



**Report Identification Number: NY-19-104**

**Prepared by: New York City Regional Office**

**Issue Date: Feb 27, 2020**

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

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

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

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

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

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

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

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



## Abbreviations

Relationships		
BM-Biological Mother	SM-Subject Mother	SC-Subject Child
BF-Biological Father	SF-Subject Father	OC-Other Child
MGM-Maternal Grand Mother	MGF-Maternal Grand Father	FF-Foster Father
PGM-Paternal Grand Mother	PGF-Paternal Grand Father	DCP-Day Care Provider
MGGM-Maternal Great Grand Mother	MGGF-Maternal Great Grand Father	PGGF-Paternal Great Grand Father
PGGM-Paternal Great Grand Mother	MA/MU-Maternal Aunt/Maternal Uncle	PA/PU-Paternal Aunt/Paternal Uncle
FM-Foster Mother	SS-Surviving Sibling	PS-Parent Sub
CH/CHN-Child/Children	OA-Other Adult	
Contacts		
LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPS-Child Protective Services		
Allegations		
FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	LMC-Lack of Medical Care	EdN-Educational Neglect
EN-Emotional Neglect	SA-Sexual Abuse	M/FTTH-Malnutrition/Failure-to-thrive
IF/C/S-Inadequate Food/ Clothing/ Shelter	IG-Inadequate Guardianship	LS-Lack of Supervision
Ab-Abandonment	OTH/COI-Other	
Miscellaneous		
IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	COS-Court Ordered Services
OP-Order of Protection	RAP-Risk Assessment Profile	FASP-Family Assessment Plan
FAR-Family Assessment Response	Hx-History	Tx-Treatment
CAC-Child Advocacy Center	PIP-Program Improvement Plan	yo- year(s) old
CPR-Cardiopulmonary Resuscitation	ASTO-Allowing Sex Abuse to Occur	



## Case Information

**Report Type:** Child Deceased  
**Age:** 2 month(s)

**Jurisdiction:** Kings  
**Gender:** Female

**Date of Death:** 08/30/2019  
**Initial Date OCFS Notified:** 08/30/2019

## Presenting Information

The narrative of the 8/30/19 SCR report alleged that at 10:00 PM on 8/29/19, the BM fed the two-month-old SC then placed her on her back in her one-piece pajamas in the playpen with a blanket. At 8:30 AM on 8/30/19, the parents checked the SC and found her on her stomach and unresponsive. The parents then called 911. The report alleged the SC was covered in feces with her clothing soaked with urine, and rigor mortis had set in. The SC had a rectal temperature of 95.5 degrees when she arrived at ER, and she was pronounced dead on arrival. The SC did not have any preexisting medical condition and the cause of her death was unknown. The SC's death was suspicious and the parents were named the subjects of the report.

## Executive Summary

On 8/30/19, the SC was found unresponsive in her crib by her BM. The SC did not have any preexisting medical condition that would cause her death. At the time of writing this report, the SC's cause and manner of death were pending.

ACS case documentation indicated at 1:00AM on 8/30/19, the BF fed the SC and placed her to sleep on her back in the pack and play bassinet. At about 8:00AM, the BF was awoken by the BM's screams, telling the BF to call 911. The SC was limp in the BM's arms and there was spittle with blood on the side of the SC's face. The BF called 911 and medical treatment was obtained for the SC. The SC was taken to the hospital by EMS and pronounced deceased on arrival at 9:21AM by the ER Dr.

The case documentation also indicated the BM had 10 children; a 16-yo who had been in the custody of his father in New Jersey since 2016; the 1, 3, 5, 6-yo and the SC, released to the BF through the Family Court on 7/1/19, with COS and temporary OP against the BM. The 7, 11, and 13-yo were also released to their father who resided in Jersey City, and the 9-yo released to his father who lived in Jersey City.

On 8/30/19, ACS initiated the CPS investigation and contacted the ER Dr., the family, and LE. The Dr. reported the SC arrived at the ER with a rectal temperature of 95.5 degrees and rigor mortis had already set in which indicated the SC had been dead for some time. She was covered in feces and her clothing was soaked with urine. There was no trauma to the SC. LE reported no arrests were being made pending the autopsy results. LE deemed the room where the SC passed a crime scene and reported the home was unkempt and had minimal amount of food. The family did not report any underlying medical conditions for the SC prior to her death. Based on ACS' assessment and the information obtained, ACS did an emergency removal of the 4 SS in the home and assessed them at the Field Office. The SS were observed to be unkempt. They had bruises and marks on their bodies. The 6-yo SS disclosed physical discipline by the parents.

