



Report Identification Number: SY-19-023

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

Issue Date: Oct 28, 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 Deceased
Age: 16 year(s)

Jurisdiction: Chenango
Gender: Female

Date of Death: 05/03/2019
Initial Date OCFS Notified: 05/10/2019

Presenting Information

An SCR report alleged that the mother was aware her 16-year-old daughter's boyfriend (18 years old) was violent towards her and the mother would leave them alone in the apartment for a week at a time. The 18-year-old was having a sexual relationship with the teen and the mother. The mother was aware that the 18-year-old was a drug dealer, and would leave drugs accessible to the teen. On 5/3/19, the 18-year-old took the teen with him to his mother's home where he murdered her by shooting her in the head. He also broke her bones, pulled out her fingernails, and cut her body.

Executive Summary

On 5/10/19, the Chenango County Department of Social Services (CCDSS) received an SCR report regarding the death of the 16-year-old teen, which occurred on 5/3/19. At the time of the teen's death, she resided with her mother. The teen's 18-year-old boyfriend resided with his mother and they often visited each other's homes. The teen had no siblings and no other children resided in either home.

Through a joint investigation with law enforcement, it was learned on the evening of 5/3/19, the teen sustained a gunshot wound to her head while alone with her boyfriend in his bedroom. A neighbor called 911 after hearing yelling in the home and then the sound of a gunshot. The boyfriend's mother was downstairs in the home when the incident occurred. The teen was declared deceased upon arrival of law enforcement.

An autopsy was performed and based on the preliminary report, it was determined the teen had a close range, perforating shotgun wound to the head and a contusion on her right forearm. According to the DA's office, the manner of death was determined to be homicide. The final autopsy report had not been received at the time this report was written.

Following the incident, the boyfriend was charged with a probation violation and on 5/20/19, was indicted on charges of second degree murder, first degree criminal use of a firearm and fourth degree criminal possession of a weapon. He remained incarcerated at the Chenango County Correctional Facility at the time of this writing. He was interviewed but was not forthcoming with information regarding the death.

CCDSS conducted a thorough investigation and contacted all necessary collaterals, including staff at the teen's school, the teen's pediatrician, law enforcement, and the DA's office. They interviewed the mother, the father, the mother's partner, the teen's boyfriend and the boyfriend's mother. There were concerns gathered that the teen's boyfriend had been verbally and physically aggressive toward the teen and they were having a sexual relationship. He kept a loaded shotgun in his bedroom and he was on probation for sale of a controlled substance.

CCDSS substantiated the allegations against the teen's boyfriend as it was determined he was legally responsible for the teen and his actions caused her death. The same allegations were added and substantiated against his mother as she was present in the home the night that the teen was shot and killed. She was aware of her son's high-risk behaviors, including having a loaded shotgun in his bedroom, and she failed to ensure the teen's safety.

The allegations against the teen's mother were unsubstantiated, although the basis was not documented in the investigation conclusion narrative. Information gathered during the investigation supported that the teen's mother was not present for the incident and she was not aware that the teen's boyfriend had a loaded shotgun in his bedroom or that the teen was in danger on the night of the incident. The mother denied leaving the teen unsupervised overnight or that she



allowed drugs into her home. CCDSS appropriately referred all adults for grief counseling services and referred the mother for victim advocate services.

PIP Requirement

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

There were no surviving children, therefore a safety assessment was not required.

Was the decision to close the case appropriate? Yes

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 best casework practice.

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: 05/03/2019

Time of Death: 06:41 PM (Approximate)



County where fatality incident occurred: Chenango
 Was 911 or local emergency number called? Yes
 Time of Call: 06:41 PM
 Did EMS respond to the scene? Yes
 At time of incident leading to death, had child used alcohol or drugs? No

Child's activity at time of incident:

- | | | |
|-----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Sleeping | <input type="checkbox"/> Working | <input type="checkbox"/> Driving / Vehicle occupant |
| <input type="checkbox"/> Playing | <input type="checkbox"/> Eating | <input checked="" type="checkbox"/> Unknown |
| <input type="checkbox"/> Other | | |

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

At time of incident supervisor was: Not impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	16 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	42 Year(s)
Other Household 1	Father	No Role	Male	38 Year(s)
Other Household 2	Other Adult - Teen's Boyfriend	Alleged Perpetrator	Male	18 Year(s)
Other Household 2	Other Adult - Mother of Teen's Boyfriend	Alleged Perpetrator	Female	48 Year(s)

LDSS Response

CCDSS initiated their investigation within 24 hours of receipt of the SCR report on 5/10/19. They contacted the source of the report, searched SCR history, and spoke to the DA's office and law enforcement.

