



## Report Identification Number: SY-23-028

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

**Issue Date: Nov 09, 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:** 26 day(s)

**Jurisdiction:** Oneida  
**Gender:** Male

**Date of Death:** 05/20/2023  
**Initial Date OCFS Notified:** 05/20/2023

## Presenting Information

An SCR report received on 5/20/23 alleged the mother and father put the subject child in a bed with them because he was fussy. When the parents woke up the morning of 5/20/23, the child was not breathing. One of the parents called 911. When emergency medical services arrived at the home, it was noted the child had blood around his mouth and rigor mortis had already set in. The parents and grandmother were present and hysterical so emergency medical technicians attempted cardiac pulmonary resuscitation on the child. The child was transported to the hospital and pronounced deceased at 5:08AM. The report alleged the unsafe sleep environment contributed to the death. Three additional reports were received between 5/20/23 and 5/21/23.

## Executive Summary

This report concerns the death of the 26-day-old subject child. Oneida County Department of Social Services (OCDSS) received multiple SCR reports regarding the child’s death, which occurred on 5/20/23. At the time of the child’s death, he resided with his mother, father, 1-year-old sibling, and maternal grandmother. The family was involved in an open CPS investigation, initiated on 5/19/23, concerning domestic violence between the mother and father.

The parents, sibling, and subject child all shared a room at the grandmother’s home. On the evening of 5/19/23, the parents put the sibling to bed at 8:30PM, and the grandmother watched the subject child while the parents showered. The father got into bed on the same mattress as the sibling. When the mother came to bed around 10:00PM, she placed the subject child in bed with the father, sibling, and herself. The father was sleeping on the edge of the mattress closest to the wall, the sibling was next to him, then the mother, and the subject child was between the mother and edge of the mattress. At some point in the night, the subject child was fussy, and the mother changed his diaper and put his pacifier back in his mouth and then went back to bed. The mother next woke up around 4:30AM to use the bathroom. When she checked on the subject child at that point, he was not breathing. The child was on his back, facing up, his nose was bleeding, he was cold to the touch, and the right side of his head was purple. The parents called 911. The child was transported to the hospital, where he was pronounced deceased at 5:08AM.

The medical examiner was notified and performed an autopsy. There was no injury, congenital anomaly, or gross acute disease process found to account of the death. The cause of death was unexplained sudden death of an infant, with an extrinsic factor identified. The identified extrinsic factor was bedsharing. The manner of death was undetermined. Law enforcement investigated and was awaiting final autopsy results. The record did not reflect law enforcement was contacted following receipt of the final autopsy.

OCDSS interviewed the mother, father, and relatives. A removal was deemed necessary to protect the sibling residing in the home and the sibling was placed into foster care on 5/20/23. It was learned the father had an additional child (age 3) who resided with her mother. The record reflected that mother was interviewed in her home; however, the sibling was not documented to have been seen. The father had no recent contact with that sibling and the sibling was assessed to be safe with her mother.

The investigation remained ongoing at the time this fatality report was written. The sibling’s foster care placement continued, and a corresponding family services stage was opened on 6/9/23. The parents were provided information on bereavement specific services, as well as relevant referrals to address the identified ongoing service needs.



## PIP Requirement

This review resulted in citations for multiple LDSSs. The cited LDSS will submit a PIP to the Syracuse Regional Office within 30 days of receipt of this report. The PIP will identify action(s) the cited LDSS has taken, or will take, to address the cited issue(s). For issues where a PIP is currently implemented, the cited LDSS 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:

As the case remained open, a determination had not yet been made. Allegations regarding the sibling who was subsequently placed into foster care as a result of this investigation had not been added to the investigation at the time of writing.

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:

The fatality case, along with the 5/19/23 investigation and family service stage remained open at the time this report was written.

## Required Actions Related to the Fatality

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

## Fatality-Related Information and Investigative Activities



### Incident Information

**Date of Death:** 05/20/2023

**Time of Death:** 05:08 AM

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

Unknown

**County where fatality incident occurred:**

Oneida

**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 and/or ingested alcohol or drugs?**

No

**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	Male	26 Day(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	24 Year(s)
Deceased Child's Household	Grandparent	No Role	Female	50 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	21 Year(s)
Deceased Child's Household	Sibling	No Role	Male	1 Year(s)
Other Household 1	Other Adult - Sibling's Father	No Role	Male	21 Year(s)

### LDSS Response

On 5/20/23, OCDSS received a report regarding the death of the subject child. OCDSS had initiated contact with the family on 5/19/23 regarding an unrelated SCR report. Upon learning of the fatality, OCDSS coordinated with law enforcement, contacted the sources of the multiple fatality reports, and informed the DA. The safety of the sibling was assessed and resulted in a removal.