Consequently, ACS updated the active Article 10 Petition in Family Court from release to remand. The court granted a remand for the 4 SS. They were placed in non-kinship foster care under the auspices of SCO Family of Services. The parents were granted supervised visits and referred to services.

During the investigation, ACS collaborated with the State of New Jersey Department of Children and Families (NJDCF) for an ongoing assessment of the 4 SS. NJDCF assessed the SS and deemed them safe in the care of their respective fathers. NJDCF provided the SS' fathers with service referrals. Additionally, ACS obtained information from collaterals. The SS were doing well in foster care and receiving services. Supervised visits with the parents and the SS were ongoing without any reported concerns; however, sibling visits with the SS residing outside of New York City had been sporadic.



The service providers reported the BF was compliant with services, but the BM was not. The autopsy report remained pending.

ACS had not yet determined this report.

## Findings Related to the CPS Investigation of the Fatality

### Safety Assessment:

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

### Determination:

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

**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:**  
All the four SS were assessed to be doing well in foster care; and the 7,11, 13, and 15-year-old SS were reported to be well cared for in the care of their respective fathers.

## 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:** 08/30/2019

**Time of Death:** 09:21 AM



County where fatality incident occurred:

Kings

Was 911 or local emergency number called?

Yes

Time of Call:

Unknown

Did EMS respond to the scene?

Yes

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

No

Child's activity at time of incident:

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

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

At time of incident supervisor was: Not impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

### Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	2 Month(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	29 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	30 Year(s)
Deceased Child's Household	Sibling	No Role	Male	3 Year(s)
Deceased Child's Household	Sibling	No Role	Female	1 Year(s)
Deceased Child's Household	Sibling	No Role	Female	5 Year(s)
Deceased Child's Household	Sibling	No Role	Female	6 Year(s)
Other Household 1	Sibling	No Role	Male	16 Year(s)
Other Household 2	Sibling	No Role	Male	9 Year(s)
Other Household 3	Sibling	No Role	Female	7 Year(s)
Other Household 3	Sibling	No Role	Male	11 Year(s)
Other Household 3	Sibling	No Role	Male	13 Year(s)
Other Household 3	Sibling	No Role	Male	13 Year(s)

### LDSS Response

On 8/30/19, ACS contacted the ER Dr., the family, and LE. The ER Dr. reported the SC was declared dead on arrival at the ER at 9:21AM. The Dr. did not report any trauma to the SC. LE informed ACS that no arrests were being made pending the autopsy results. LE deemed the room where the SC passed a crime scene and barred ACS access to the room. LE stated the home was unkempt and had a minimal amount of food.

ACS contacted the NJDCF and requested an assessment of the other SS who were in the care of their respective fathers.

ACS then visited the family. The family did not report any medical conditions for the SC prior to her death. Based on the

safety concerns surrounding the SC's death, ACS removed the four SS from the parent's care and assessed them for safety. The 1-yo SS had a severe diaper rash and a swollen finger. The 3-yo SS had a swollen finger. The 5-yo SS had a bruise on her upper thigh area. The 6-yo disclosed physical discipline was sometimes used by the parents.

On 9/3/19, the NJDFC reported the 4 SS were all seen and assessed to be safe. The 7 and 13-year-old SS appeared to be taking the SC's death extremely hard. The NJDFC provided referrals to the SS' fathers for services.

On 9/4/19, the BM reported she and the BF were advised by her lawyer not to speak with or attend any meetings with ACS other than visitations with the SS. The BM agreed to participate in services.

On 9/4/19, the family's CP reported that prior to the death of the SC, the BM was not compliant with services. None of the SS were in therapy and the BM refused to sign consents for them to be evaluated for additional services. The BF was compliant with services and cooperative, but he habitually deferred to the BM regarding the SS medical care.