The DA's office reported that the teen was shot in the head on 5/3/19, while with her boyfriend in the upstairs of his home, and his mother was downstairs. It was believed that the teen and her boyfriend had an argument that escalated because the school would not allow the boyfriend to attend prom and the teen planned to attend without him. It was learned that an autopsy had been performed on 5/4/19, and the teen's death was ruled a homicide. Law enforcement reported that the boyfriend's neighbor called 911 at 6:41 PM and reported hearing arguing in the home and then a gunshot. The teen was deceased in the upstairs bedroom when they arrived at 6:51 PM and the boyfriend and his mother were outside crying.

Through interviews with the mother and her partner, it was learned the mother's partner was the only one home when the teen's boyfriend and his mother arrived at their home on 5/3/19. They waited outside for the teen to arrive home from school and they took her to their home. The teen's mother believed that the teen was going to her boyfriend's home to break up with him. The mother was concerned that he had been physically aggressive toward the teen and the mother tried to stop the teen from dating him in the past. After the mother arrived home, she received messages from the teen on social media and then the teen called the mother and asked her to come and pick her up. The call was disconnected so they



exchanged text messages where the mother asked if the teen still wanted to be picked up and the teen said no, she was fine. The mother later went to the boyfriend’s home when she found out law enforcement were there and she found out about the incident when she arrived. The mother stated that the teen had been shot in the face, had bruises on her thighs, ribs and both arms, cuts on both arms, and her ankle appeared to be broken.

The teen’s boyfriend was interviewed at jail and he refused to discuss the incident, although confirmed he used marijuana on the night of the teen’s death. His mother was interviewed and she reported that she was downstairs in the home and the teen and her boyfriend were in the boyfriend’s bedroom upstairs. She denied hearing any arguing and said she heard something hit the floor and then heard the gun shot. She went upstairs and the boyfriend said there was an accident. She lifted the teen’s arm and it fell to the ground and she realized the teen “was gone”. They ran to the neighbor’s home, who called 911, and law enforcement arrived 5-7 minutes later. She stated that they kept a loaded gun in her son’s bedroom due to a previous incident where her car was broken into and the tires were slashed.

CCDSS interviewed the teen’s father, who stated that he often visited the teen. He had concerns for her boyfriend’s drug use and controlling behaviors. He believed that the teen broke up with her boyfriend, an argument ensued, and then her boyfriend shot her.

CCDSS thoroughly investigated the incident and contacted all necessary collaterals. They referred the family for the appropriate services and closed the case since there were no surviving children. The boyfriend’s criminal charges were pending at the time this report was written.

Official Manner and Cause of Death

Official Manner: Homicide

Primary Cause of Death: From an injury - external cause

Person Declaring Official Manner and Cause of Death: Other physician

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

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

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	DOA / Fatality	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	Lacerations / Bruises / Welts	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	Lacerations / Bruises / Welts	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	Sexual Abuse	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	Inadequate Guardianship	Substantiated



Child Fatality Report

051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	Internal Injuries	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	Sexual Abuse	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	Fractures	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	Inadequate Guardianship	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	DOA / Fatality	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	Lacerations / Bruises / Welts	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	DOA / Fatality	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	Internal Injuries	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051393 - Mother, Female, 42 Year(s)	Fractures	Unsubstantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	Sexual Abuse	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051395 - Other Adult - Teen's Boyfriend , Male, 18 Year(s)	Inadequate Guardianship	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	Fractures	Substantiated
051392 - Deceased Child, Female, 16 Yrs	051396 - Other Adult - Mother of Teen's Boyfriend , Female, 48 Year(s)	Internal Injuries	Substantiated

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Child Fatality Report

Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Additional information:

The father was not interviewed face-to-face, but was fully interviewed on the phone.

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<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?

Family Court Criminal Court Order of Protection

Criminal Charge: Murder Degree: 2			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
05/20/2019	Teen's Boyfriend	Pending	Charges Pending
Comments:	On 5/20/19, the teen's boyfriend was indicted for second degree murder, first degree criminal use of a firearm and fourth degree criminal possession of a weapon.		

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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

Other, specify: Victim Advocate Services

Additional information, if necessary:

Substance abuse services were not offered to the teen's boyfriend since he was incarcerated. Funeral assistance was not needed.

