



Report Identification Number: SY-23-021

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

Issue Date: Oct 05, 2023

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 had an open investigation or a CPS monitored services 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	DA-District Attorney	
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	SXTF-Sex Trafficking
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: 2 year(s)

Jurisdiction: Onondaga
Gender: Female

Date of Death: 04/23/2023
Initial Date OCFS Notified: 04/23/2023

Presenting Information

On 4/23/2023, Onondaga County Department of Children and Family Services (OCDCFS) received an SCR report alleging the mother and father found the 2-year-old subject child unresponsive and facedown in her crib with frothy fluid coming from her mouth and nose. The parents called 911 at 8:31 AM and the father attempted cardiopulmonary resuscitation until the arrival of emergency medical responders. First responders arrived, attempted lifesaving measures at the home, and provided advanced care while transporting the subject child to the hospital. The subject child was pronounced deceased at the hospital. The parents were unable to provide an explanation for the subject child's death.

Executive Summary

This report concerns the death of the 2-year-old subject child which occurred on 4/23/2023. At the time of her death, the subject child resided with her mother, father and siblings aged 12, 9, 7, 6, 5, and 4 years-old and 11-months-old who were assessed to be safe in the care of the parents. There were 3 paternal half-siblings who resided outside of the home with their mother. Those other children were not seen, and their safety was not assessed.

On 4/21/2023, the subject child had a runny nose and was refusing to eat solid food. On 4/22/2023, the subject child developed a low fever, and the mother gave the child a dose of Tylenol at 11:00 AM. The subject child was acting normal and appeared to be well by the time she was placed to sleep in her bed at 8:30 PM. Neither the mother nor father checked on the subject child overnight. On the morning of 4/23/2023, the father found the subject child lying on her back with her head and shoulders hanging off the bed. The father called out to the mother and attempted to pick up the subject child when he noticed she was stiff and cold and had a white substance by her nose. The mother contacted 911 and the father performed CPR at the direction of the operator.

Emergency services responded to the home and took over life-saving efforts. The subject child was transported to the hospital via ambulance. Upon her arrival at the hospital, medical staff noted the subject child's pupils were fixed and dilated and she presented with signs of rigor mortis. The subject child's physical examination showed an abrasion around the right eye and petechial hemorrhaging around both eyes. Hospital records noted the subject child's initial presentation was consistent with asphyxiation.

An autopsy was completed, and the medical examiner provided OCDCFS with a preliminary autopsy report. The preliminary report noted the subject child was observed to have scattered superficial injuries to her head in various stages of healing. The internal examination noted the subject child had large blood clots in both lungs and pneumonia in her right lung. A viral swab was positive for parainfluenza. The preliminary report further noted the subject child had a medical history of global developmental delay, constant projectile vomiting, failure-to-thrive, and strokes. The final autopsy report and death certificate were not yet available, and the medical examiner was awaiting the results of toxicology, histology, microbiology, and neuropathology testing.

The case record did not reflect if there was an ongoing law enforcement investigation regarding the death and there was no documented contact with law enforcement after 4/24/2023.

A subsequent SCR report was received on 5/1/2023 and alleged the mother was physically violent towards the 7-year-old sibling. The subsequent report was merged into the fatality investigation.



At the time this report was written, the fatality investigation remained open and there had not yet been a determination of the report allegations. The case record reflected issues with casework practice as there was no documented contact or attempted contact with the fathers of the 12 and 9-year-old surviving siblings, no contact with or assessment of safety for the paternal half-siblings, and the allegations of the subsequent report had not been addressed with the mother or multiple siblings.

Fatality related services were offered to the family on multiple occasions. As of the writing of this report, the parents were unsure if the family would utilize any such services.

PIP Requirement

OCDCFS will submit a PIP to the Syracuse Regional Office within 30 days of receipt of this report. The PIP will identify actions OCDCFS has taken, or will take, to address the cited issues. For issues where a PIP is currently implemented, OCDCFS 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 written.
- **Was the determination made by the district to unfound or indicate appropriate?** N/A

Explain:

The CPS investigation remained opened at the time this report was written. As such, the closing safety assessment was not yet completed and there was no determination of the allegations.

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

Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements? No

Was there sufficient documentation of supervisory consultation? Yes, the case record has detail of the consultation.

Explain:

The record reflected the parents were not questioned regarding pertinent safety and risk concerns and the father was not



questioned regarding the circumstances of the fatality. The subsequent SCR report was merged into the initial fatality report; however, the allegations and identified concerns were not adequately addressed.