OCDSS interviewed the adults present during the fatal incident. The parents were interviewed together. The parents had spent the night of 5/18/23 in a hotel due to an argument with the grandmother, with whom they resided. They returned to her home on 5/19/23 and reported the day went on as normal. The sibling went to bed at 8:30PM in the room the family all shared. The father eventually got into bed with the sibling while the mother remained awake with the subject child. The mother briefly placed the child in a Pack 'n Play while she left the room, but upon returning to bed around 10:00PM, the mother took the child out of the Pack 'n Play and placed him on the same mattress occupied by the father, sibling, and



herself. The mother described that the father slept on the end of the mattress nearest the wall. Next to him was the sibling, then the mother, then the subject child on the end. The mother slept on her side, with her arms over the subject child’s legs. The child had been placed to sleep in pajamas and was swaddled. During the night, the child was fussy, and the mother woke to change his diaper and replace his pacifier. Around 4:30AM, the mother woke to use the bathroom. The mother said it was common for her to place her finger under the child’s nose to check his breathing and when she did this, he was not breathing. At that time, the child was on his back, face-up, and his nose was bleeding. He was cold to the touch and the mother said the right side of his head was purple in color. The mother yelled to the father and handed him the child. When they put the child back down on the bed, they saw more blood coming from his nose, so they called 911. When asked what they thought happened, the father said he thought it was an accident or SIDS, and the mother said she had been so tired, she could have rolled over onto the child.

OCDSS observed the room the family shared in the grandmother’s home. There was a full-size mattress on the floor, a Pack ‘n Play, a crib mattress propped up in the corner, a fan with no blade cover, and an infant swing. Several slash marks were noted in the mattress. The grandmother was interviewed and confirmed OCDSS had been to the home the night prior and that safe sleep had been reviewed with the parents. The grandmother stated the subject child regularly slept in the infant swing and that the parents had not set up the Pack ‘n Play until after OCDSS left the home the night before. The grandmother did not hear the subject child wake up during the night but awoke to the mother screaming. When the parents brought the child to her, she blew air into his nose and mouth as instructed by 911 dispatch. The child was not rigid at that time but turned black and blue.

Collateral contacts with law enforcement revealed marijuana was found in the bed, along with a pipe, and two vapes in the infant swing. OCDSS learned the subject child had not been established with a pediatrician prior to his death. The birth records showed the mother was positive for marijuana upon admission. It was not noted if the child had a positive toxicology or any symptoms as a result. Additional medical records were requested; however, had not yet been received or documented at the time this report was written.

The investigation into the alleged domestic violence received on 5/19/23, the fatality report received on 5/20/23, and the subsequent family services stage opened on 6/9/23 all remained open at the time of writing.

### Official Manner and Cause of Death

**Official Manner:** Undetermined

**Primary Cause of Death:** From a medical cause

**Person Declaring Official Manner and Cause of Death:** Medical Examiner

### Multidisciplinary Investigation/Review

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

**Was the fatality referred to an OCFS approved Child Fatality Review Team?** Yes

### SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
064765 - Deceased Child, Male, 26 Days	065073 - Mother, Female, 21 Year(s)	DOA / Fatality	Pending
064765 - Deceased Child, Male, 26 Days	065073 - Mother, Female, 21 Year(s)	Inadequate Guardianship	Pending



# Child Fatality Report

064765 - Deceased Child, Male, 26 Days	065073 - Mother, Female, 21 Year(s)	Lacerations / Bruises / Welts	Pending
064765 - Deceased Child, Male, 26 Days	065073 - Mother, Female, 21 Year(s)	Swelling / Dislocations / Sprains	Pending
064765 - Deceased Child, Male, 26 Days	065075 - Father, Male, 24 Year(s)	DOA / Fatality	Pending
064765 - Deceased Child, Male, 26 Days	065075 - Father, Male, 24 Year(s)	Inadequate Guardianship	Pending
064765 - Deceased Child, Male, 26 Days	065075 - Father, Male, 24 Year(s)	Lacerations / Bruises / Welts	Pending
064765 - Deceased Child, Male, 26 Days	065075 - Father, Male, 24 Year(s)	Swelling / Dislocations / Sprains	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# Child Fatality Report

