

Report Identification Number: NY-15-004

Prepared by: New York City Regional Office

Issue Date: 7/15/2015

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

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

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

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

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

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

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

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

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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
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
CPR-Cardio-pulmonary Resuscitation		
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	MN-Medical Neglect	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-Others	
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		

Case Information

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Report Type: Child Deceased
Age: 8 month(s)

Jurisdiction: Bronx
Gender: Female

Date of Death: 01/13/2015
Initial Date OCFS Notified: 01/13/2015

Presenting Information

On 1/13/15, while in the care of the maternal grandmother (MGM), the eight-month-old infant passed away. The infant was otherwise healthy. Further details were unknown. The parents, maternal aunt (MA), maternal uncle (MU) and two siblings had unknown roles.

Executive Summary

This eight-month-old female infant died on 1/13/15. The Medical Examiner (ME) listed the cause of death as Undetermined (Found Prone Pack' N Play) and the manner of death as Undetermined.

ACS' investigation revealed on 1/13/15, at about 11:00 AM, the father swaddled the infant in her blanket, placed her faced down in the pack n' play and covered her with another blanket. The parents observed the MGM laying on her sofa in the living room and they informed the MGM that they were going out of the home to attend a medical appointment. Then the parents left the home. At about 5:00 PM, when the parents returned home; the mother checked the infant and observed she lay face down in the pack n' play and she was not breathing. The mother alerted the MGM who attempted to administer cardiopulmonary resuscitation (CPR) to the infant. Also, the mother contacted 911 for medical assistance. Emergency Medical Services (EMS) responded, continued CPR and transported the infant to Montefiore Hospital where she was pronounced dead.

Regarding supervision of the infant, the MGM said she had been ill for about three days. She stated the mother told her that the parents were going out of the home. The MGM said she was not aware the parents expected her to supervise the infant. The MGM also said she had been using prescribed medication for her pre-existing medical conditions. ACS also found, on 1/13/15, an adult MA was in the home but she remained in her room due to illness and did not check the infant. Further, at about 4:15 PM., the paternal uncle visited the home and he fed and played with the two siblings but he did not check the infant. Following the infant's death, the parents relocated to temporarily reside with the maternal great grandmother (MGGM). On 1/14/15, the Specialist observed the siblings and interviewed the parents in the MGGM's home. The Specialist assessed the MGGM's home conditions were satisfactory.

According ACS' case record, the MGM who had a history of illegal and prescription drug misuse used her prescribed medication on 1/13/15 which likely had an impact on her ability to provide care of the infant and surviving siblings. In addition, the parents said on 1/13/15, they did not specifically ask the MGM to take care of the infant. As a result of these findings, ACS assessed the family would benefit from preventive services. On 1/16/15, ACS filed an Article Ten Neglect petition in Family Court on behalf of the two siblings, naming the parents and MGM as the respondents. The allegation pertained to Inadequate Guardianship (IG)of the siblings. The judge released the siblings to the parents with ACS supervision: ordering that the children must not be left unsupervised with the MGM.

The assigned detective informed ACS that the home was not a crime scene. The police had removed from the home a section of the pack n' play and blankets for analysis. The police observed the surviving children and found, at the time the police responded to the home, the children were fine.

ACS obtained separate medical records for the children and MGM. ACS noted on 1/12/15, the infant received medical evaluation to check weight status: the infant was not prescribed medication and she was healthy. There was no concern about the siblings.

On 3/20/15, ACS substantiated the allegations of DOA/Fatality and IG of the infant by the parents and MGM on the basis that the parents left the infant in the care of the MGM despite knowing that the MGM had been using several prescription drugs. The MGM admitted she used prescription medications that made her unable to adequately supervise the infant; she was asleep and did not check the infant for at least five hours.

