



Report Identification Number: SY-20-028

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

Issue Date: Dec 16, 2020

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	ASTO-Allowing Sex Abuse to Occur	



Case Information

Report Type: Child Deceased
Age: 1 month(s)

Jurisdiction: Oswego
Gender: Female

Date of Death: 06/28/2020
Initial Date OCFS Notified: 06/28/2020

Presenting Information

An SCR report received alleged that on 6/28/20, between approximately 1:24PM and 2:24PM, the subject child was found face down on the floor unresponsive. There were unknown drugs and needle paraphernalia located on the floor near the child. The drugs and paraphernalia located on the floor were also accessible to the 2yo sibling. There were no known injuries to the sibling. The cause of death of the subject child was unknown.

Executive Summary

This fatality report concerns the death of a 6-week-old female child that occurred on 6/28/20 and was reported to the SCR on the same day. The report alleged that the subject child was found unresponsive on the floor of the home. There were drugs and drug paraphernalia in close proximity to the child. The subject child had resided with the mother, 2yo sibling, grandmother, step-grandfather and an unrelated home member.

There were eight surviving siblings, ages 13, 12, 7, 6, 4, 2 and 3yo twins. The 13yo sibling resided with the father, the 4yo and 6yo siblings resided with their father and the 12yo, 7yo and 3yo twins resided with their mother. It was determined that the 2yo sibling was not safe in the home and she was placed with a relative for one night. The relative's home was then determined to be unsafe and the 2yo was removed from the mother with consent and placed in foster care. The other siblings were assessed to be safe in the care of their parents.

On 6/28/20, Oswego County Department of Social Service (OCDSS) learned of the death of the subject child and immediately began gathering information related to the incident. It was determined at the time of the death, the subject child was at home with the grandmother, step-grandfather, unrelated home member and 2yo sibling. The mother was at a friend's home nearby. The night prior to the death, the mother reported the subject child was inconsolable so she asked the grandmother for help. The grandmother brought the child back to the mother's room and placed her to sleep in a swing. Other interviews revealed that the mother had left the home during the night with the subject child and 2yo to go to a friend's house and returned around 1:00AM; however, this was not confirmed by the mother. The mother reported on 6/28/20 at 6:00AM she woke up, fed the subject child and went into the step-grandfather's room. The step-grandfather offered to watch the subject child and the 2yo sibling who was also present. The mother accepted the offer and left the home. The step- grandfather reported no recollection of these events or consenting to care for the children. The children were next seen by the unrelated home member who looked into the room around 10:00AM and saw the children sleeping on the floor and the step-grandfather sleeping on a chair. The unrelated home member then left to go to the store. He returned shortly after and the grandmother woke around 12:15PM. The grandmother and unrelated home member went into the room where the children were sleeping. The subject child was discovered unresponsive by the grandmother. The unrelated home member called 911 and the step-grandfather performed CPR until first responders arrived.

Throughout the investigation, several conflicting accounts were provided regarding how the subject child ended up on the floor and when she was last seen alive by the family members. The EMT first to the scene reported physical indicators that the child had been deceased for some time. The room where the subject child was found was deplorable and had drugs and drug paraphernalia discovered in it. An autopsy was completed and preliminary results noted no injuries to the child. The official results were pending further testing. At the time of this writing, law enforcement and the district attorney had not pursued any criminal charges.

It was identified in the historical case review, that OCDSS had several conversations with the mother about appropriate



supervision of the children and provided safe sleep guidance during casework contacts. Throughout the course of the investigation, OCDSS completed all necessary tasks, including interviews with the parents, surviving children, grandmother, relatives and collateral sources. OCDSS discussed service needs with the family and made referrals as needed. At the time this report was completed the CPS investigation had not yet been determined.

PIP Requirement

For issues identified in historical cases, OCDSS will submit a PIP to the Syracuse Regional Office within 30 days of receipt of this report. The PIP will identify action(s) 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.

Findings Related to the CPS Investigation of the Fatality

Safety Assessment:

- **Was sufficient information gathered to make the decision recorded on the:**
 - **Approved Initial Safety Assessment?** Yes
 - **Safety assessment due at the time of determination?** N/A
- **Was the safety decision on the approved Initial Safety Assessment appropriate?** Yes

Determination:

- **Was sufficient information gathered to make determination(s) for all allegations as well as any others identified in the course of the investigation?** The CPS report had not yet been determined at the time this Fatality report was issued.
- **Was the determination made by the district to unfound or indicate appropriate?** N/A

Explain:

Casework activity was commensurate with case circumstances.

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:

There were multiple detailed supervisory consultations documented throughout the investigation. The CPS investigation and Foster Care case remained open at the time this report was completed.

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: 06/28/2020

Time of Death: Unknown

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

Unknown

County where fatality incident occurred:

Oswego

Was 911 or local emergency number called?

Yes

Time of Call:

Unknown

Did EMS respond to the scene?

Yes

At time of incident leading to death, had child used alcohol or drugs?

Unknown

Child's activity at time of incident:

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

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

At time of incident supervisor was:

Drug Impaired

Absent

Alcohol Impaired

Asleep

Distracted

Impaired by illness

Impaired by disability

Other:

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	1 Month(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Female	47 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	26 Year(s)
Deceased Child's Household	Other Adult - Step-grandfather	Alleged Perpetrator	Male	41 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	2 Year(s)
Deceased Child's Household	Unrelated Home Member	Alleged Perpetrator	Male	30 Year(s)
Other Household 1	Father	No Role	Male	46 Year(s)

LDSS Response



OCDSS received an SCR report on 6/28/20 regarding the death of the SC. OCDSS initiated their investigation, contacted LE, checked the CPS history and contacted the source of the report. OCDSS assessed for safety of the surviving siblings and completed interviews with the subjects of the report within 24 hours.