<b>siblings/ other children in the household within 24 hours?</b>				
<b>Are there any safety issues that need to be referred back to the local district?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Fatality Risk Assessment / Risk Assessment Profile

	Yes	No	N/A	Unable to Determine
<b>Was the risk assessment/RAP adequate in this case?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there an adequate assessment of the family's need for services?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Were appropriate/needed services offered in this case</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
<b>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?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Were there surviving children in the household that were removed as a result of information uncovered during the fatality investigation?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If Yes, court ordered?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Explain as necessary:</b> The sibling who resided in the home was removed on 5/20/23. Initially, a safety plan was made with the maternal grandmother; however, upon further supervisory consultation and after learning that the grandmother failed to enforce the safety plan, a protective removal was done, followed by Article 10 proceedings in family court.				

### 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





<b>Date Filed:</b>	<b>Fact Finding Description:</b>	<b>Disposition Description:</b>
05/22/2023	There was not a fact finding	Care/Custody to Local Social Services District
<b>Respondent:</b>	065073 Mother Female 21 Year(s)	
<b>Comments:</b>	A protective removal without consent was executed on 5/20/23 and the sibling was placed into foster care with a contract agency. The corresponding Neglect Petition was filed on 5/22/23 and was heard on 5/23/23. On 5/23/23, the mother consented to the removal. OCDSS made the recommendation that the parents engage in mental health treatment, substance use treatment, parenting classes, and domestic violence services. The mother was granted 1.5hr supervised visits with the sibling. The record reflected the sibling's father attended one visit and ceased communication. Court proceedings were ongoing at the time this report was written. The most recent FASP reflected the mother and subject child's father had engaged in some of the recommended services, specifically mental health.	

### Services Provided to the Family in Response to the Fatality

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

**Additional information, if necessary:**

The parents denied alcohol use but admitted to substance use (marijuana, methamphetamine, cocaine). They acknowledged DV but denied it was physical and both parents had identified mental health concerns. Referrals were offered to address these needs and court orders were put in place to encourage engagement in necessary services.



Ongoing needs would be monitored in the open services case.

**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:**

As a result of the fatality investigation, the sibling was placed in foster care.

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

**Explain:**

In response to the fatality, the parents were provided with information on bereavement specific services. Due to other service needs identified, a services case was opened and the parents were referred to additional services.

## 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?**

No

### Infants Under One Year Old

**During pregnancy, mother:**

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

**Infant was born:**

- With a positive toxicology
- Exhibiting withdrawal symptoms
- With fetal alcohol effects or syndrome
- With none of the issues listed noted in case record

## 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)
05/19/2023	Deceased Child, Male, 25 Days	Mother, Female, 21 Years	Inadequate Guardianship	Pending	Yes
	Deceased Child, Male, 25 Days	Father, Male, 24 Years	Inadequate Guardianship	Pending	

**Report Summary:**

OCDSS received an SCR report which alleged ongoing domestic violence between the mother and father in the presence of the subject child. Both parents were considered aggressors and the disputes often turned physical. The last incident was 5/18/23, and law enforcement responded as a result. There was no information that the child had been harmed during any incidents.



**Report Determination:** Undetermined

**OCFS Review Results:**

This investigation ran concurrently to and was open at the time of the fatality. The investigation was initiated timely, and safe sleep was reviewed due to the newborn subject child, though sleeping arrangements were not initially observed. Pertinent notes were entered untimely. The record did not reflect allegations were yet added for the sibling. The sibling was removed, family court was accessed, and a services case was opened. The investigation remained open at the time this fatality report was written.

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

**Issue:**

Timely/Adequate Case Recording/Progress Notes

**Summary:**

Over half of the progress notes were not entered contemporaneously during the investigation, and were documented upwards of three months beyond the 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)
12/31/2022	Sibling, Male, 1 Years	Mother, Female, 20 Years	Inadequate Guardianship	Substantiated	Yes
	Sibling, Male, 1 Years	Mother, Female, 20 Years	Poisoning / Noxious Substances	Substantiated	
	Aunt/Uncle, Male, 10 Years	Mother, Female, 20 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 1 Years	Father, Male, 23 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 1 Years	Father, Male, 23 Years	Poisoning / Noxious Substances	Substantiated	
	Aunt/Uncle, Male, 10 Years	Father, Male, 23 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 10 Years	Grandparent, Female, 55 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 1 Years	Grandparent, Female, 55 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 1 Years	Grandparent, Female, 55 Years	Poisoning / Noxious Substances	Unsubstantiated	

**Report Summary:**

Madison County Department of Social Services (MCDSS) receive an SCR report that alleged on an ongoing basis, the mother and father left marijuana accessible to the 1-year-old sibling and 10-year-old uncle (the father's minor sibling). The paternal grandmother was aware and failed to intervene. As a result, on 12/30/22, the sibling ingested an unknown amount of marijuana and was acting unusual. On 12/31/22, he was difficult to rouse and was lethargic.