ACS added to the report and substantiated the allegations of IG and Lack of Supervision of the siblings by the parents and MGM as ACS noted the parents failed to provide a minimum degree of care and placed the siblings at risk of harm

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?** No
 - **Safety assessment due at the time of determination?** Yes
- **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?** Yes, sufficient information was gathered to determine all allegations.
- **Was the determination made by the district to unfound or indicate appropriate?** Yes

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.

Required Actions Related to the Fatality

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

Issue:	Timely/Adequate 24 Hour Assessment
Summary:	ACS did not appropriately complete the 24-hour child fatality safety assessment. In this safety assessment, ACS did not identify the safety factors which actually placed the surviving children in immediate danger of serious harm.
Legal Reference:	SSL 424(6);18 NYCRR 432.2(b)(3)(i)
Action:	ACS must submit a corrective action plan within 45 days that identifies the action the agency has

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taken or will take to address the citations identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 01/13/2015

Time of Death: 05:49 PM

County where fatality incident occurred:

BRONX

Was 911 or local emergency number called?

Yes

Time of Call:

05:21 PM

Did EMS to respond to the scene?

Yes

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

Child's activity at time of incident:

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

Did child have supervision at time of incident leading to death? No - but needed

At time of incident supervisor was: Unknown if they were impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Aunt/Uncle	No Role	Female	18 Year(s)
Deceased Child's Household	Aunt/Uncle	No Role	Male	16 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Female	8 Month(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	23 Year(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Female	49 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	21 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	3 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	1 Year(s)
Other Household 1	Grandparent	No Role	Female	85 Year(s)

LDSS Response

On 1/14/15, ACS staff interviewed an assigned detective who said on 1/13/15, after 11:00 AM the parents placed the infant in the pack n' play, then left the home and went to their medical appointment. The parents reportedly left the infant in the MGM's care. After 5:00 PM, the parents returned to the home and found the infant unresponsive in the pack n' play. The mother contacted 911 for medical assistance and EMS transported the infant to the hospital. The police initiated an investigation during which they removed the bottom of the infant's pack n' play and blankets for analysis. Also, the police did not have concerns about the surviving children. The ME found no evidence of abuse/maltreatment. The home was not declared a crime scene and there was no arrest regarding the infant's death.

The Montefiore Hospital staff said the infant died upon arrival in the hospital. The staff said the parents provided information which showed the father last placed the infant to sleep in the pack n' play and while the parent were out of the home, the MGM did not supervise the infant. The staff also said that the parents stated a few days prior to 1/13/15, the infant hit her head on her crib. The hospital attending physician noted the infant did not have observable marks/bruises.

The Specialist interviewed the MGM, MA, MU and PU in the MGM's home. The MGM said at about 10:30 AM, the mother fed the infant and then informed the MGM that the parents were leaving the home to go to a medical appointment. The MGM said she did not supervise the infant. She said she had been ill for three days so she used her prescribed medication which made her sleepy. She explained that she was in her bed. The MA also said she (the MA) was in her room and did not observe the infant. The MU did not have new information. The PU said on 1/13/15 at about 4:15 PM, he visited MGM's home and during the visit he fed and played with the two siblings. He said he did not observe the infant.

The shelter case manager said since 7/25/14, the family had been residing in the shelter. The shelter staff did not have concerns regarding the family. The Specialist observed the one-year-old sibling slept in a full size crib which contained clothing and other items.

On 1/14/15, ACS was in the process of investigating the 1/13/15 report when the SCR registered a report which included the allegations of Educational Neglect and IG of the MU by the MGM. The report alleged the MU missed 70 days of school, the MU failed his classes and the MGM did not correct the situation. Subsequently, this report was indicated.

Regarding the 1/13/15 fatality report, the Specialist interviewed the mother who said on 1/13/15, she informed the MGM that the parents were going out of the home. The mother said she assumed the MGM would supervise the infant. The parents acknowledged they were aware the MGM used medication for illness. Also, the mother said the infant was placed on her stomach in the pack n' play to sleep. The Specialist observed the parents and siblings in the MGM's home and assessed the home had adequate provisions to meet the family's needs. The Specialist did not address whether the family received safe sleep practices education.