Required Actions Related to the Fatality

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:	The father was not questioned regarding the circumstances of the fatality. The mother and father were not notified or interviewed regarding the subsequent report. The fathers of the 11 and 12-year-old siblings were not interviewed.
Legal Reference:	18 NYCRR 432.1 (o)
Action:	OCDCFS will make casework contacts per 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.
Issue:	Pre-Determination/Assessment of Current Safety/Risk
Summary:	The subsequently reported allegations were addressed with the 9, 7, and 5-year-old siblings only. Furthermore, the record reflected no contact with or assessment of safety for the paternal half-siblings who were known to have contact with the father.
Legal Reference:	18 NYCRR 432.2 (b)(3)(iii)(b)
Action:	OCDCFS will incorporate key safety-related questions as they pertain to case circumstances. The victim children and every other child in the household should be interviewed prior to closing the investigation.

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 04/23/2023

Time of Death: Unknown

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

Unknown

County where fatality incident occurred:

Onondaga

Was 911 or local emergency number called?

Yes

Time of Call:

08:31 AM

Did EMS respond to the scene?

Yes

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

Unknown

Child's activity at time of incident:

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

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	2 Year(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	35 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	28 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	6 Year(s)
Deceased Child's Household	Sibling	No Role	Male	12 Year(s)
Deceased Child's Household	Sibling	No Role	Male	9 Year(s)
Deceased Child's Household	Sibling	No Role	Male	7 Year(s)
Deceased Child's Household	Sibling	No Role	Female	5 Year(s)
Deceased Child's Household	Sibling	No Role	Female	4 Year(s)
Deceased Child's Household	Sibling	No Role	Female	11 Month(s)
Other Household 1	Other Adult - Father of the 12-year-old sibling	No Role	Male	30 Year(s)
Other Household 2	Other Adult - Father of the 9-year-old sibling	No Role	Male	47 Year(s)

LDSS Response

OCDCFS initiated their investigation immediately upon receipt of the fatality report on 4/23/2023. OCDCFS made face-to-face contact with the mother, father, and 7 surviving siblings on 4/23/2023 and assessed the siblings to be safe at that time. Information was gathered from appropriate collateral sources including law enforcement, first responders, hospital staff, and the medical examiner.

On 4/23/2023, the mother was interviewed at the family's home and stated the subject child had a runny nose and fever in the days leading to her death. The subject child had long-term issues eating and digesting food and had recently refused to eat solid food. The mother contacted the subject child's pediatrician and an appointment was scheduled for 4/24/2023. The mother reported that on the evening of 4/22/2023, the subject child was acting like her normal self and appeared well when the father placed her to sleep on her bed around 8:30 PM. The mother reported she would usually wake 2-3 times per night and check on the children, but she did not do so that night. The mother stated she was in another room on the morning of 4/23/2023 when the father called out to her to tell her that the subject child was sleeping in a strange position, with her head and arms hanging off the side of the bed. The mother stated the father then picked the subject child up and found her to be cold and stiff with a white substance around her nose. The father told the mother to call 911, and she did so. The record did not reflect the mother was asked further questions regarding the events of 4/23/2023. The record reflected pertinent safety and risk questions were not addressed with the mother as she did not have privacy during the initial home visit; however, those questions were not asked of the mother at any later time.

The record reflected the father was present during the interview with the mother; however, the record did not reflect any questions were posed to or answered by the father pertaining to the events of 4/23/2023, or the death of the subject child.

OCDCFS met with and interviewed the surviving siblings on 4/23/2023. At that time, the siblings were staying at the homes of 3 different family members and were assessed to be safe in those homes. The children of age to be interviewed reported the subject child and multiple siblings had been ill in the days prior to the death; however, reported no specific



concerns for the subject child or their care with the parents.

The record reflected there were 3 paternal half-siblings who resided with their mother; however, as of the writing of this report there was no documented contact, attempted contact, or assessment of safety regarding the half-siblings.

Upon receipt of the subsequent SCR report on 5/1/2023, OCDSS interviewed the 9, 7, and 6-year-old siblings at school. The 6-year-old sibling reported physical violence from her mother towards herself and the 4-year-old sibling. After receipt of the subsequent report and the interviews of the 9, 7, and 6-year-old children; contact with the mother, father, and remaining children was not made until 5/22/2023. The record did not reflect the subsequent SCR report or the disclosures of the 6-year-old sibling were discussed with any other family member.

During a follow-up home visit on 7/3/2023, OCDCFS learned the mother gave birth to a new baby. The new baby was assessed to be safe at that time. OCDCFS observed proper sleeping arrangements for the new baby and addressed safe sleep practices with the 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 referred to an OCFS approved Child Fatality Review Team? Yes

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
064897 - Deceased Child, Female, 2 Year(s)	064898 - Mother, Female, 28 Year(s)	Inadequate Guardianship	Pending
064897 - Deceased Child, Female, 2 Year(s)	064898 - Mother, Female, 28 Year(s)	DOA / Fatality	Pending
064897 - Deceased Child, Female, 2 Year(s)	064899 - Father, Male, 35 Year(s)	DOA / Fatality	Pending
064897 - Deceased Child, Female, 2 Year(s)	064899 - Father, Male, 35 Year(s)	Inadequate Guardianship	Pending
064903 - Sibling, Female, 6 Year(s)	064898 - Mother, Female, 28 Year(s)	Choking / Twisting / Shaking	Pending
064903 - Sibling, Female, 6 Year(s)	064898 - Mother, Female, 28 Year(s)	Excessive Corporal Punishment	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

When safety factors were present that placed the surviving siblings/other children in the household in impending or immediate danger of serious harm, were the safety interventions, including parent/caretaker actions adequate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Explain:
The subsequent SCR report received on 5/1/2023 had not been adequately addressed at 30 days. In addition, the safety of the 3 half-siblings had not been assessed.