**Report Determination:** Indicated

**Date of Determination:** 02/24/2023

**Basis for Determination:**

The allegations of IG and P/Nx were substantiated against the mother and father regarding the sibling. It was determined



the marijuana the sibling ingested belonged to the mother and father. Despite the paternal grandmother advising the parents to store the marijuana away from the sibling, the parents continued to leave the substance accessible. Medical records obtained indicated the sibling was positive for marijuana following the event that precipitated the SCR report. The mother and father were criminally charged because of the incident.

**OCFS Review Results:**

As in previous CPS investigations, the family relocated to a neighboring county and despite willingness to engage in services, services were not explored. It was learned there was an incident in 8/2022 in which the sibling ingested Melatonin, the third known event in which the sibling had access to substances. That was not addressed. LE records reflected in 11/2022 the mother was found unconscious at the paternal grandmother's and in 11/2022 the father was taken to the hospital for suicidal ideation and neither incident was explored. The mother historically stated she did not trust the maternal grandmother to care for the sibling; however, relocated there at the close of the investigation.

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

**Issue:**

Adequacy of Risk Assessment Profile (RAP)

**Summary:**

Although the behavior was commented on in the RAP, the RAP was not scored to reflect the ongoing instability of housing and frequent relocation.

**Legal Reference:**

18 NYCRR 432.2(d)

**Action:**

MCDSS 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 Offer Appropriate Services

**Summary:**

The family had historically and during this open CPS investigation expressed an interest in engaging in services. The parents identified mental health concerns, frequent marijuana use, and three instances of the sibling obtaining substances. Preventive services were not offered.

**Legal Reference:**

SSL §424(10);18 NYCRR 432.3(p)

**Action:**

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
07/11/2022	Sibling, Male, 9 Months	Unrelated Home Member, Female, 52 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Male, 9 Months	Unrelated Home Member, Female, 52 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 9 Months	Unrelated Home Member, Female, 52 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Male, 9 Months	Aunt/Uncle, Male, 44 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 9 Months	Aunt/Uncle, Male, 44 Years	Parents Drug / Alcohol	Unsubstantiated	



Months		Misuse	
Sibling, Male, 9 Months	Mother, Female, 20 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 9 Months	Mother, Female, 20 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 9 Months	Mother, Female, 20 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 9 Months	Mother, Female, 20 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 9 Months	Grandparent, Female, 49 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 9 Months	Grandparent, Female, 49 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 9 Months	Unrelated Home Member, Male, 37 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 9 Months	Unrelated Home Member, Male, 37 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 9 Months	Unrelated Home Member, Male, 37 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

**Report Summary:**

OCDSS received an SCR report that alleged on a regular basis, the mother and another adult were using drugs to the point of impairment while caring for the sibling and were unable to provide adequate care to the sibling while under the influence. Drugs were left accessible to the sibling and the sibling ingested them. The mother was aware and failed to seek medical attention for the sibling. A subsequent report was received 7/25/22 and alleged the mother and other adults were using non-prescribed substances, pills were being sold from the home, and drug addicts were frequenting the home. On 7/24/22, the sibling almost ingested a bag of methamphetamine. The home was a health hazard.

**Report Determination:** Unfounded

**Date of Determination:** 11/18/2022

**Basis for Determination:**

OCDSS unsubstantiated all allegations in the initial and subsequent report. Despite attempts, the other adult alleged subject was unable to be interviewed regarding the allegations. All other adults denied the allegations. All adults were drug tested and the mother and grandmother were negative, and the other adults were positive for marijuana only. The home was not observed to be a safety hazard to the sibling. The mother relocated to a neighboring county. That residence was found to be appropriate, and the case was closed due to no services required/moved out of jurisdiction.

**OCFS Review Results:**

Safe sleep was assessed throughout the investigation. Multiple alleged orders of protection between adults were mentioned but law enforcement records were not requested for verification. The mother expressed willingness to engage in services. Specifically, mental health and Early Intervention were requested. During the investigation, the mother relocated to a neighboring county. Efforts were made to arrange for services in Oneida County; however, upon learning of the mother's relocation, the case was closed.