ACS obtained the medical records which showed on 1/12/15, the physician last examined the infant for follow up of weight gain monitoring. The physician noted the infant and siblings were healthy. Also, ACS obtained medical information which showed the MGM was diagnosed with mental health conditions, on 11/25/14 the MGM had a mental health evaluation and she had been using prescribed medication.

The ME informed ACS staff that the cause and manner of death was pending results of additional tests. The ME said there was no injury observed on the infant. ACS' staff discussed the infant's weight gain concern and the infant being fed Carnation milk. The ME said these concerns could not contribute to the infant's death.

Official Manner and Cause of Death

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Official Manner: Undetermined

Primary Cause of Death: Undetermined if injury or 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)?No

Comments: The investigation adhered to previously approved protocols for joint investigation.

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

Comments: There is no OCFS approved Child Fatality Review Team in the NYC Region.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
018662 - Deceased Child, Female, 8 Mons	018665 - Grandparent, Female, 49 Year(s)	DOA / Fatality	Substantiated
018662 - Deceased Child, Female, 8 Mons	018665 - Grandparent, Female, 49 Year(s)	Inadequate Guardianship	Substantiated
018662 - Deceased Child, Female, 8 Mons	018664 - Father, Male, 23 Year(s)	Inadequate Guardianship	Substantiated
018662 - Deceased Child, Female, 8 Mons	018663 - Mother, Female, 21 Year(s)	DOA / Fatality	Substantiated
018662 - Deceased Child, Female, 8 Mons	018664 - Father, Male, 23 Year(s)	DOA / Fatality	Substantiated
018662 - Deceased Child, Female, 8 Mons	018663 - Mother, Female, 21 Year(s)	Inadequate Guardianship	Substantiated
018667 - Sibling, Male, 3 Year(s)	018665 - Grandparent, Female, 49 Year(s)	Lack of Supervision	Substantiated
018667 - Sibling, Male, 3 Year(s)	018665 - Grandparent, Female, 49 Year(s)	Inadequate Guardianship	Substantiated
018667 - Sibling, Male, 3 Year(s)	018664 - Father, Male, 23 Year(s)	Inadequate Guardianship	Substantiated
018667 - Sibling, Male, 3 Year(s)	018663 - Mother, Female, 21 Year(s)	Lack of Supervision	Substantiated
018667 - Sibling, Male, 3 Year(s)	018663 - Mother, Female, 21 Year(s)	Inadequate Guardianship	Substantiated
018667 - Sibling, Male, 3 Year(s)	018664 - Father, Male, 23 Year(s)	Lack of Supervision	Substantiated
018668 - Sibling, Male, 1 Year(s)	018665 - Grandparent, Female, 49 Year(s)	Inadequate Guardianship	Substantiated
018668 - Sibling, Male, 1 Year(s)	018665 - Grandparent, Female, 49 Year(s)	Lack of Supervision	Substantiated

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018668 - Sibling, Male, 1 Year(s)	018663 - Mother, Female, 21 Year(s)	Lack of Supervision	Substantiated
018668 - Sibling, Male, 1 Year(s)	018664 - Father, Male, 23 Year(s)	Inadequate Guardianship	Substantiated
018668 - Sibling, Male, 1 Year(s)	018663 - Mother, Female, 21 Year(s)	Inadequate Guardianship	Substantiated
018668 - Sibling, Male, 1 Year(s)	018664 - Father, Male, 23 Year(s)	Lack of Supervision	Substantiated

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the investigation adhere to established protocols for a joint investigation?	<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 safety 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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siblings/ other children in the household within 24 hours?				
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"/>

Fatality Risk Assessment / Risk Assessment Profile

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

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 and 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 siblings/other children in the household removed as a result of this fatality report/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?
 Family Court Criminal Court Order of Protection