Fatality Risk Assessment / Risk Assessment Profile

	Yes	No	N/A	Unable to Determine
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Child Fatality Report

Was the risk assessment/RAP adequate in this case?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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:
 Pertinent safety and risk questions were not addressed with the father. Concerns were disclosed during interviews pursuant to the 5/1/2023 subsequent SCR report; however, those concerns were not adequately addressed.

Placement Activities in Response to the Fatality Investigation

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

Legal Activity Related to the Fatality

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

Have any Orders of Protection been issued? No

Services Provided to the Family in Response to the Fatality

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



Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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? No

Explain:
 OCDCFS offered and discussed services with the parents in response to the fatality. At the time this report was written, the parents had not yet decided if they would pursue services for the surviving siblings.

Were services provided to parent(s) and other care givers to address any immediate needs related to the fatality? No

Explain:
 OCDCFS offered and discussed services with the parents in response to the fatality. At the time this report was written, the parents had not yet decided if they would pursue services for themselves.

History Prior to the Fatality

Child Information

Did the child have a history of alleged child abuse/maltreatment? Yes
 Was the child acutely ill during the two weeks before death? Yes

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)
03/10/2023	Sibling, Female, 6 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	Yes
	Sibling, Female, 6 Years	Mother, Female, 28 Years	Lacerations / Bruises / Welts	Substantiated	
	Sibling, Female, 6 Years	Father, Male, 30 Years	Inadequate Guardianship	Substantiated	



Years			
Sibling, Female, 6 Years	Father, Male, 30 Years	Lacerations / Bruises / Welts	Substantiated
Sibling, Female, 6 Years	Father, Male, 30 Years	Excessive Corporal Punishment	Substantiated

Report Summary:

An SCR report alleged the father struck the 6-year-old sibling with a belt because she had an accident and urinated on herself. The sibling sustained a bruise to her right wrist as a result.

Report Determination: Indicated**Date of Determination:** 03/27/2023**Basis for Determination:**

The 6-year-old sibling disclosed she was struck with a belt by her mother and father when she urinated on herself and was late for school. The 6-year-old sibling further disclosed the mother and father instructed the other siblings to strike her with a belt. The 7-year-old sibling corroborated the 6-year-old sibling's disclosures. The 6-year-old sibling was observed with a bruise to her wrist. The Investigation Conclusion Narrative noted a preponderance of evidence was found to substantiate the allegations. Services were offered to and declined by the parents and the case was closed.

OCFS Review Results:

The case record did not reflect interviews or attempted interviews with the 12-year-old sibling and the 4-year-old sibling. The fathers of the 12 and 9-year-old siblings were not contacted. There was not an adequate assessment of safety or risk as the parents and children were not questioned regarding alcohol or substance use, domestic violence, or supervision. The Risk Assessment Profile was scored incorrectly as the father was not added as a secondary caretaker nor did the profile account for the parent's history of domestic violence and mental health diagnoses. There was a 5-year-old twin sibling listed on the person list who did not exist.

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:

The fathers of the 12 and 9-year-old siblings were not added to the case composition and were not contacted, notified, or interviewed regarding the report.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCDCFS will make casework contacts per 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.

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

The investigation was pre-determined regarding safety and risk. The record did not reflect the parents or children were questioned regarding substance use or misuse, supervision, or domestic violence despite a history of those concerns.

Legal Reference:

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

Action:

OCDCFS 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:



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

Summary:

The case was pre-determined to the assessment of the allegations. The 12-year-old sibling and 4-year-old sibling were not interviewed or questioned regarding the reported allegations.

Legal Reference:

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

Action:

OCDCFS will fully explore the extent of what is alleged as it pertains to the safety and risk to the allegedly maltreated child.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
12/22/2022	Sibling, Male, 7 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated	Yes

Report Summary:

An SCR report alleged the father and mother were arguing when the 7-year-old sibling attempted to intervene. The father slammed the sibling to the ground and, as a result, the sibling sustained pain to his head.

Report Determination: Unfounded

Date of Determination: 02/03/2023

Basis for Determination:

When interviewed, the 7-year-old sibling made no disclosure of any physical violence from the father and denied he was injured in any way. OCDCFS observed the sibling to be free of suspicious marks, bruise, or injuries. The reported allegation of Inadequate Guardianship was unsubstantiated.