The SM reported that the night prior to the death she was at home with the SC. The SC was crying, and the SM asked the MGM for help. The MGM returned the SC to the SM around 10:00PM and placed her to sleep in a swing. The SM reported they had a Pack-N-Play; however, the SC would not sleep in it. The SC woke once or twice throughout the night and the SM bottle fed her. The SM reported they woke up the following morning at 6:00AM. The SM went into the step-grandfather's room with the SC and the 2yo SS followed. The step- grandfather offered to give the SM a break and watch the CHN. The SM agreed and reported she believed the MGM was going to help with the childcare. The SM left the home and went to spend time with a significant other. The SM was notified of the death by the step-grandfather via telephone several hours later.

The MGM stated that on 6/27/20 the SM, SC and 2yo SS returned home from a friend's house around 10:00PM and the SM was upset because the SC wouldn't stop crying. The MGM changed and fed the SC and the SC fell asleep on the MGM's chest. The MGM brought the SC into the SM's room, placed her in the swing with a pacifier and covered her legs with a blanket. The MGM reported she took sleeping pills and fell asleep in her room. The MGM woke around 12:30PM the following day, and discovered the SC cold, white and unresponsive on the floor in the step-grandfather's room.

The step-grandfather reported a limited recollection of the events leading up to the death. He stated that he was not certain how the CHN ended up in his bedroom and stated he did not believe he would have consented to watching the CHN due to his level of impairment. The step-grandfather reported the CHN were not in his room when he went to sleep, and they were on the floor when he woke up around 12:00PM on 6/28/20.

It was discovered during the investigation that there had been regular drug use in the home. OCDSS had historically discussed the need for a sober caretaker and safe sleep environment for the CHN. In addition, OCDSS recommended that the step-grandfather not to be a caretaker for the CHN due to his sex offender status. A neighbor who was with the SC and SM the night prior to the death was interviewed and expressed concern that the SC felt warm to the touch and had symptoms like thrush. The neighbor gave the SC Children's Tylenol and encouraged the SM to bring the SC to the doctor, but the SM refused.

First responders reported concern with the condition of the home and the behavior of the caretakers regarding the SC's death. Specifically, they would refer to the child as "it" and displayed no emotion while first responders were present. The SC was discovered with flies in her mouth and EMS stated that based on the condition of the child's body that she had been deceased for some time before being discovered. In addition, EMS reported that the step-grandfather had stated that he had to step over the SC on the floor when he went to sleep around 3:00AM the morning of the SC's death.

The siblings were interviewed; however, only the 2yo SS was present when the death occurred, and they were unable to contribute any information regarding the fatality. OCDSS completed home visits at the siblings' homes, and there were no concerns with the condition of the residences or provisions for the CHN. There were no other CPS concerns identified during the siblings' interviews.

OCDSS filed a neglect petition against the SM and the 2yo SS was placed in foster care with the SM's consent. The other CHN remained in the care of their parents.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Pending



Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Was the fatality reviewed by an OCFS approved Child Fatality Review Team? Yes

Comments: OCDSS reported the fatality would be referred to their local CFRT.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
055516 - Deceased Child, Female, 1 Mons	055622 - Grandparent, Female, 47 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055516 - Deceased Child, Female, 1 Mons	055621 - Mother, Female, 26 Year(s)	DOA / Fatality	Pending
055516 - Deceased Child, Female, 1 Mons	055622 - Grandparent, Female, 47 Year(s)	DOA / Fatality	Pending
055516 - Deceased Child, Female, 1 Mons	055624 - Other Adult - Step-grandfather , Male, 41 Year(s)	Inadequate Guardianship	Pending
055516 - Deceased Child, Female, 1 Mons	055624 - Other Adult - Step-grandfather , Male, 41 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055516 - Deceased Child, Female, 1 Mons	055623 - Unrelated Home Member, Male, 30 Year(s)	Inadequate Guardianship	Pending
055516 - Deceased Child, Female, 1 Mons	055623 - Unrelated Home Member, Male, 30 Year(s)	DOA / Fatality	Pending
055516 - Deceased Child, Female, 1 Mons	055623 - Unrelated Home Member, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055516 - Deceased Child, Female, 1 Mons	055624 - Other Adult - Step-grandfather , Male, 41 Year(s)	DOA / Fatality	Pending
055516 - Deceased Child, Female, 1 Mons	055621 - Mother, Female, 26 Year(s)	Inadequate Guardianship	Pending
055516 - Deceased Child, Female, 1 Mons	055621 - Mother, Female, 26 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055516 - Deceased Child, Female, 1 Mons	055622 - Grandparent, Female, 47 Year(s)	Inadequate Guardianship	Pending
055625 - Sibling, Female, 2 Year(s)	055621 - Mother, Female, 26 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055625 - Sibling, Female, 2 Year(s)	055623 - Unrelated Home Member, Male, 30 Year(s)	Inadequate Guardianship	Pending
055625 - Sibling, Female, 2 Year(s)	055624 - Other Adult - Step-grandfather , Male, 41 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055625 - Sibling, Female, 2 Year(s)	055622 - Grandparent, Female, 47 Year(s)	Inadequate Guardianship	Pending



Child Fatality Report

055625 - Sibling, Female, 2 Year(s)	055624 - Other Adult - Step-grandfather , Male, 41 Year(s)	Inadequate Guardianship	Pending
055625 - Sibling, Female, 2 Year(s)	055622 - Grandparent, Female, 47 Year(s)	Inadequate Food / Clothing / Shelter	Pending
055625 - Sibling, Female, 2 Year(s)	055621 - Mother, Female, 26 Year(s)	Inadequate Guardianship	Pending
055625 - Sibling, Female, 2 Year(s)	055623 - Unrelated Home Member, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Pending

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 7 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Child Fatality Report

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

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

Explain:
The risk assessment profile had not been completed at the time this report was completed. OCDSS assessed the need for services and made referrals as necessary.

Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
Did the safety factors in the case show the need for the surviving siblings/other children in the household be removed or placed in foster care at any time during this fatality investigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were there surviving children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, court ordered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain as necessary:
The 2yo surviving sibling who resided in the home was removed with consent from the mother and placed in foster care.

Legal Activity Related to the Fatality

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

Family Court Criminal Court Order of Protection

Family Court Petition Type: FCA Article 10 - CPS		
Date Filed:	Fact Finding Description:	Disposition Description:
06/30/2020	There was not a fact finding	Order of Supervision



Respondent:	055621 Mother Female 26 Year(s)
Comments:	The 2yo sibling remained in foster care and the mother was ordered to engage in services to address the CPS concerns.

Have any Orders of Protection been issued? Yes	
From: 06/30/2020	To: Unknown
Explain: The mother has supervised contact with the 2yo sibling.	

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parenting Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol/Substance abuse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intensive case management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Were services provided to siblings or other children in the household to address any immediate needs and support their well-being in response to the fatality? Yes

Explain:

Grief counseling services were offered for the siblings.



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

Explain:

Grief counseling services and burial assistance were offered to the family.

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? No
- Was the child acutely ill during the two weeks before death? Yes

Infants Under One Year Old

During pregnancy, mother:

- Had medical complications / infections
- Misused over-the-counter or prescription drugs
- Experienced domestic violence
- Was not noted in the case record to have any of the issues listed
- Had heavy alcohol use
- Smoked tobacco
- Used illicit drugs

Infant was born:

- Drug exposed
- With neither of the issues listed noted in case record
- With fetal alcohol effects or syndrome

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/08/2020	Sibling, Female, 13 Years	Father, Male, 46 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 13 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 12 Years	Father, Male, 46 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 12 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 7 Years	Father, Male, 46 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 7 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated	



Stepmother, Male, 3 Years	Father, Male, 46 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Stepmother, Male, 3 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 46 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 13 Years	Father, Male, 46 Years	Educational Neglect	Substantiated
Sibling, Female, 13 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Female, 13 Years	Stepmother, Female, 39 Years	Educational Neglect	Unsubstantiated
Sibling, Female, 13 Years	Father, Male, 46 Years	Childs Drug / Alcohol Use	Unsubstantiated

Report Summary:

An SCR report alleged the month prior to the SCR report, the father provided the 13yo sibling with synthetic marijuana and allowed her to smoke it with him. The synthetic marijuana could have given the 13yo sibling a seizure or other health complications. The father's household had bedbugs and lice. During the 2018-2019 school year, the 13yo sibling was absent over 60 days and fell behind academically as a result. During the 2019-2020 school year, the 13yo sibling missed 60 days, which resulted in her failing and falling behind in her work. The mother of the 13yo sibling and the father were made aware of the absenteeism and failed to address it.

Report Determination: Indicated

Date of Determination: 08/14/2020

Basis for Determination:

OCDSS substantiated the allegations of EdN and PD/AM as they discovered through contact with the school that the 13yo sibling was not engaged in her academics. Interviews of collaterals provided some credible evidence that the father abused illegal drugs.

OCFS Review Results:

OCDSS completed all casework activity commensurate with case circumstances. OCDSS documented difficulties in completing familial contacts; however, documented several efforts to achieve interviews with all relevant adults and children. There was supervisory consultation present throughout the investigation and documentation of discussions with legal regarding the need for family court involvement. OCDSS appropriately determined the allegations given the information obtained during the investigation. The Risk Assessment Profile did not accurately reflect the father's reported mental health diagnoses.

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

Issue:

Adequacy of Risk Assessment Profile (RAP)

Summary:

The father reported to have mental health diagnoses; however, this was not accurately reflected in the RAP.

Legal Reference:

18 NYCRR 432.2(d)

Action:

OCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile.



Child Fatality Report

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
05/29/2020	Sibling, Female, 4 Years	Other Adult - Unrelated , Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	Yes
	Sibling, Female, 4 Years	Other Adult - Unrelated , Male, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Other Adult - Unrelated , Male, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Deceased Child, Female, 14 Days	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 14 Days	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Female, 14 Days	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 4 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 4 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Deceased Child, Female, 14 Days	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 14 Days	Grandparent, Female, 47 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Substantiated	
Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Substantiated		

Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 2 Years	Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 14 Days	Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 14 Days	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Food / Clothing / Shelter	Substantiated
Deceased Child, Female, 14 Days	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 6 Years	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 6 Years	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 4 Years	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 4 Years	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 2 Years	Other Adult - Stepgrandfather , Male, 41 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 2 Years	Other Adult - Stepgrandfather , Male, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 14 Days	Other Adult - Stepgrandfather , Male, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Stepgrandfather , Male, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Stepgrandfather , Male, 41 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 2 Years	Other Adult - Unrelated , Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 14 Days	Other Adult - Unrelated , Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Unrelated , Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Unrelated , Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 14 Days	Other Adult - Unrelated , Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Deceased Child, Female, 14 Days	Other Adult - Unrelated , Male, 30 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 6 Years	Other Adult - Unrelated , Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated



Sibling, Male, 6 Years	Other Adult - Unrelated , Male, 30 Years	Inadequate Guardianship	Substantiated
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Report Summary:

An SCR report alleged that the mother had two children removed from her care and they remained out of her care at the time of the SCR report. The mother used drugs throughout her pregnancy and gave birth to the subject child at home on 5/15/20. It was unknown if the mother was under the influence of drugs when she gave birth to the subject child. The grandmother delivered the subject child and it was unknown if the child was examined by a doctor after she was born.