Family Court Petition Type: FCA Article 10 - CPS		
Date Filed:	Fact Finding Description:	Disposition Description:

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01/16/2015	There was not a fact finding	Adjourned in Contemplation of Dismissal (ACD)
Respondent:	018663 Mother Female 21 Year(s)	
Comments:	<p>On 1/16/15, ACS filed an Article Ten Neglect petition in the Bronx County Family Court on behalf of the two surviving siblings, naming the parents and the MGM as the respondents. According to the ACS case record, the siblings were paroled to the parents and they relocated to reside with a maternal relative. The parole conditions included an agreement that the parents enter the New York City Department of Homeless Services, Preventive Assistance Temporary Housing system with the surviving siblings (following the burial of the infant). The Family Court also stipulated that the two siblings must not be left in the care of the MGM or reside in the same home as the MGM.</p> <p>Also, ACS requested remand of the maternal uncle as the MGM had not been providing this maternal uncle with the level of supervision this child required to meet his medical and educational needs. As a result of ACS' request, this maternal uncle was released to a family relative.</p> <p>According to CONNECTIONS records, on 6/24/15, the case was adjourned in contemplation of dismissal: with Court Ordered Supervision. The next hearing date was listed as 12/23/15.</p>	

Services Provided to the Family in Response to the Fatality

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

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Family or others as safety resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Additional information, if necessary:
 The family was referred to Purchased Preventive Services under the supervision of the Child Care Center of New York program.

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:
 The service plan included Early Intervention and play therapy for the surviving siblings.

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

Explain:
 The family received bereavement services and family counseling.

History Prior to the Fatality

Child Information

- Did the child have a history of alleged child abuse/maltreatment? No
- Was there an open CPS case with this child at the time of death? No
- Was the child ever placed outside of the home prior to the death? No
- Were there any siblings ever placed outside of the home prior to this child's death? No
- Was the child acutely ill during the two weeks before death? No

Infants Under One Year Old

During pregnancy, mother:

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

Infant was born:

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

CPS - Investigative History Three Years Prior to the Fatality

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Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/05/2012	3756 - Aunt/Uncle, Male, 17 Years	3754 - Grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded	Yes
	3756 - Aunt/Uncle, Male, 17 Years	3754 - Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3754 - Grandparent, Female, 47 Years	Inadequate Guardianship	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3754 - Grandparent, Female, 47 Years	Lack of Supervision	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3754 - Grandparent, Female, 47 Years	Parents Drug / Alcohol Misuse	Unfounded	
	3756 - Aunt/Uncle, Male, 17 Years	3755 - Aunt/Uncle, Female, 26 Years	Inadequate Guardianship	Unfounded	
	3756 - Aunt/Uncle, Male, 17 Years	3755 - Aunt/Uncle, Female, 26 Years	Parents Drug / Alcohol Misuse	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3755 - Aunt/Uncle, Female, 26 Years	Inadequate Guardianship	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3755 - Aunt/Uncle, Female, 26 Years	Lack of Supervision	Unfounded	
	3759 - Other Child - Cousin, Male, 7 Years	3755 - Aunt/Uncle, Female, 26 Years	Parents Drug / Alcohol Misuse	Unfounded	

Report Summary:

The MGM and an adult maternal aunt (MA) used crack and pills around the children who resided in the home. The seven-year-old child was outside in the street at all hours of the day and night and he was unsupervised.

Determination: Unfounded

Date of Determination: 04/18/2012

Basis for Determination:

ACS unsubstantiated all the allegations of the report on the basis that the MGM and MA submitted to drug screening and tested negative for all substances. The children said they did not observe the MGM and MA under the influence of any substance. The MGM admitted she had a history of drug misuse and the Specialist observed relevant certificate of drug treatment programs. The adults and children said the seven-year-old child was not left unsupervised. In the Investigation Conclusion Narrative, ACS explained that there was no credible evidence to substantiate the allegations.

