use. On 7/12/13, the maternal great-grandparents received Article 1017 custody of the children. The case closed on 12/22/14, when the great-grandparents obtained Article 6 custody.

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