OCFS Review Results:

The record reflected four of the siblings, including the 7-year-old sibling that was allegedly harmed, were interviewed together in the presence of the mother and were questioned only regarding the reported allegations. The record did not reflect any interviews or attempted interviews with the father, the 12-year-old sibling, or the 5-year-old sibling. The Risk Assessment Profile was inadequate as it did not include the father as a secondary caretaker nor did it reflect known and concerning information related to the family's history. There was a 5-year-old twin sibling listed on the person list who did not exist.

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

Issue:

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

Summary:

The record reflected OCDCFS met with the father face-to-face during the final home visit; however, the record did not reflect the father was interviewed or questioned regarding the reported allegations nor was he questioned regarding safety and risk.

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 named in the report. Such interviews or reasons why an interview was not possible should be documented in progress notes.

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

The case was predetermined to the assessment of safety and risk. The record did not reflect attempts made to interview



multiple siblings residing in the home. Furthermore, the siblings that were interviewed, were interviewed together and about the allegations only.

Legal Reference:

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

Action:

OCDCFS 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.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
12/13/2022	Other Child - paternal half-sibling, Female, 5 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	No
	Other Child - paternal half-sibling, Female, 5 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - paternal half-sibling, Female, 5 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Lack of Supervision	Unsubstantiated	
	Other Child - paternal half-sibling, Female, 5 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 4 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 4 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 4 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Lack of Supervision	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 4 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 2 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 2 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 2 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Lack of Supervision	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 2 Years	Other Adult - Mother of the paternal half-siblings, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	



Report Summary:

An SCR report alleged the other mother was depressed and suicidal and unable to care for the paternal half-siblings. The other mother was using alcohol and illegal substances to impairment while caring for the half-siblings and had threatened to harm herself while caring for the half-siblings. The other mother would pass out while under the influence, leaving the half-siblings locked in a room and unsupervised. The family's home was in deplorable conditions with overflowing toilets, food on the floor, flies, and holes in the wall.

Report Determination: Unfounded

Date of Determination: 01/06/2023

Basis for Determination:

The Investigation Conclusion Narrative noted the other mother and the 5-year-old half-sibling were interviewed and denied the allegations regarding alcohol or substance misuse and lack of supervision. The 5-year-old half-sibling reported she and her younger sibling were locked in a room; however, also reported her younger siblings could open the door to leave the room. The family's home was observed to meet a minimal standard of care for the half-siblings. All allegations were unsubstantiated. The other mother was offered preventive services but declined those services.

OCFS Review Results:

OCDCFS initiated a timely investigation and made multiple home visits and attempted home visits to assess the safety of the half-siblings. OCDCFS interviewed appropriate persons and gathered information from relevant collaterals in order to determine the allegations. Appropriate services were offered to the family but were declined by the other mother.

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)
10/16/2022	Sibling, Male, 11 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Male, 11 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 11 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 8 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 8 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 8 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 5 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 5 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 5 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	



Sibling, Female, 4 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 2 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Deceased Child, Female, 2 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 2 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 5 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 5 Years	Mother, Female, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 5 Years	Mother, Female, 28 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 11 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 11 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 11 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 8 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 8 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 7 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 7 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 7 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated

Sibling, Female, 5 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

Report Summary:

An SCR report alleged concerns for lack of supervision, physical altercations between the mother and father in the presence of the children, inappropriate sexual behavior between the parents in the presence of children leading to sexually reactive behaviors from the then 8-year-old sibling towards the other siblings, and substance misuse for the mother and father in the presence of the children. A subsequent SCR report received on 10/24/2022 alleged the mother punched the 8-year-old sibling in his head causing his head to hit the car door.

Report Determination: Unfounded

Date of Determination: 11/29/2022

Basis for Determination:

The Investigation Conclusion Narrative noted the allegations of Inadequate Guardianship, Inadequate Food/Clothing/Shelter, and Parent's Drug/Alcohol Misuse were unsubstantiated against the parents regarding all of the children. It was noted the parents denied there were any physical altercations in the presence of the children and both denied substance misuse while caring for the children. The Investigation Conclusion Narrative made no reference to the allegations of inappropriate sexual behaviors in the presence of the children or the subsequently reported allegation that the mother struck the 8-year-old sibling in his head; nor did it provide any basis for determining those allegations.

OCFS Review Results:

The record did not reflect the allegations of inappropriate sexual behaviors were discussed with any family member. The record did not reflect any interview or attempted interview with the father. The fathers of the then 8 and 11-year-old siblings were not added to the case record, nor was there any documented attempted to contact, interview, or notify them of the report. There were missed opportunities to gather collateral information including from the children's pediatrician and from court as there was an active Order of Protection against the father. An error was made and the then 4-month-old sibling was listed as 5 years old. The Risk Assessment Profile was incomplete.