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

Explain:

The mother was referred for victim advocate services. The mother, father, teen's boyfriend, and the boyfriend's mother were referred for grief counseling.

History Prior to the Fatality

Child Information

Did the child have a history of alleged child abuse/maltreatment?	Yes
Was the child ever placed outside of the home prior to the death?	No
Were there any siblings ever placed outside of the home prior to this child's death?	N/A
Was the child acutely ill during the two weeks before death?	No

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)
08/01/2018	Other Child - Other Child, Male, 17 Years	Other Adult - Teen's Boyfriend's Mother , Female, 47 Years	Inadequate Guardianship	Substantiated	No
	Other Child - Other Child, Male, 17 Years	Other Adult - Teen's Boyfriend's Mother , Female, 47 Years	Lack of Supervision	Substantiated	
	Other Child - Other Child, Male, 17 Years	Other Adult - Teen's Boyfriend's Father, Male, 48 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - Other Child, Male, 17 Years	Other Adult - Teen's Boyfriend's Father, Male, 48 Years	Lack of Supervision	Unsubstantiated	

**Report Summary:**

An SCR report alleged the child of the teen's boyfriend's parents was a special education student and required close supervision. The child had a history of selling drugs and had pending charges. The parents were failing to provide the required supervision.

Report Determination: Indicated**Date of Determination:** 10/02/2018**Basis for Determination:**

The mother of the teen's boyfriend failed to provide adequate supervision or discipline to her child and did not ensure he attended mental health appointments. The child shot a gun out the window to scare away individuals that broke into his home, and he was not being supervised at the time of the incident. The mother was counseled on proper supervision and a recommendation was made for behavioral health.

OCFS Review Results:

CCDSS interviewed collateral contacts, completed home visits, interviewed all parties, and completed safety assessments on time.

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)
06/04/2018	Deceased Child, Female, 15 Years	Mother, Female, 42 Years	Inadequate Guardianship	Substantiated	Yes
	Deceased Child, Female, 15 Years	Mother, Female, 42 Years	Sexual Abuse	Substantiated	

Report Summary:

An SCR report alleged the teen was having a sexual relationship with her boyfriend for about a year and the mother was aware and failed to intervene to prevent it from continuing. The mother left the teen alone in the home seven days per week, allowing the behavior to continue.

Report Determination: Indicated**Date of Determination:** 07/31/2018**Basis for Determination:**

The mother was aware the children, 15 and 17 years old, were having a sexual relationship and the mother had been previously advised by CCDSS to increase the level of supervision. Despite this knowledge, the mother allowed the teen's boyfriend to spend the night in the teen's bed on a regular basis and the children continued to have sex. The mother was charged with endangering the welfare of a child and agreed to not allow the teen's boyfriend into her home.

OCFS Review Results:

CCDSS did not interview the teen's boyfriend about the allegations. This was the third indicated report against the mother for sexual abuse and CCDSS did not consult with their legal department to determine if Family Court action was necessary or offer Preventive Services to the family. The source reported that the children fought a lot and the mother reported she hoped the children would break up since it "hadn't been good." These concerns were not explored further with the teen to see if domestic violence services were necessary.

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

Contact/Information From Reporting/Collateral Source

Summary:

CCDSS did not interview the teen's boyfriend as a collateral resource.

Legal Reference:

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

Action:



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

Issue:

Assessment as to need for Family Court Action

Summary:

CCDSS did not consult with their legal department regarding the ongoing concerns for sexual abuse and inadequate supervision.

Legal Reference:

SSL 424.11; 18 NYCRR 432.2(b)(3)(vi)

Action:

CCDSS 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.

Issue:

Failure to offer services

Summary:

CCDSS did not offer Preventive Services to the family and there were ongoing concerns for sexual abuse and inadequate supervision. The need for domestic violence services was not explored and there were ongoing concerns the teen and her boyfriend fought all the time.

Legal Reference:

SSL §424(10);18 NYCRR 432.3(p)

Action:

When service needs are identified, CCDSS will make the appropriate referral to Preventive Services in an effort to determine whether there are services that can benefit the family.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/31/2017	Deceased Child, Female, 15 Years	Mother, Female, 41 Years	Childs Drug / Alcohol Use	Unsubstantiated	Yes
	Deceased Child, Female, 15 Years	Mother, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 15 Years	Mother, Female, 41 Years	Sexual Abuse	Unsubstantiated	

Report Summary:

An SCR report alleged the mother allowed the teen's boyfriend, then 17 years old, to move into the home and allowed him to have a sexual relationship with the teen who was 15 years old at the time. The children were left home alone without supervision, the teen was using drugs and her boyfriend was dealing drugs and had guns.