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

**Issue:**

Adequacy of Risk Assessment Profile (RAP)

**Summary:**

The RAP did not reflect the ongoing instability of the mother's housing situation. The mother's unstable housing created a barrier to service implementation.

**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:**

Contact/Information From Reporting/Collateral Source

**Summary:**

The source of the subsequent report was not contacted. Collateral contact with law enforcement was not documented despite knowledge of law enforcement involvement.

**Legal Reference:**

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

**Action:**

OCDSS will contact, or make diligent efforts to contact collaterals, including the source of all SCR reports, 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)
11/16/2021	Sibling, Male, 1 Months	Mother, Female, 19 Years	Other	Unsubstantiated	No
	Sibling, Male, 1 Months	Other Adult - Sibling's Father, Male, 20 Years	Other	Unsubstantiated	
	Sibling, Male, 1 Months	Aunt/Uncle, Male, 23 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**

OCDSS received a court-ordered investigation containing allegations of domestic violence between the mother and father of the 1-month-old sibling, drug use, and unstable living arrangements. A subsequent report received on 12/23/21 alleged an uncle had aggressive outbursts in the home in the presence of the sibling.

**Report Determination:** Unfounded

**Date of Determination:** 02/22/2022

**Basis for Determination:**

The allegation of "Other" against the mother and father of the sibling pertained to the court-ordered investigation. The mother had filed an emergency petition in family court as the father of the sibling had allegedly taken the sibling and was not responding to the mother. At the close of the investigation, the sibling was with the mother and paternity was pending in family court. The subsequent report against the uncle was unfounded as no supporting evidence to the allegations was found.

**OCFS Review Results:**

OCDSS initiated their investigation timely, contacted relevant collaterals, reviewed safe sleep practices with all adults and provided a Pack 'n Play to the mother. The mother was provided relevant community-based services, which she was engaged in prior to the CPS investigation closing. The Risk Assessment Profile appropriately captured the mother's housing instability.

**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)
08/16/2021	Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Inadequate Guardianship	Unsubstantiated	Yes

Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Father, Male, 22 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Father, Male, 22 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Father, Male, 22 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Father, Male, 22 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Father, Male, 22 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Father, Male, 22 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated adult, Female, 23 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated adult, Female, 23 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated adult, Female, 23 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated adult, Female, 23 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated adult, Female, 23 Years	Lack of Supervision	Unsubstantiated
Other Child - Unrelated child, Female, 1 Years	Other Adult - Unrelated adult, Female, 23 Years	Parents Drug / Alcohol Misuse	Unsubstantiated



# Child Fatality Report

Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent, Female, 34 Years	Lacerations / Bruises / Welts	Unsubstantiated
Other Child - Unrelated child, Female, 8 Years	Other Adult - Unrelated child's parent substitute, Male, 46 Years	Lacerations / Bruises / Welts	Unsubstantiated

**Report Summary:**

OCDESS received an SCR report which identified the father as an unrelated home member. The father and other adults in the home abused cocaine and alcohol to the point of intoxication. As a result, the 10 and 1-year-old children in the home did not have adequate care and supervision. The adults physically fought in the presence of the children, and the mother and parent substitute to the 10yo hit her, leaving welts. Due to the adults failure to provide supervision, the 10yo picked up the 1yo, threw her around, and swung her by the arm.

**Report Determination:** Unfounded

**Date of Determination:** 10/11/2021

**Basis for Determination:**

The report was unfounded. The Investigation Conclusion Narrative said that the father and other adult had left the home, as the mother to the children listed on the report kicked them out as they were observed under the influence of alcohol and marijuana in the presence of the children on the report. The parents of the children listed on the report denied the allegations. Collateral contacts did not provide evidence to support the allegations against the parents of the children.

**OCFS Review Results:**

The investigation was initiated timely; however, there were no documented attempts to interview the father to address the allegations prior to making a determination.

**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 father was an alleged subject in the report; however, there were no documented efforts to interview him.