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

Issue:
Adequacy of Risk Assessment Profile (RAP)

Summary:
The Risk Assessment Profile was scored incorrectly. The father was not included as a secondary caretaker. The profile did not reflect the presence of a child under the age of 1 in the home, nor did it reflect the mother and father's history of domestic violence.

Legal Reference:
18 NYCRR 432.2(d)

Action:
OCDCFS will accurately reflect the current caretakers of children in risk assessments, and accurately assess and document each respective risk element identified into the Risk Assessment Profile.

Issue:
Appropriateness of allegation determination

Summary:
The allegation of Inadequate Guardianship was unsubstantiated against the mother regarding the incident wherein she struck the 8-year-old sibling in the head; however, the record reflected the mother was arrested for that incident and charged with Endangering the Welfare of a Child.

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

Action:
OCDCFS will refer to the CPS Program Manual when determining the appropriateness of allegations, and will consult with the Syracuse Regional Office if further guidance is needed.

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

Summary:
The record reflected no interview or attempted interview with the subject father. Furthermore, the fathers of the 8 and 11-year-old siblings were not added to the case composition, contacted, interviewed, or notified of the report.

Legal Reference:
18 NYCRR 432.1 (o)

Action:
OCDCFS 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:
Case record contains information that is relevant, useful, factual and objective

Summary:
The then 4-month-old sibling was listed on the initial report; however, her age was changed during to the course of the investigation to 5 years old. That discrepancy was not rectified prior to case closure.

Legal Reference:
18 NYCRR 428.1(a) and 18 NYCRR 428.1(b)(1)

Action:
OCDCFS records must contain information that is relevant, useful, factual and objective to best reflect accuracy throughout documentation. Such information is pertinent to investigations and the review of service needs.

Issue:
Contact/Information From Reporting/Collateral Source

Summary:



The record reflected the mother signed releases of information for the children's pediatrician and noted there was an active Order of Protection against the father; however, the record did not reflect any attempt made to gather pertinent records related to such.

Legal Reference:

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

Action:

OCDCFS 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.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
01/21/2022	Sibling, Male, 11 Years	Father, Male, 34 Years	Inadequate Guardianship	Substantiated	Yes
	Sibling, Male, 8 Years	Father, Male, 34 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Father, Male, 34 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 5 Years	Father, Male, 34 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 27 Years	Emotional Neglect	Substantiated	
	Sibling, Male, 6 Years	Father, Male, 34 Years	Emotional Neglect	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	

Report Summary:

An SCR report alleged the father had a history of physical aggression toward the mother in the presence of the then 11, 8, 6, and 5-year-old siblings. The father had choked and attempted to kill the mother in the presence of the siblings. The mother became angry and struck the then 6-year-old sibling with a belt on multiple occasions. Due to the mother and father's actions, the 6-year-old sibling suffered from suicidal ideation and had thoughts of harming himself.

Report Determination: Indicated

Date of Determination: 05/03/2022

Basis for Determination:

The Investigation Conclusion Narrative noted all allegations were substantiated. A police report noted the mother and father had a physical altercation in the presence of the children, despite an active Order of Protection in place. The then 6-year-old sibling reported witnessing the domestic violence and exhibited suicidal ideation and thoughts of self harm as a result.

OCFS Review Results:

There were multiple casework practice issues. A 7-day Safety Assessment was not completed. There was no contact or attempted contact with the source of the report. There was no documented attempt to interview the biological fathers of the 8 and 11-year-old siblings. Interviews with the mother and siblings lacked detail and questions regarding safety and risk. Multiple progress notes were entered late. The father was contacted and informed of the SCR report; however, was not interviewed or met with face-to-face. The reported allegations concerning the 6-year-old sibling's suicidal ideation were not addressed with any family member. There were no collateral contacts documented.

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

Issue:

Adequacy of Documentation of Safety Assessments

Summary:

There was no 7-day Safety Assessment documented in Connections for the 1/21/2022 investigation.

Legal Reference:

18 NYCRR432.2(b)(3)(ii)(c)&(iii)(b)

Action:

The results of each safety assessment must be documented in the case record in the form and manner required by OCFS.



In this instance, the required manner is by the completion of a 7-day safety assessment in Connections.

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

Summary:
The fathers of the then 8 and 11-year-old siblings were added to the case composition and were mailed notification letters late on 4/22/2022; however, there was no other documented attempt to locate, contact, or interview those biological fathers.

Legal Reference:
18 NYCRR 432.1 (o)

Action:
OCDCFS will make efforts to make face-to-face contact with a child and/or a child's parents or guardians.

Issue:
Contact/Information From Reporting/Collateral Source

Summary:
The record did not reflect any contact or attempt at contact with the known source of the SCR report.

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

Action:
OCDCFS will contact, or make diligent efforts to contact, the source of all SCR reports so as to verify adequacy of report and possibly glean additional information.

Issue:
Failure to Provide Notice of Indication

Summary:
Notices of Indication were not provided to the subject father or the father of the 8-year-old sibling.