Report Determination: Indicated**Date of Determination:** 09/15/2020**Basis for Determination:**

The narrative of the investigation conclusion was not completed; therefor, the basis for OCDSS' determination was unknown.

OCFS Review Results:

OCDSS made contact with the SM, home members, SC and 2yo SS within 24 hours of the receipt of the SCR report. OCDSS documented detailed conversations with the SM about appropriate supervision of the CHN and safe sleep guidance was provided. There was no further contact with the family until a month after the SCR report when the death of the SC occurred. The record did not reflect that face-to-face contact occurred with all necessary people and that NOE letters were provided to all adults. The step-grandfather had CHN and there was no information gathered regarding them.

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

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

Although the record reflected the father of the SC was contacted via telephone, it did not reflect that he was interviewed face-to-face. It was not documented that there were efforts made to interview the father of the 2yo sibling.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCDSS will make efforts to make face-to-face contact with a child and/or a child's parents or guardians and document efforts that were unsuccessful.

Issue:

Failure to provide notice of report

Summary:

The parent substitute of the 4yo and 6yo sibling was added to the SCR report; however, it was not documented that she was notified of the SCR report in writing.

Legal Reference:

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

Action:

OCDSS will mail or deliver notification 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. When other persons are identified as residing in the household and added to the case, they will be notified in writing as well.

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

It was learned during the investigation that the step-grandfather had other children. It was reported he did not visit with them; however, there were no further efforts documented to gather information about their contact with their father.

Legal Reference:

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

Action:

OCDSS will prioritize making an adequate assessment of safety and risk to all children in the household, and continue an on-going assessment of safety and risk throughout the length of the investigation.

Issue:

Timely/Adequate 24 Hour Assessment

Summary:

The 4yo and 6yo siblings were listed as alleged maltreated children at the time the SCR report was received. At the time of the initial home visit to the case address the mother reported the siblings resided with their father. It was not documented that there was follow up to confirm the siblings whereabouts and assess their safety until more than a month after the receipt of the SCR report.

Legal Reference:

SSL 424(6);18 NYCRR 432.2(b)(3)(i)

Action:

OCDSS will adequately assess safety of children respective to case circumstances within 24 hours of each SCR report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
04/16/2020	Sibling, Female, 2 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 2 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 6 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 6 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 4 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 4 Years	Other Adult - Stepgrandfather, Male, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 6 Years	Other Adult - Stepgrandfather, Male, 41 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Female, 4 Years	Other Adult - Stepgrandfather, Male, 41 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Female, 2 Years	Unrelated Home Member, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 2 Years	Unrelated Home Member, Male, 30 Years	Inadequate Guardianship	Unsubstantiated	



Sibling, Male, 6 Years	Unrelated Home Member, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 6 Years	Unrelated Home Member, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Unrelated Home Member, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Unrelated Home Member, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Unrelated Home Member, Male, 30 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 4 Years	Unrelated Home Member, Male, 30 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Sexual Abuse	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Parent substitute of 4yo and 6yo siblings, Female, 27 Years	Sexual Abuse	Unsubstantiated
Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Mother, Female, 26 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated



Sibling, Female, 4 Years	Mother, Female, 26 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 6 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Sexual Abuse	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Other Adult - Father of 4yo and 6yo siblings, Male, 27 Years	Sexual Abuse	Unsubstantiated
Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 6 Years	Grandparent, Female, 47 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Grandparent, Female, 47 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 2 Years	Grandparent, Female, 47 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 2 Years	Grandparent, Female, 47 Years	Inadequate Guardianship	Unsubstantiated

Report Summary:

An SCR report alleged that the 4yo and 6yo siblings had sexualized behaviors. The father of the siblings and their parent substitute were aware of this and failed to provide a higher level of supervision. The mother and grandmother have allowed the 2yo, 4yo and 6yo siblings to be around registered sex offenders. While in the care of the mother, grandparents and unrelated home member, there was concern for the hygiene and nutrition of the 2yo, 4yo and 6yo



siblings. Prior to the SCR report, the 4yo and 6yo siblings had a fever and were ill and the mother, grandparents and unrelated home member did not seek medical care for them.

Report Determination: Indicated

Date of Determination: 06/15/2020

Basis for Determination:

The allegation of IF/C/S was substantiated against the mother in regards to the 2yo sibling. The mother did not have any diapers and no plan to receive them for the sibling.

OCFS Review Results:

OCDSS assessed safety of the surviving siblings within 24 hours and found there to be no immediate safety concerns for them. OCDSS completed assessments within regulatory timeframes and entered all progress notes contemporaneously with their event date. OCDSS documented thorough interviews and conversations with parents/guardians about the allegations, safety and risk. OCDSS made referrals for the family and collaborated with community service providers to assist in meeting the needs of the family. Safe sleep guidance was provided to all caretakers. The subject child was born during the investigation and this was not accurately reflected in the RAP.