OCFS Review Results:

On 3/6/12, the Specialist observed and engaged all household members in the home. The family members denied that the parents used drug/alcohol and they denied the seven-year-old child was unsupervised. The Specialist did not observe signs of drug misuse in the home. The MGM and MA completed drug screening which showed they tested negative for illegal substances. Also, the Specialist maintained contact with the family members and school staff. The Specialist visited the schools and addressed the concerns of the children's excessive school absences, lateness and behavior. Also, ACS referred the MGM for Community Based Services to address her mental health condition.

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

Issue:

Overall Completeness and Adequacy of Investigations

Summary:

During the investigation of the 3/5/12 report, the MGM informed the Specialist that the MU's excessive school absences was due to the MU's preexisting medical condition. Also, MGM said she had medical and mental health disabilities.

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However, ACS staff did not conduct adequate casework activities to obtain the medical records and school records to evaluate the MU's academic performance.

Legal Reference:

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

Action:

ACS must submit a corrective action plan within 45 days that identifies the action the agency has taken or will take to address the citation identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
02/28/2014	3881 - Aunt/Uncle, Male, 15 Years	3761 - Grandparent, Female, 49 Years	Educational Neglect	Indicated	Yes

Report Summary:

The maternal uncle (MU) had 76 unexcused school absences and he failed his classes. The MGM was aware of the issue and did not take action to resolve the problem.

Determination: Indicated

Date of Determination: 06/30/2014

Basis for Determination:

ACS substantiated the allegation of Educational Neglect of the MU by the MGM on the basis that the MGM was not proactive in securing this child's education. ACS noted the MGM's approach was not forceful. The MGM allowed the MU to stay in the home or play basketball during school hours with no real recourse for this child's action.

OCFS Review Results:

On 3/1/14, the Specialist observed and engaged household members in the Tier II shelter where the family resided. Regarding the allegation of the report, the MGM said the MU missed school due to his illness and the family's unstable housing and frequent relocations. On 3/1/14, the MU was not in the home and the MGM said he was in the MGGM's home. Eventually, on 3/4/14, the Specialist interviewed the MU who said he missed school due to illness. He later stated he did not like his school and he requested a school transfer. During the home visit, the Specialist observed the MU's prescribed medication. Also, the Specialist observed the siblings did not have marks or bruises.

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

Issue:

Assessment as to need for Family Court Action

Summary:

During the investigation of the 2/28/14 report, ACS did not obtain Family Court Legal Services consultation to determine whether Family Court action was needed regarding educational neglect.

Legal Reference:

18 NYCRR 432.2(b)(3)(vi)

Action:

ACS must submit a corrective action plan within 45 days that identifies the action the agency has taken or will take to address the citations identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
05/20/2014	3712 - Aunt/Uncle, Male, 15 Years	3711 - Grandparent, Female, 49 Years	Educational Neglect	Indicated	Yes

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3712 - Aunt/Uncle, Male, 15 Years	3711 - Grandparent, Female, 49 Years	Inadequate Guardianship	Indicated
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Report Summary:

The fifteen-year-old child maternal uncle (MU) missed 115 days of school of far for the school year. He failed his classes. The MGM was aware but failed to ensure the child's attendance improved.

Determination: Indicated

Date of Determination: 06/30/2014

Basis for Determination:

ACS substantiated the allegations of Educational Neglect and Inadequate Guardianship of the MU by the MGM on the basis that the MU refused to attend school and the MGM was not proactive in securing the MU's education and the MGM's approach was not forceful in nature. The MGM allowed the MU to stay in the home, visit relatives or play during school hours with no real recourse for his actions.