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

Action:
OCDCFS will provide a Notice of Indication to all adults listed in the case composition of an indicated case.

Issue:
Pre-Determination/Assessment of Current Safety/Risk

Summary:
Interviews with the mother and siblings were lacking key safety related questions regarding supervision, domestic violence, corporal punishment, and substance misuse. The record did not reflect the concerns regarding the 8-year-old sibling's suicidal ideation were addressed with any family member or with appropriate collateral sources.

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

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

Summary:
The father was notified of the SCR report via a telephone call on 4/29/2022; however, was not questioned regarding the reported allegations or the safety and risk of the children. The record did not reflect any attempt to interview the father face-to-face.

**Legal Reference:**

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

Action:

OCDCFS will make efforts to make face-to-face contact with a child and/or a child's parents or guardians.

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

Out of 14 progress notes, 5 were entered over 30 days after their corresponding event date or contained an addendum which was added over 30-days after the corresponding 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)
10/07/2021	Sibling, Male, 10 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Male, 7 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 6 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Male, 1 Years	Mother, Female, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 27 Years	Lacerations / Bruises / Welts	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 27 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 33 Years	Lacerations / Bruises / Welts	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 33 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Male, 7 Years	Father, Male, 33 Years	Internal Injuries	Unsubstantiated	

Report Summary:

An SCR report alleged the mother was hitting and punching the then 1-year-old deceased child and the then 10, 7, 6, 4, and 3-year-old siblings with a closed fist. The 3-year-old sibling was alleged to have a large abrasion from her ear to her chest which was open and bleeding, requiring medical attention; however, the mother and father failed to seek appropriate care. A few months prior, the father was alleged to have struck the 7-year-old sibling in the face causing a nosebleed.

Report Determination: Unfounded**Date of Determination:** 02/10/2022**Basis for Determination:**



The Investigation Conclusion Narrative noted the children did not disclose any physical discipline from the mother or father and noted the mother was able to provide a medication proving the 3-year-old sibling was seen by a medical provider for a rash. The narrative noted the investigation would be continued under the 1/21/2022 investigation.

OCFS Review Results:

The case record did not reflect any contact or attempted contact with the subject father. Interviews conducted with the verbal children were not adequately documented in the case record and did not appear to address key safety and risk factors including supervision, domestic violence, or substance abuse. There was no 7-day Safety Assessment completed. The Risk Assessment Profile did not list the father as a secondary caretaker. There was no documented attempt to contact the fathers of the then 7 and 10-year-old siblings. Appropriate collateral sources were not contacted.

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

Issue:

Overall Completeness and Adequacy of Investigations

Summary:

There was limited information gathered from familial interviews. Appropriate collateral sources including the children's pediatrician and school were not contacted for the purposes of gathering information. The 7-day Safety Assessment was not completed. There was a gap in casework activity and the family was not seen or assessed between 10/8/2021 and 12/23/2021.

Legal Reference:

SSL 424.6 and 18 NYCRR 432.2(b)(3)

Action:

OCDCFS will review and adhere to regulations regarding casework practice in general. OCDCFS will make collateral and familial contacts, address all potential areas of concern with all relevant parties, and adequately monitor any on-going concerns when it is necessary to remain involved.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/31/2021	Sibling, Male, 7 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Male, 10 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 10 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 5 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 5 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	



	Years		
Sibling, Female, 3 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 2 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 7 Months	Mother, Female, 26 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 7 Months	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

Report Summary:

An SCR report alleged the mother used alcohol and other unknown substances and was the sole caretaker of the then 10, 7, 5, 4, 3, and 2-year-old siblings as well as the then 7-month-old subject child. The mother would also hit the 7-year-old sibling and withhold food from him.

Report Determination: Unfounded

Date of Determination: 06/29/2021

Basis for Determination:

The Investigation Conclusion Narrative noted the mother denied all reported allegations and appeared to be sober and appropriate during all home visits. The then 7-year-old sibling denied any physical violence towards himself or his siblings at any time. The home was observed to be appropriate with plenty of food.

OCFS Review Results:

Interviews were completed with the mother and the then 7-year-old sibling only. The record did not reflect interviews or attempted interviews with the 10, 5, or 4-year-old siblings. The father of the 7-year-old sibling was interviewed via telephone; however, there was no recorded attempt to interview or discuss the case with the other two fathers. The interviews that were completed lacked key safety related questions regarding supervision, substance use, and domestic violence. During the initial home visit, all of the children were found to be home alone; however, OCDCFS did not question the 10-year-old sibling to determine if he was an appropriate caretaker for his younger siblings.

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:

The record reflected there were no interviews or attempted interviews with the father of the then 10-year-old surviving sibling or the father of the subject child and 5, 4, 3, and 2 year old surviving siblings. The record reflected the father of the younger siblings and deceased child had regular contact with the children.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

OCDCFS will make casework contacts per 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.