On 9/5/19, the Family Court remanded the 4 SS, they were placed in non-kinship foster care. The court granted the parents supervised visits and referred them for services. The BM stated she was already in a program but did not provide any information about the program.

On 9/9/19, the Family Court ordered the 4 SS to be enrolled in therapy. The court also ordered ACS to explore the MA as a resource for the SS.

On 9/9/19, the ME reported the autopsy results were pending

On 9/11/19, ACS attended the SC's funeral. Also present were the 13, 11 and 7-yo SS. ACS observed positive sibling and family interactions during the funeral.

On 9/23/19, ACS contacted the 13, 11 and 7-yo SS' father and recommended that the 3 SS be enrolled in counseling to address the loss of their sibling.

On 10/4/19, the 3, 5, and 6-yo SS were forensically interviewed at the Child Advocacy Center. They did not disclose any abuse to the SC. Following the interview, ACS provided the FPs with background information on the family to assist the FPs to appropriately address any behavioral concerns by the SS.

On 10/29/19, the 9-yo SS' father did not report any concerns for the SS. The SS had a visit with the BM at the GMA's home and there were no reported concerns.

On 11/13/19, the SCR received additional information with the concerns of PD/AM by the father of the 7, 11, and 13-yo SS, and the PU.

On 11/14/19, the NJDCF did not report any concerns for the 7, 11, and 13-yo SS. The 3 SS and their father denied the reported concerns in the additional information.

On 11/18/19, the MA stated she no longer wanted to be considered a resource for the SS.

Between 12/4/19 and 2/13/2020, ACS made multiple casework contacts with the parents, the service providers, the ME and LE. There was no new information regarding the fatality. The SS were doing well in care. The NJDCF had made several home visits and assessed the SS to be safe with their fathers. NJDCF also confirmed that the SS were enrolled in school. The BF continued to be compliant with services, but the BM was non-compliant. The autopsy report remained pending.



ACS has not yet determined this report.

**Official Manner and Cause of Death**

**Official Manner:** Pending

**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)?** Yes

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

**SCR Fatality Report Summary**

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
051277 - Deceased Child, Female, 2 Month(s)	051265 - Father, Male, 29 Year(s)	DOA / Fatality	Pending
051277 - Deceased Child, Female, 2 Month(s)	051264 - Mother, Female, 30 Year(s)	Inadequate Guardianship	Pending
051277 - Deceased Child, Female, 2 Month(s)	051265 - Father, Male, 29 Year(s)	Inadequate Guardianship	Pending
051277 - Deceased Child, Female, 2 Month(s)	051264 - Mother, Female, 30 Year(s)	DOA / Fatality	Pending

**CPS Fatality Casework/Investigative Activities**

	Yes	No	N/A	Unable to Determine
<b>All children observed?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>When appropriate, children were interviewed?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Alleged subject(s) interviewed face-to-face?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>All 'other persons named' interviewed face-to-face?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Contact with source?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>All appropriate Collaterals contacted?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was a death-scene investigation performed?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>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)?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Coordination of investigation with law enforcement?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there timely entry of progress notes and other required documentation?</b>	<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"/>
<b>Was there an adequate assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:</b>				
Within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 7 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

	Yes	No	N/A	Unable to Determine
Was the risk assessment/RAP adequate in this case?	<input 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"/>

**Explain:**  
 The risk assessment resulted in clinical health evaluation, therapy (trauma/bereavement), substance abuse treatment to include random drug test and parenting classes for the parents.

### Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
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<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 either as a result of this fatality report / investigation or for reasons unrelated to this fatality?</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> On 9/3/19, ACS updated the existing Article 10 Petition in Family Court and tfrom release to remand. The court granted a remand for the four SS. They were placed into non-kinship foster care.				

### Legal Activity Related to the Fatality

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

Family Court                       Criminal Court                       Order of Protection

<b>Family Court Petition Type: FCA Article 10 - CPS</b>		
<b>Date Filed:</b>	<b>Fact Finding Description:</b>	<b>Disposition Description:</b>
09/03/2019	Adjudicated Neglected	Article 10 Remand
<b>Respondent:</b>	051264 Mother Female 30 Year(s)	
<b>Comments:</b>	On 9/3/19, ACS updated the Article 10 Petition in Family Court from release to remand. The court granted a remand for the four SS. They were placed in non-kinship foster care under the auspices of SCO Family of Services.	