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

Issue:

Adequacy of Risk Assessment Profile (RAP)

Summary:

The subject child was born during the investigation and this was not reflected in the answer to question number 3 on the RAP.

Legal Reference:

18 NYCRR 432.2(d)

Action:

OCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile.

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The subject child was born during the investigation and her father was added to the case. It was not reflected in the record that there were efforts made to interview him face-to-face.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCDSS will make casework contacts in accordance with the following regulation: Casework contacts mean face-to-face contacts with a child and/or a child's parents or guardians, or activities with the child and/or the child's parents or guardians, which may include but are not limited to facilitating information gathering and analysis of safety and risk factors and determining the allegations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
12/24/2019	Sibling, Female, 1 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 1 Years	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

Report Summary:

An SCR report alleged that the mother abused the drug molly and marijuana to the point of impairment while caring for



the then 1yo sibling. As a result, the mother was unable to provide the sibling with adequate care. The mother did not change the sibling's diapers in a timely manner and let her sit in dirty diapers for hours.

Report Determination: Unfounded

Date of Determination: 04/07/2020

Basis for Determination:

OCDSS determined that the mother had a history of drug use; however, the mother denied recent use and there was no evidence discovered to indicate that she was using drugs.

OCFS Review Results:

OCDSS contacted the source and completed a CPS history check. The Risk Assessment Profile reflected accurate case circumstances. OCDSS obtained locating information for the 1yo sibling's father and attempted to call him; however, it was not documented that there were efforts made to interview him face-to-face. Notification letters were not mailed within the required time frame and were not sent to all adults. The step-grandfather and parent substitute were not interviewed in person. The mother reported the 4yo and 6yo siblings visited her home and there was no assessment of their safety documented. The record did not reflect supervisory consultation prior to case closure.

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

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

The mother reported that the 4yo and 6yo siblings visited with her in the home; however, the record did not reflect an assessment of their safety.

Legal Reference:

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

Action:

Prior to making a determination, OCDSS shall include an assessment of the current safety and the risk of future abuse and maltreatment to the child(ren) in the home and documenting such assessment.

Issue:

Failure to provide notice of report

Summary:

It was not documented that the father of the 1yo sibling was provided with a notice of the report in writing.

Legal Reference:

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

Action:

OCDSS will mail or deliver notification 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. When other persons are identified as residing in the household and added to the case, they will be notified in writing as well.

Issue:

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

Summary:

The record did not reflect efforts were made to interview the unrelated home member and the father of the 1yo. The step-grandfather was spoken to via telephone; however, it was not documented he was interviewed face-to-face.

Legal Reference:

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

Action:

The full child protective investigation must include face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report.



Child Fatality Report

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
12/17/2019	Sibling, Female, 13 Years	Father, Male, 46 Years	Educational Neglect	Substantiated	Yes
	Sibling, Female, 13 Years	Father, Male, 46 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 13 Years	Stepmother, Female, 38 Years	Inadequate Guardianship	Unsubstantiated	

Report Summary:
 An SCR report alleged that the 13yo sibling missed 38 days of school and was failing as a result. The sibling had a history of poor attendance. The sibling's mother and the father were aware and failed to address the concern. The father smoked marijuana and left it accessible to the sibling.

Report Determination: Indicated **Date of Determination:** 04/29/2020

Basis for Determination:
 OCDSS found there to be sufficient evidence to substantiate the allegations of IG and EdN against the father regarding the 13yo sibling. OCDSS determined the father was aware of the sibling's absenteeism and failed to address it. OCDSS filed a neglect petition as a result.

OCFS Review Results:
 OCDSS received the SCR report during an open investigation with the family and was not able to consolidate it. OCDSS completed all familial contacts and documented several contacts with collaterals. OCDSS documented consultation with their legal department regarding the need for on going services and the referrals were made. It was not documented that notice of indication letters were sent. There was no history check completed within one business day of receipt of the SCR report.

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

Issue:
 Failure to Provide Notice of Indication
Summary:
 It was not documented that the adults were provided with notice of the determination in writing.

Legal Reference:
 18 NYCRR 432.2(f)(3)(xi)

Action:
 If the local district determines a report assigned to the investigative track is "indicated" it must deliver or mail to the subject(s) and other persons named in the report, except children under the age of 18 years, a written notification within seven days of the determination in such form as required by OCFS.

Issue:
 Review of CPS History
Summary:
 There was no review of CPS history documented within one business day of receipt of the SCR report.

Legal Reference:
 18 NYCRR 432.2(b)(3)(i)

Action:
 Within one business day, OCDSS will review SCR records pertaining to all prior reports involving members of the family, including legally sealed unfounded reports where the current report involves a subject of the unfounded report, a child named in the unfounded report or a child's sibling named in the unfounded report. The history check should be documented in progress notes accordingly.



Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/15/2019	Sibling, Female, 11 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 3 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 7 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 13 Years	Stepmother, Female, 38 Years	Educational Neglect	Unsubstantiated	
	Sibling, Female, 13 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 13 Years	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 3 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 3 Years	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 1 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 13 Years	Father, Male, 46 Years	Educational Neglect	Substantiated	
	Sibling, Female, 13 Years	Father, Male, 46 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 13 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 11 Years	Stepmother, Female, 38 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Stepmother, Female, 38 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 3 Years	Stepmother, Female, 38 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 11 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 11 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
Sibling, Male, 3 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated		
Sibling, Male, 3 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated		



Sibling, Female, 1 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 7 Years	Father, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 7 Years	Father, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 7 Years	Stepmother, Female, 38 Years	Inadequate Guardianship	Unsubstantiated

Report Summary:

An SCR report alleged that the 13yo sibling had missed 10 days of school and was failing as a result. The sibling had a history of being absent. Last year, the sibling missed 58 days of school and she failed the grade she was in. The mother of the sibling and the father were aware and failed to address the issue. As a result, the situation was on going. The father was abusing unknown substances in the home and was impaired while being the sole caretaker of the sibling. The sibling was able to smell the drugs in the home. It was unknown if she had access to the drugs or had sustained any injuries.

Report Determination: Indicated **Date of Determination:** 04/29/2020

Basis for Determination:

OCDSS found there to be sufficient evidence to substantiate the allegations of IG, EdN and PD/AM against the father regarding the 13yo sibling. OCDSS determined the father was aware of the sibling's absenteeism and failed to address it. In addition, OCDSS believed the father's drug use was a contributing factor to the sibling's missed schooling based on information gathered during the investigation. OCDSS filed a neglect petition as a result.

OCFS Review Results:

OCDSS received several subsequent reports during the investigation and documented efforts to speak to the sources and collaterals to gather information. Notification of existence letters were sent to all the adults within the required time frame. There were several notes entered 30 days after their event date. It was not documented that notice of indication letters were sent. There were safety concerns expressed regarding the mother, which were not addressed until several months after they were revealed. The father of the 2yo sibling was not interviewed or noticed of the report in writing.

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

Issue:

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

Summary:

On 11/25/19, the 13yo sibling was interviewed and disclosed concerns of substance abuse by the mother and father, who were believed to be caring for the other siblings. There was no contact made with the father until 12/18/20 and with the mother until 4/17/20 to assess the safety of the other siblings and address the concerns enumerated during the interview.

Legal Reference:

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

Action:

In addition to conditions enumerated in a report, CPS is required to determine any other condition that may constitute abuse or maltreatment. OCDSS will address new concerns as they arise with all applicable caregivers, in an effort to determine whether the action(s)/inaction(s) constitute as abuse or maltreatment.

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

There were several progress notes entered more than 30 days after their event date.

Legal Reference:



18 NYCRR 428.5

Action:

Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

Issue:

Failure to Provide Notice of Indication

Summary:

It was not documented in the case record that the adults were provided with notice of the determination in writing.

Legal Reference:

18 NYCRR 432.2(f)(3)(xi)

Action:

If the local district determines a report assigned to the investigative track is "indicated" it must deliver or mail to the subject(s) and other persons named in the report, except children under the age of 18 years, a written notification within seven days of the determination in such form as required by OCFS.

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The mother provided the name of the then 1yo sibling's father; however, it was not reflected in the case record that there were attempts made to locate and interview him.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCSS will make efforts to make face-to-face contact with a child and/or a child's parents or guardians and document efforts that were unsuccessful.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
07/08/2019	Sibling, Male, 5 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 3 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	

Report Summary:

An SCR report alleged that the then 3yo and 5yo siblings visited the mother on the weekends. When the 3yo returned from the visits, her behaviors changed and she regressed in her toilet training. On 7/7/19, the 3yo returned from a visit with the mother and her genitalia was irritated and swollen. The 5yo returned from the visit and simulated oral sex on one of his toys.

Report Determination: Unfounded

Date of Determination: 09/05/2019

Basis for Determination:

OCSS determined that the siblings were exposed to sex offenders in the paternal and maternal family. The parents denied those relatives provided care for the siblings. OCSS reported the sibling's father took them for medical exams, which revealed no concerns for sexual abuse.

OCFS Review Results:

OCSS contacted the source, completed a CPS history check and assessed for safety of the siblings within 24 hours of receipt of the SCR report. The notes, assessments and the investigation were completed within required time frames. Appropriate referrals were made for the family. Although there was face-to-face contact with the siblings, the record did not reflect that there were efforts made to interview them. It was not documented that the interviews with the adults



included questions about the allegation regarding the 5yo SS. The MO reported mental health concerns; however, this was not reflected in the RAP. The household members in the MO's residence were not added to the investigation.

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

Issue:

Adequacy of Risk Assessment Profile (RAP)

Summary:

The mother reported concerns with her mental health; however, this was not reflected in the RAP.

Legal Reference:

18 NYCRR 432.2(d)

Action:

OCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile.

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

Although there was face-to-face contact with the children, it was not documented that there were efforts made to interview them.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

The victim child(ren) and every other child in the household should be interviewed prior to closing the investigation.

Issue:

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

Summary:

The case was pre-determined to the assessment of the allegation of IG regarding the 5yo sibling. The children and adults were not questioned about the allegation. There were no documented efforts at gathering relevant collateral information that may have provided further information.

Legal Reference:

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

Action:

OCDSS will make an adequate assessment of the nature, extent and cause of any condition which may constitute abuse or maltreatment, whether contained in the original SCR report or discovered during the open investigation.

Issue:

Contact/Information From Reporting/Collateral Source

Summary:

The father signed a consent for OCDSS to gather information from the hospital regarding the children; however, the case record did not reflect efforts made to obtain any records.

Legal Reference:

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

Action:

OCDSS will obtain information from collateral contacts who may have information relevant to the allegations in the report and to the safety of the children.