Report Determination: Unfounded

Date of Determination: 12/31/2017

Basis for Determination:

The mother denied she left the children unsupervised or allowed the teen's boyfriend to spend the night since the prior CPS investigation. The mother and teen denied the teen's boyfriend sold drugs or that the teen was using drugs.

OCFS Review Results:

The mother reported the teen and her boyfriend fought and yelled at each other all the time and she often had to make the boyfriend leave. CCDSS did not interview the teen about this concern or further explore if the teen needed domestic violence services. CCDSS did not address the allegation regarding the teen's boyfriend having guns. CCDSS incorrectly



removed the teen's boyfriend from the case as "reported in error." He was listed as a maltreated child on the case and neither him or his parents were interviewed and his parents were therefore not provided with Notice of Existence letters.

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

Issue:

Failure to Conduct a Face-to-Face Interview (Subject/Family)

Summary:

CCDSS removed the teen's boyfriend from the case as "reported in error" and did not interview him or his parents.

Legal Reference:

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

Action:

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

Issue:

Pre-Determination/Nature, Extent and Cause of Any Condition

Summary:

CCDSS did not follow up on concerns for domestic violence between the teen and her boyfriend and did not investigate the allegation the teen's boyfriend had guns.

Legal Reference:

18 NYCRR 432.2(b)(3)(iii)(c)

Action:

CCDSS will address all allegations as well as new concerns as they arise prior to making a determination that a report should be indicated or unfounded.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/30/2017	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Mother , Female, 46 Years	Inadequate Guardianship	Substantiated	No
	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Mother , Female, 46 Years	Lack of Medical Care	Substantiated	
	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Mother , Female, 46 Years	Lack of Supervision	Substantiated	
	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Father, Male, 47 Years	Inadequate Guardianship	Substantiated	
	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Father, Male, 47 Years	Lack of Medical Care	Substantiated	
	Other Child - Other Child, Male, 16 Years	Other Adult - Teen's Boyfriend's Father, Male, 47 Years	Lack of Supervision	Substantiated	

Report Summary:

SCR reports received on 6/30/17 and 7/21/17, alleged the teen's boyfriend's parents were aware their child had ongoing mental health concerns that required mental health counseling and they failed to ensure the child attended counseling appointments. He required a higher level of supervision and the parents failed to properly supervise him.

Report Determination: Indicated

Date of Determination: 08/31/2017

**Basis for Determination:**

The parents did not ensure the child attended probation appointments or mental health counseling and they did not address the child's drug use or properly supervise him.

OCFS Review Results:

CCDSS interviewed collateral contacts, completed home visits, interviewed all parties, and completed safety assessments on time. The case was closed prior to confirming that the mother scheduled a mental health appointment for the child and Preventive Services were not offered to the family. During the investigation, the child was discharged from Probation and the family may have benefited from added support and service coordination.

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)
04/26/2017	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Childs Drug / Alcohol Use	Substantiated	Yes
	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Sexual Abuse	Substantiated	
	Other Child - Teen's Boyfriend , Male, 16 Years	Mother, Female, 41 Years	Childs Drug / Alcohol Use	Substantiated	
	Other Child - Teen's Boyfriend , Male, 16 Years	Mother, Female, 41 Years	Inadequate Guardianship	Substantiated	
	Other Child - Teen's Boyfriend , Male, 16 Years	Mother, Female, 41 Years	Sexual Abuse	Substantiated	

Report Summary:

An SCR report alleged the mother was the sole caregiver for the teen and the teen's boyfriend while she was intoxicated from alcohol. The teen and her boyfriend were using marijuana and had a sexual relationship. The mother was aware and failed to take adequate steps to change the children's behavior.

Report Determination: Indicated

Date of Determination: 06/30/2017

Basis for Determination:

The mother allowed the teen's boyfriend to sleep over at their house and allowed him to sleep in the same room as the teen. The children were left unsupervised while the mother was drinking at bars and the mother knew, or should have known, that the children were sexually active. The mother brought the teen to a tattoo party and allowed her to get a tattoo. The teen missed an excessive amount of school and her grades suffered as a result. The mother was aware the teen's boyfriend was using marijuana in the home.