**Have any Orders of Protection been issued? No**

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

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



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

## History Prior to the Fatality

### Child Information

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

### Infants Under One Year Old

**During pregnancy, mother:**

- |  |  |
|--|--|
| <input type="checkbox"/> Had medical complications / infections                            | <input type="checkbox"/> Had heavy alcohol use |
| <input checked="" type="checkbox"/> Misused over-the-counter or prescription drugs         | <input type="checkbox"/> Smoked tobacco        |
| <input type="checkbox"/> Experienced domestic violence                                     | <input type="checkbox"/> Used illicit drugs    |
| <input type="checkbox"/> Was not noted in the case record to have any of the issues listed |  |

**Infant was born:**

- Drug exposed  With fetal alcohol effects or syndrome  
 With neither 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)
06/24/2019	Sibling, Female, 7 Years	Father, Male, 29 Years	Inappropriate Isolation / Restraint	Substantiated	No
	Sibling, Male, 13 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Female, 1 Days	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	



Deceased Child, Female, 1 Days	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated
Deceased Child, Female, 1 Days	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Male, 9 Years	Mother, Female, 30 Years	Childs Drug / Alcohol Use	Unsubstantiated
Sibling, Male, 9 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Childs Drug / Alcohol Use	Unsubstantiated
Sibling, Male, 9 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 9 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 13 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 13 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 13 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 7 Years	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Male, 9 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 9 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 9 Years	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Male, 9 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 4 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 4 Years	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Male, 13 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 13 Years	Mother, Female, 30 Years	Childs Drug / Alcohol Use	Unsubstantiated
Sibling, Male, 13 Years	Other - Unknown BM's Adult Sibling, Male, 18 Years	Childs Drug / Alcohol Use	Unsubstantiated
Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 6 Years	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Female, 6 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated



# Child Fatality Report

Sibling, Male, 13 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 13 Years	Mother, Female, 30 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Female, 1 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Deceased Child, Female, 1 Days	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated

**Report Summary:**

On 6/24/19, the BM gave birth to the deceased SC. Based on the BM's history of substance abuse and not following through with medical care or clinical health needs for her children, there was a concern for the BM to meet the SC's daily needs. The BM was the sole caretaker for the SC at times due to the BF being at work.

During the investigation, a SUB report was registered alleging the BM and her five adult siblings abuse marijuana and alcohol to the point of impairment while caring for her 10 children. Also, they allegedly sold drugs out of the home.

**Report Determination:** Indicated **Date of Determination:** 08/22/2019

**Basis for Determination:**

The BM used and tested positive for prescription drugs during her pregnancy and until 4 days prior to giving birth to the SC. She was unable to provide any medical documentation to support her use of the medication.

Also, ACS observed the home to be in a filthy deplorable condition, posing safety hazards to the children in the home. Additionally, the BM failed to follow up with the children's medical needs. On 6/28/19, ACS conducted an emergency removal of the children from the home; however, the children were returned to the care of their respective fathers with a COS and a TOP stating the BM could not be left alone with the children.

**OCFS Review Results:**

ACS' investigation was appropriate. ACS merged the 8/9/19 SUB report with the investigation. Based on the information obtained, ACS added and appropriately substantiated the allegation IFCS against the parents.

**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)
03/01/2019	Sibling, Male, 9 Years	Mother, Female, 30 Years	Burns / Scalding	Unsubstantiated	Yes
	Sibling, Male, 9 Years	Father, Male, 28 Years	Burns / Scalding	Unsubstantiated	
	Sibling, Male, 9 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 9 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**

The 9-year-old child had a burn on the top of his right hand. It was the second burn the child had sustained on his body in two months. The child did not provide any information whether his injury was inflicted or accidental.

**Report Determination:** Indicated **Date of Determination:** 04/29/2019

**Basis for Determination:**

The BM used a portable heating device to keep the children's room warm. The child sustained burns twice from sleeping near the heater but the BM did not seek immediate medical treatment for child. Also, she did not provide appropriate supervision around the use of the heater.

The allegation B/S was unsubstantiated. The BM did not inflict or allow the injury to be inflicted on the child.