**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.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
05/03/2021	Sibling, Female, 1 Years	Father, Male, 21 Years	Other	Unsubstantiated	No
	Sibling, Female, 1 Years	Other Adult - Sibling's Mother, Female, 20 Years	Other	Unsubstantiated	
	Sibling, Female, 1 Years	Other Adult - Sibling's Mother, Female, 20 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Other Adult - Sibling's Mother, Female, 20 Years	Sexual Abuse	Unsubstantiated	
	Sibling, Female, 1 Years	Other Adult - Sibling's Grandparent, Female, 43 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Other Adult - Sibling's Grandparent, Female, 43 Years	Sexual Abuse	Unsubstantiated	





# Child Fatality Report

Sibling, Female, 1 Years	Other Adult - Sibling's Grandparent, Male, 45 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Years	Other Adult - Sibling's Grandparent, Male, 45 Years	Sexual Abuse	Unsubstantiated
Sibling, Female, 1 Years	Other Adult - Sibling's Uncle , Male, 23 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Years	Other Adult - Sibling's Uncle , Male, 23 Years	Sexual Abuse	Unsubstantiated

**Report Summary:**

OCDSS received an SCR report that alleged the sibling (the father's other child who resided with her mother at the time of the fatality report) was sexually acting out. The sibling was humping and rubbing herself on objects and adults, as well as fondling herself and attempting to insert objects in and near her vagina. All adults in the home were made subjects of the report. Additionally, there was a court ordered investigation requested.

**Report Determination:** Unfounded

**Date of Determination:** 06/15/2021

**Basis for Determination:**

The report was unfounded. Multiple home visits were conducted, and no sexualized behaviors were observed. It was confirmed with the pediatrician that the sibling had been treated for diaper rash multiple times. A medical exam conducted at the CAC found no evidence of sexual abuse. It was learned during the investigation that the father had relapsed, and he was ordered to have supervised visitation with the sibling.

**OCFS Review Results:**

OCDSS initiated their investigation timely. Relevant collateral contacts were made to address the allegations in the report. A COI was ordered during the investigation and submitted to court. As a result, the father was ordered to have supervised parenting time once per week for one hour at a community-based agency.

**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)
12/09/2020	Aunt/Uncle, Male, 8 Years	Father, Male, 21 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Aunt/Uncle, Male, 8 Years	Father, Male, 21 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Male, 19 Years	Father, Male, 21 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 19 Years	Father, Male, 21 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Male, 8 Years	Grandparent, Female, 53 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 8 Years	Grandparent, Female, 53 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Aunt/Uncle, Male, 19 Years	Grandparent, Female, 53 Years	Inadequate Guardianship	Unsubstantiated	
	Aunt/Uncle, Male, 19 Years	Grandparent, Female, 53 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

**Report Summary:**

MCDSS received an SCR report which alleged the father and his mother (paternal grandmother) were using crystal



methamphetamine while in a caretaking role to two children, ages 8 and 13. The adults were unable to provide adequate care to the children. Additionally, the adults got into shouting matches in the presence of the children and the paternal grandmother expressed suicidal ideation.

**Report Determination:** Unfounded

**Date of Determination:** 02/05/2021

**Basis for Determination:**

The report was unfounded. The Investigation Conclusion Narrative stated that family members confirmed the father was using substances; however, the paternal grandmother was not and had been in recovery over a year. The paternal grandmother had the father leave the home due to his behaviors when he was impaired; he had attacked the 19yo (not 13, as alleged), and threatened the 8yo. The paternal grandmother said the father could not come back until he completed rehabilitation and was clean from substances. Although the father had not completed a program, he was not residing with the paternal grandmother and 8yo.

**OCFS Review Results:**

The investigation was initiated timely, the source was contacted, and a CPS history check revealed child welfare history. The father was not contacted until 2/5/20, the day the investigation was determined and closed. Both subjects denied the allegations. It was learned the alleged 13yo was 19. There were no attempted collateral contacts. Although the paternal grandmother indicated she had the father leave the home due to his behavior, the last contact with the family prior to closing showed they were actively together on an out of state trip.

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

**Issue:**

Contact/Information From Reporting/Collateral Source

**Summary:**

There were missed opportunities to gather collateral information from the paternal grandmother's treatment providers. The father was not asked about any involvement with collateral sources.

**Legal Reference:**

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

**Action:**

Madison County DSS 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.

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

The father had additional child welfare history concerning his other child.

An SCR report received by MCDSS on 1/23/20 was indicated and the allegation of Inadequate Guardianship was substantiated against the father regarding his child, stemming from domestic violence occurring between the father and the sibling's mother. At that time, the father had supervised visitation only with the sibling. OCDSS received a court-ordered investigation on 5/19/20 and the allegation of Inadequate Guardianship was substantiated against the father for the incidents that occurred and were investigated during the 1/23/20 MCDSS investigation.

### Known CPS History Outside of NYS

There was no known CPS history outside of NYS.

### Legal History Within Three Years Prior to the Fatality



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

**Recommended Action(s)**

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

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