Child Fatality Report

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
11/26/2018	Sibling, Female, 12 Years	Stepmother, Female, 37 Years	Excessive Corporal Punishment	Unsubstantiated	Yes
	Sibling, Female, 12 Years	Stepmother, Female, 37 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 10 Years	Stepmother, Female, 37 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 10 Years	Stepmother, Female, 37 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Stepmother, Female, 37 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 6 Years	Stepmother, Female, 37 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 2 Years	Stepmother, Female, 37 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Male, 2 Years	Stepmother, Female, 37 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 2 Years	Stepmother, Female, 37 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 2 Years	Stepmother, Female, 37 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 12 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 12 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 10 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 10 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 6 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 2 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Male, 2 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 2 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Excessive Corporal Punishment	Unsubstantiated	
	Sibling, Female, 2 Years	Other Adult - Stepmother's paramour, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	

Report Summary:
 The siblings' mother was aware that her paramour was not allowed to be in the home because an order of protection was put in place due to domestic violence and excessive corporal punishment. The siblings' mother allowed her paramour to



move back into the home. When he returned he took away the 1yo twins' bottles and diapers and slapped them when they had accidents. When the father came to the home to visit, the then 11yo sibling informed her father that the paramour was back in the home and the siblings' mother intervened and grabbed the 11yo by the back of her head, dragged her into another room and hit her.

Report Determination: Unfounded

Date of Determination: 03/11/2019

Basis for Determination:

OCDSS interviewed the subjects, children in the home, and other collaterals and determined there was no credible evidence to support the allegations.

OCFS Review Results:

OCDSS completed several home visits and face-to-face contacts and assessed for the safety of the children throughout the investigation. There was supervisory consultation present in the case record. OCDSS initiated the referrals of some services; however, the PS may have benefited from an addictions counseling evaluation and a referral was not made. Several of the case notes were not entered contemporaneously with their event date. NOE letters and the CPS history check were not completed within required time frames. It was learned that the siblings were present for a domestic incident and there were no records obtained from LE that may have contributed to the case determination.

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

Issue:

Contact/Information From Reporting/Collateral Source

Summary:

It was learned during the investigation that the siblings' mother's paramour assaulted her while he was intoxicated. It was not documented that there were efforts made to gather additional information about this incident from collateral sources, such as LE.

Legal Reference:

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

Action:

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

Issue:

Failure to provide notice of report

Summary:

The notification of existence letters were provided approximately 10 weeks after the receipt of the SCR report.

Legal Reference:

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

Action:

OCDSS 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.

Issue:

Failure to offer services

Summary:

It was learned during the investigation that the parent substitute physically assaulted the siblings' mother. There was a concern he was intoxicated when this occurred and it was not documented that he was referred for an addictions counseling evaluation.

Legal Reference:

SSL §424(10);18 NYCRR 432.3(p)

Action:



Based on the investigation and evaluation conducted, OCDSS will offer to the family such services for its acceptance or refusal as appear appropriate for a child, family, or both.

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

Approximately 20 of the progress notes were entered into Connections more than 30 days after their event date.

Legal Reference:

18 NYCRR 428.5

Action:

Progress notes must be made as contemporaneously as possible with the occurrence of the event or the receipt of the information which is to be recorded.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/04/2018	Sibling, Male, 4 Years	Mother's Partner, Male, 24 Years	Inadequate Guardianship	Substantiated	Yes
	Sibling, Female, 2 Years	Mother's Partner, Male, 24 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 7 Months	Mother's Partner, Male, 24 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 24 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 24 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 7 Months	Mother, Female, 24 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 7 Months	Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated	

Report Summary:

An SCR reported alleged that the mother used the drug molly in the home and allowed her friends to use drugs around the then 2yo and 4yo siblings. There were used needles found in the garbage. There was a physical altercation between the mother and her boyfriend in the presence of the children. The 2yo became violent and punched holes in the wall.

Report Determination: Indicated

Date of Determination: 02/27/2019

Basis for Determination:

OCDSS found there to be some credible evidence to substantiate the allegations. Interviews were completed with the mother and parent substitute and they admitted to drug use and a domestic incident in the presence of the children.

OCFS Review Results:

OCDSS documented a CPS history check and mailed NOE letters within required time frames. The interviews with the SM and PS were thorough. Safe sleep guidelines were reviewed with the SM and several collateral contacts were made. OCDSS offered some services throughout the investigation. The case was indicated and closed; however, the risk rating was high and the family may have benefited from an explanation of on going services for their acceptance or refusal. The



investigation conclusion indicated that the family did not want services and identified the MGM as a protective factor, but this was not reflected in the case record. There were no efforts documented to interview one of the fathers.

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

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

There were concerns regarding the mother's substance abuse and failure to complete an evaluation during the investigation. There were no notes documented between 10/24/18-11/29/18 and 12/7/18-1/7/19 to assess the safety of the SS and monitor the concerns. The MGM was identified as a protecting factor; however, it was not reflected in the record that this was discussed with her.

Legal Reference:

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

Action:

OCDSS will document all applicable actions and considerations with respect to safety planning, including but not limited to: including all family members when devising the plan; adequately monitoring the plan; and, consulting the legal department if there is reason to believe the safety plan may not be sufficient to protect the child(ren).