OCFS Review Results:

An SCR history search was not documented in this investigation. The investigation conclusion narrative was nearly identical to the narrative in the 3/30/17 case and did not address the substantiated allegations of IG, SA and CD/A regarding the teen's boyfriend or CD/A regarding the teen. There were no interviews documented with the mother, teen, teen's boyfriend, or the boyfriend's parents. The boyfriend's parents were not added to the case or provided with Notice of Existence letters.

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

Issue:

Failure to provide notice of report

Summary:

The teen's boyfriend's parents were not added to the case or provided with a Notice of Existence letter.

**Legal Reference:**

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

Action:

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

Issue:

Pre-Determination/Nature, Extent and Cause of Any Condition

Summary:

The investigation conclusion narrative did not address the substantiated allegations of IG, SA and CD/A regarding the teen's boyfriend or CD/A regarding the teen.

Legal Reference:

18 NYCRR 432.2(b)(3)(iii)(c)

Action:

CCDSS will make an adequate assessment of the nature, extent and cause of any condition which may constitute abuse or maltreatment.

Issue:

Review of CPS History

Summary:

An SCR history search was not documented in this investigation.

Legal Reference:

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

Action:

Within 1 business day, CCDSS will review SCR records pertaining to all prior reports involving a subject of the unfounded report, a child named in the unfounded report or a child's sibling named in the unfounded report, including legally sealed unfounded reports. Within 5 business days, CCDSS will review and document all CPS record(s) that apply to the prior reports.

Issue:

Failure to Conduct a Face-to-Face Interview (Subject/Family)

Summary:

There were no interviews documented with the mother, teen, teen's boyfriend, or the boyfriend's parents.

Legal Reference:

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

Action:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/30/2017	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Inadequate Guardianship	Substantiated	Yes
	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Lack of Supervision	Substantiated	
	Deceased Child, Female, 14 Years	Mother, Female, 41 Years	Sexual Abuse	Substantiated	

**Report Summary:**

An SCR report alleged the mother allowed the teen, then 14-years-old, to engage in a sexual relationship with her boyfriend, 16 years old. It was also alleged the mother allowed the boyfriend to use marijuana in the home and she left the children alone in the home while she went out drinking.

Report Determination: Indicated

Date of Determination: 05/31/2017

Basis for Determination:

There was credible evidence that the mother allowed the teen's boyfriend to sleep over at their house and allowed him to sleep in the same room as the teen. The children were left unsupervised while the mother was drinking at bars and the mother knew, or should have known, that the children were sexually active. The mother brought the teen to a tattoo party and allowed her to get a tattoo. The teen missed an excessive amount of school and her grades suffered as a result. The mother was aware the teen's boyfriend was using marijuana in the home.

OCFS Review Results:

The 7-day safety assessment was completed five days late and reflected no safety factors, although safety decision 2 was chosen. Fifteen out of 25 progress notes were entered more than 30 days past the event date. Although it was documented that an interview was scheduled at the CAC with the teen, no interview was documented.

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The 7-day safety assessment was completed five days late and there were no safety factors identified, although safety decision 2 was chosen.

Legal Reference:

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

Action:

CCDSS will complete all safety assessments in accordance with statutory requirements and will accurately reflect the safety factors that are present.

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

Fifteen out of 25 progress notes were entered more than 30 days past their event dates.

Legal Reference:

18 NYCRR 428.5

Action:

All progress notes will be entered as contemporaneously as possible to their event dates. Progress notes must include actions taken in the investigation and descriptions of collateral contacts and other activities relating to the collecting of information needed to formulate an assessment and/or assist with making a determination regarding the report of abuse or maltreatment.

Issue:

Failure to Conduct a Face-to-Face Interview (Subject/Family)

Summary:

Although an interview was scheduled at the CAC with the teen, there was no interview documented.

Legal Reference:

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

Action:



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

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

An SCR report was unfounded against the teen's boyfriend's parents for the allegations of Emotional Neglect, Excessive Corporal Punishment, Inadequate Guardianship, Lacerations, Bruises, Welts and Parent's Drug and Alcohol Misuse regarding their child.

Known CPS History Outside of NYS

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

Legal History Within Three Years Prior to the Fatality

Was there any legal activity within three years prior to the fatality investigation? There was no legal activity

Recommended Action(s)

Are there any recommended actions for local or state administrative or policy changes? Yes No

Are there any recommended prevention activities resulting from the review? Yes No