Issue:

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

Summary:

The record reflected no interviews or attempted interviews were conducted with the 10, 5, and 4-year-old children.

Legal Reference:



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

Action:

OCDCFS will ensure face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report are completed as part of each Child Protective Service Investigation.

Issue:

Failure to provide safe sleep education/information

Summary:

The record did not reflect safe sleep guidelines or education were provided to the mother regarding the then 7-month-old subject child, nor was there a documented assessment of the subject child's sleep environment.

Legal Reference:

13-OCFS-ADM-02 & CPS Program Manual, Chapter 6, J-1

Action:

13-OCFS-ADM-02 notes a review and assessment of a child's sleeping environment must be documented, and immediately addressed if assessed to be unsafe. In all CPS investigations with an infant in the home, caregivers must be provided with safe sleep information.

Issue:

Pre-Determination/Assessment of Current Safety/Risk

Summary:

During the first home visit, a concern was documented that the mother left all of the children home alone in the care of the 10-year-old sibling. Only one of the surviving siblings was interviewed and that interview did not include any questions pertaining to supervision.

Legal Reference:

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

Action:

OCDCFS 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.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/28/2020	Other Child - paternal half-sibling, Female, 3 Years	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	No
	Other Child - paternal half-sibling, Female, 3 Years	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Lack of Supervision	Unsubstantiated	
	Other Child - paternal half-sibling, Female, 3 Years	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 1 Years	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - paternal half-sibling, Male, 1 Years	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Lack of Supervision	Unsubstantiated	
	Other Child - paternal	Other Adult - mother of the	Parents Drug /	Unsubstantiated	



half-sibling, Male, 1 Years	paternal half-siblings, Female, 26 Years	Alcohol Misuse	
Other Child - paternal half-sibling, Female, 3 Months	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Inadequate Guardianship	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Months	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Lack of Supervision	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Months	Other Adult - mother of the paternal half-siblings, Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Years	Father, Male, 32 Years	Lack of Supervision	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Years	Father, Male, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - paternal half-sibling, Male, 1 Years	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated
Other Child - paternal half-sibling, Male, 1 Years	Father, Male, 32 Years	Lack of Supervision	Unsubstantiated
Other Child - paternal half-sibling, Male, 1 Years	Father, Male, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Months	Father, Male, 32 Years	Inadequate Guardianship	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Months	Father, Male, 32 Years	Lack of Supervision	Unsubstantiated
Other Child - paternal half-sibling, Female, 3 Months	Father, Male, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

Report Summary:

An SCR report alleged the father and the mother of the paternal half-siblings misused alcohol and illegal substances while caring for the then 3-year-old, 1-year-old, and 3-month-old paternal half-siblings. The parents would become aggressive when under the influence of substances and engage in verbal and physical altercations with each other and other adults in the presence of the half-siblings. The parents would strike the children with belts, shoes, and their hands. The children were left home for up to 30 minutes unsupervised.

Report Determination: Unfounded

Date of Determination: 12/30/2020

Basis for Determination:

The Investigation Determination Summary noted the father and the mother of the paternal half-siblings were interviewed and denied all allegations. The parents were observed to be sober and appropriate during all home visits and the children appeared to be well cared for. Collateral contacts reported no immediate concerns for the half-siblings. Services were offered to the family but were declined.



OCFS Review Results:

OCDCFS conducted an investigation which met regulatory standards. Home visits and interviews were conducted timely and all appropriate persons were met with face-to-face. Contact with pertinent collateral sources was made to gather information regarding the family. Safety and risk was assessed as appropriate and services were offered but declined by the family.

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)
10/26/2020	Sibling, Male, 10 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Male, 10 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Male, 5 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 5 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Deceased Child, Male, 1 Months	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Male, 1 Months	Mother, Female, 26 Years	Lack of Supervision	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Lacerations / Bruises / Welts	Unsubstantiated	
Sibling, Female, 1 Years	Mother, Female, 26 Years	Lacerations / Bruises / Welts	Unsubstantiated		

Report Summary:

Jefferson County Department of Social Services (JCDSS) received an SCR report that alleged the mother was leaving the then 10, 7, 5, 3, 2, 1-year-old siblings and the then 1-month-old subject child home alone while she visited a different city. About 2 weeks prior, the mother locked the 1 and 2-year-old children in a room with nothing to eat or drink. The



mother went to the father's home and assaulted one of his family members while the children were present. On another occasion, the mother brought the children with her while she slashed the father's tires.

Report Determination: Indicated **Date of Determination:** 02/04/2021

Basis for Determination:
In their Investigation Conclusion Narrative, JCDSS noted all of the children were found home alone in the dark upon the initial home visit. The mother approached the home shortly thereafter and smelled of alcohol. JCDSS twice filed in family court for the removal of the children and both requests were denied. A neglect petition was filed and referrals were made for services. The family was open already with a preventive services case in Jefferson County and that case remained open and ongoing. All allegations were substantiated against the mother except the allegation of Excessive Corporal Punishment which was unsubstantiated.