OCFS Review Results:

On 5/20/14, the Specialist engaged the MU and MGM at home. The MU said he did not like his school and he requested a school transfer. He also said he did not attend school due to illness. The MGM said she was unable to force the MU to attend school. On 6/10/14, the Specialist met with the school staff who provided two alternative school referrals. The MGM refused ACS' offer for preventive services. Also, the Specialist contacted the MGM's therapist who stated the mother was compliant with the mental health service plan.

The Specialist observed the infant and two siblings did not have visible marks or bruises. The mother refused to participate in ACS' investigation.

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

Issue:

Adequacy of case recording

Summary:

During the investigation of the 5/20/14 report, ACS did not update CONNECTIONS records to include the infant and siblings in the household composition.

Legal Reference:

18 NYCRR 428.5(c)

Action:

ACS must submit a corrective action plan within 45 days that identifies the action the agency has taken or will take to address the citations identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

Issue:

Overall Completeness and Adequacy of Investigations

Summary:

The ACS case record did include information to determine whether the Specialist asked the MGM about her role pertaining to supervision of the infant and siblings. Also, ACS did not address whether other individuals assisted the mother with providing care of the infant and siblings.

Legal Reference:

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

Action:

ACS must submit a corrective action plan within 45 days that identifies the action the agency has taken or will take to address the citations identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.

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

Between 10/27/87 and 11/19/10, the MGM's family was known to the SCR and ACS in 17 reports. Of the 17 reports, ACS indicated the 10/27/87, 2/12/88, 3/15/88, 4/25/88, 1/11/95, 5/28/96, 6/27/02, 6/30/02, 7/1/02, 4/30/03, 5/3/06 and 8/10/06 reports. ACS unfounded the 11/12/05, 11/11/05, 2/22/07, 1/28/09 and 11/19/10 reports.

ACS substantiated the allegations of "Other," Parent's Drug Alcohol Misuse; Inadequate Guardianship (IG); Lacerations, Bruises, Welts; and Educational Neglect. ACS unsubstantiated the allegations of Lack of Medical Care; and Inadequate Food, Clothing, Shelter.

The ACS case record showed the MGM had an extensive history of crack/cocaine misuse and two of her children were born with positive toxicology for drugs. Between 1995 and 1997, the MGM completed a two-year residential program at a drug treatment program. The maternal great grandmother (MGGM) provided ongoing supervision of the MGM's children. According to CONNECTIONS records, on 5/31/96 and 6/3/03, respectively, ACS filed Article Ten Neglect petitions in Family Court on behalf of the MGM's children. The Family Court activity resulted in Court Ordered Supervision for the family.

The father was known as a subject in two reports dated 8/10/09 and 6/15/10. The allegations of these reports were IG and Inadequate Food, Clothing, Shelter of the infant's half sibling by the father. ACS investigated these reports and the agency unsubstantiated the allegations.

Known CPS History Outside of NYS

There was no know history outside of NYS.

Services Open at the Time of the Fatality

Required Action(s)

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

Yes No

Preventive Services History

According to the ACS case record, the family received services to address the MGM's history of drug misuse and to provide support to the MGGM. The ACS case record showed that between 2/17/99 and 4/24/02, the MGM's family received day care, homemaker, and counseling services under the supervision of Southern Queens Park, Beacon Preventive Services program. Also, the MGM's children received counseling services through the Community Mediation Services agency. In addition, the MGM received drug treatment services to address crack/cocaine misuse. The preventive services cases were closed after the family refused ACS' offer for services. Subsequently, the family was referred to Community Based Services to address issues pertaining to the children's educational needs, housing and mental health needs. The ACS case record did not include adequate information to determine whether the services matched the family's individual needs.

Required Action(s)

Are there Required Actions related to the compliance issues for provision of Foster Care Services?

Yes No

Foster Care Placement History

There is no record of foster care placement history provided to the deceased child, the deceased child's siblings, and/or the other children residing in the deceased child's household at the time of the fatality.

Legal History Within Three Years Prior to the Fatality

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

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