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The mother identified the father of the 7-month-old sibling and OCDSS located him during the investigation. It was not documented that the father was noticed of the report or there were attempts made to interview him.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCDSS will make efforts to make face-to-face contact with a child and/or a child's parents or guardians and document efforts that were unsuccessful.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
04/22/2018	Sibling, Female, 11 Years	Stepmother, Female, 36 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 11 Years	Stepmother, Female, 36 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 11 Years	Stepmother, Female, 36 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 10 Years	Stepmother, Female, 36 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 10 Years	Stepmother, Female, 36 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 10 Years	Stepmother, Female, 36 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 5 Years	Stepmother, Female, 36 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 5 Years	Stepmother, Female, 36 Years	Lack of Supervision	Unsubstantiated	



Sibling, Female, 5 Years	Stepmother, Female, 36 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 1 Years	Stepmother, Female, 36 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 1 Years	Stepmother, Female, 36 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 1 Years	Stepmother, Female, 36 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 1 Years	Stepmother, Female, 36 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Years	Stepmother, Female, 36 Years	Lack of Supervision	Unsubstantiated

Report Summary:

An SCR report alleged that the BM of the then 11yo, 9yo 5yo and 1yo twin siblings used cocaine, marijuana, suboxone, hydrocodone, xanax and clonopine to the point of impairment while caring for the children. The BM was unable to provide a minimal degree of supervision and care for the children when impaired. The BM frequently left the siblings alone and unsupervised in the home for several hours at a time. The BM would leave the home and delegated much of the parental responsibility to the then 11yo sibling . The then 11yo sibling was not mature and responsible enough to care for herself and the minor siblings.

Report Determination: Unfounded**Date of Determination:** 12/06/2018**Basis for Determination:**

OCDSS interviewed the siblings, parents and other collaterals and found no credible evidence to support the allegations made in the report. All denied that the mother had been leaving the siblings unsupervised. There were no concerns of drug use disclosed or observed.

OCFS Review Results:

OCDSS completed a CPS history check and entered notes contemporaneously with their event date. There were safety concerns documented at case closure and this was not accurately reflected in the assessment tool. The Risk Assessment Profile did not reflect case circumstances. The NOE letters were not mailed within the required time frame. The case remained open between 6/13/18 and 10/15/18; however, the record did not reflect any action taken on the case and no ongoing assessment of safety.

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

Issue:

Adequacy of Risk Assessment Profile (RAP)

Summary:

There was a domestic incident that occurred involving the mother of the siblings and her partner, which was not reflected in the RAP.

Legal Reference:

18 NYCRR 432.2(d)

Action:

OCDSS will consider all risk elements identified throughout the course of the investigation and accurately document such elements into the Risk Assessment Profile.

Issue:

Failure to provide notice of report

Summary:

OCDSS provided NOE letters more than 2 weeks after the receipt of the SCR report.

Legal Reference:



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

Action:

OCDSS 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.

Issue:

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

Summary:

The siblings reported that their mother would become intoxicated and it was not documented that OCDSS assessed for a sober caretaker during those instances. In addition there was a domestic incident with the mother's paramour which resulted in an OP, and the record did not reflect a conversation with the siblings' mother regarding the safety of the children in relation to the domestic violence.

Legal Reference:

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

Action:

In addition to conditions enumerated in a report, CPS is required to determine any other condition that may constitute abuse or maltreatment. OCDSS will address new concerns as they arise with all applicable caregivers, in an effort to determine whether the action(s)/inaction(s) constitute as abuse or maltreatment.

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

Between 2006 and 2017, the mother of the now 13yo, 12yo, 7yo and 3yo twin siblings had 12 CPS investigations and 2 CPS FAR cases. There were 5 indicated reports with substantiated allegations of IG and PD/AM. There were 7 unfounded reports with unsubstantiated allegations of IG, PD/AM, LMC, L/B/W, FX and EdN. Allegations were regarding the 13yo, 12yo and 7yo siblings.

Between 2006 and 2017, the father had 7 CPS investigations. There were 3 indicated reports with substantiated allegations of IG, PD/AM and 4 unfounded reports with unsubstantiated allegations included IG, PD/AM, LMC, L/B/W, FX and EdN. Allegations were regarding the 13yo, 12yo and 7yo siblings.

Between 1995 and 2017, the grandmother had 7 CPS investigations. There was 1 indicated report which included allegations of IG, LS and SA and 6 unfounded reports which included unsubstantiated allegations of IG, LS, L/B/W, PD/AM and IF/C/S. Allegations were regarding the mother, an unrelated child, the grandmother's now adult children, the now 4yo sibling and 6yo sibling.

The mother had 1 unfounded CPS investigation with unsubstantiated allegations of IG and LS regarding the now 4yo and 6yo sibling.

Between 2011 and 2012, the step-grandfather had 4 CPS investigations. There was 1 indicated report with a substantiated allegation of IG and 2 unfounded reports with unsubstantiated allegations of OTH/COI. Allegations were regarding unrelated children.

Known CPS History Outside of NYS

There was no known CPS History outside of NYS.

Preventive Services History



In 2008, OCDSS filed a neglect against the father and the mother of the 13yo sibling due to concerns of drug use and sales in the home. They were court ordered services which included addictions counseling. The father and mother of the 13yo successfully completed treatment. Once their court order ended they closed their Preventive Services case.

On 3/19/20, OCDSS filed a neglect petition against the father related to the 13yo sibling. The father and 13yo did not reside in the same household as the subject child. The sibling was not regularly attending school and her mental health needs went unmet. In addition, there were concerns about the father's drug use. The father was opened to mandatory Preventive Services and the case was open at the time of the fatality.

Legal History Within Three Years Prior to the Fatality

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

Additional Local District Comments

Thank you for acknowledging the fatality was done complete and properly. Given caseloads, staffing issues and the present worldwide pandemic, we will do our best going forward. Of note is that the compliance issues did not contribute to the fatality.

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