OCFS Review Results:
JCDSS conducted an investigation that met all regulatory requirements. The investigation was initiated timely and contact and interviews were completed with all appropriate persons. Information was gathered from pertinent collateral sources. JCDSS consulted with their legal department and filed in family court when safety concerns warranted court involvement. Safety and risk were assessed as appropriate and their corresponding assessment tools were completed timely and accurately.

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)
08/20/2020	Sibling, Male, 9 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Male, 9 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 6 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 26 Years	Parents Drug / Alcohol Misuse	Substantiated	

Report Summary:
An SCR report alleged the mother smoked marijuana in the direct presence of the then 9, 6, 4, 3, 2, and 1-year-old siblings, placing the siblings at risk of impairment due to passive inhalation of the smoke.

Report Determination: Indicated **Date of Determination:** 10/22/2020

Basis for Determination:
In their Investigation Conclusion Narrative, JCDSS noted a home visit was conducted on 8/20/2020 during which the mother denied JCDSS access to the home; however, caseworkers detected the odor of marijuana coming from the home.



During a telephone call later that day, the mother admitted she used marijuana in the home while the children were present. The mother and children were open with JCDSS pursuant to a preventive services case that resulted from domestic violence perpetuated by the father towards the mother in the presence of the children. The father was residing outside of the home at the time of the 8/20/2020 SCR report. The services case remained ongoing.

OCFS Review Results:

JCDSS conducted an investigation that met regulatory requirements. All family members were interviewed or documented attempts were made. JCDSS assessed for safety and risk as appropriate throughout the investigation through home visits and face-to-face contact with the mother and children. Collateral sources were contacted as appropriate for the purposes of gathering further information and planning for services for the family.

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

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

The mother was listed as an indicated subject on SCR reports dated 11/13/2019, 3/26/2019, and 8/1/2017 for allegations of Inadequate Guardianship, Lack of Supervision, Parent's Drug/Alcohol Misuse, Lack of Medical Care, and Malnutrition/Failure-to-Thrive. The mother admitted to using marijuana in the presence of and while the sole caretaker to her children, left the young children home alone and unsupervised for unknown periods of time on multiple occasions, and failed to address significant medical concerns for the now 6-year-old sibling resulting in her failure-to-thrive. The mother was listed as an unfounded subject on 4 SCR reports more than 3 years prior to the fatality.

The father was listed as an indicated subject on SCR reports dated 1/23/2020, 12/21/2018, and 12/3/2014 for allegations of Inadequate Guardianship. The father repeatedly attacked the mother in the presence of the children including choking and biting her and destroying property in the home. The father was arrested multiple times for those incidents of violence and for breaking stay away protection orders against him.

Known CPS History Outside of NYS

There was no known CPS history outside of NYS.

Preventive Services History

A Preventive Services Case was opened by JCDSS pursuant to the 1/31/2020 investigation and a neglect petition filed against the father. A Stay Away Order of Protection was put in place against the father, protecting the mother and children. The father was referred to domestic violence services, parenting classes, and a mental health evaluation; however, he never engaged with services or cooperated with the court ordered services case. The mother was referred to domestic violence services and a psychological assessment. A further petition was filed against the mother due to concerns she used illegal substances in the presence of the children and left the children unsupervised for unknown periods of time. The mother cooperated with the services case, met regularly with caseworkers and service providers, and allowed access to the home and children. The Preventive Services case was transferred to OCDCFS on 6/29/2021 after the mother and children moved. The mother and children continued to engage with services including education assistance services and childcare services. There was no documented contact or attempted contact with the father by OCDCFS. The court order expired in February of 2022 and the services case was closed on 6/6/2022.

Legal History Within Three Years Prior to the Fatality

Was there any legal activity within three years prior to 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:
10/30/2020	There was not a fact finding	Order of Supervision
Respondent:	064898 Mother Female 28 Year(s)	
Comments:	A neglect petition was filed against the mother due to concerns she used illegal substances in the presence of the children and left the children unsupervised for unknown periods of time	

Criminal Charge: Endangering the welfare of a child Degree: NA

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
10/24/2022	Mother	Unknown	Unknown
Comments:	The mother was arrested and charged for striking the 9-year-old sibling.		

Criminal Charge: Assault Degree: NA

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
07/25/2021	Father	Unknown	Order of Protection
Comments:	The father was arrested for physically attacking the mother in the presence of the children.		

Have any Orders of Protection been issued? Yes

From: 07/25/2021	To: Unknown
Explain: The case record reflected multiple orders of protection had been issued against the father protecting the mother and her children. Some of the orders of protection were full stay away orders and some were orders to refrain from assault and further illegal behavior. The order of protection issued on 7/25/2021 had an expiration date of 5-years.	

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