**OCFS Review Results:**

Based on the information obtained during the investigation, ACS should have added and substantiated the allegations LMC and LS of the child by the BM.

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

**Issue:**

Appropriateness of allegation determination

**Summary:**

Based on the information obtained during the investigation, ACS should have added and substantiated the allegations LMC and LS of the child by the BM.

**Legal Reference:**

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

**Action:**

ACS must submit a PIP within 45 days that identifies the action the agency will take or took 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)	Allegation Outcome	Compliance Issue(s)
01/03/2019	Sibling, Female, 6 Years	Mother, Female, 30 Years	Educational Neglect	Substantiated	No
	Sibling, Female, 7 Years	Mother, Female, 30 Years	Educational Neglect	Substantiated	
	Sibling, Male, 8 Years	Mother, Female, 30 Years	Educational Neglect	Substantiated	
	Sibling, Male, 10 Years	Mother, Female, 30 Years	Educational Neglect	Substantiated	
	Sibling, Female, 6 Years	Father, Male, 28 Years	Educational Neglect	Substantiated	
	Sibling, Female, 7 Years	Father, Male, 28 Years	Educational Neglect	Substantiated	
	Sibling, Male, 8 Years	Father, Male, 28 Years	Educational Neglect	Substantiated	
	Sibling, Male, 10 Years	Father, Male, 28 Years	Educational Neglect	Substantiated	
	Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 8 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 10 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
Sibling, Female, 6 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated		



Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 6 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 10 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated

**Report Summary:**

The 10, 8, 7, and 5-year-old children were missing meals and not provided with adequate food. As a result, the children were hungry. The parents were aware and had not intervened. The children had a poor record of school attendance which impacted their academic performance. The parents were aware that the 5-year-old child's immunizations were not current and was not allowed to attend school without the immunizations but the parents did not intervene. At times, the parents did not pick up the children following school dismissal for hours after the children were dismissed and did not make an alternative plan of care for the children.

**Report Determination:** Indicated

**Date of Determination:** 02/27/2019

**Basis for Determination:**

The 10-year-old child missed several clinical health appointments. The 8-year-old also had severe behavioral concerns that were not being addressed. The children continued record poor school attendance which affected their academic performance. The 5-year-old child was not immunized. ACS went to court to file and order to show cause requesting removal of the children. The court denied the remand for the children and ordered the BM to get the 10-year-old evaluated, all children to be seen by the pediatrician and the family to continue with PPRS.

**OCFS Review Results:**

ACS restated their position regarding the removal of the children from the parents' care; however, Family Court continued to release the children to BM with supervision.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/10/2018	Sibling, Female, 4 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	No





Sibling, Female, 4 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 5 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 5 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 10 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 8 Months	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 8 Months	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 7 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 7 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 8 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 2 Years	Mother, Female, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 2 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 5 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 5 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 10 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 8 Months	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 8 Months	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated





# Child Fatality Report

Sibling, Male, 8 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 8 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 2 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 2 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Years	Mother, Female, 29 Years	Lack of Medical Care	Substantiated
Sibling, Female, 8 Months	Mother, Female, 29 Years	Lack of Medical Care	Substantiated
Sibling, Male, 8 Years	Mother, Female, 29 Years	Lack of Medical Care	Substantiated
Sibling, Male, 2 Years	Mother, Female, 29 Years	Lack of Medical Care	Substantiated
Sibling, Female, 5 Years	Mother, Female, 29 Years	Lack of Medical Care	Substantiated
Sibling, Female, 4 Years	Mother, Female, 29 Years	Lack of Medical Care	Substantiated

**Report Summary:**

The parents were not adequately feeding the 10, 8 and 7-year-old children. The children regularly complained they were hungry. The children's hygiene was not well either as their clothes were regularly dirty and the 7-year-old child often smelled of urine. The 10 and 8-year-old children were showing signs of behavioral issue

**Report Determination:** Indicated

**Date of Determination:** 12/11/2018

**Basis for Determination:**

During the investigation, it was discovered that the BM failed to provide the medical and basic needs for her children. The BM did not take the children to the doctor. She also sent the children to school without winter coats and they were not appropriately dressed for the weather. The children were provided with outerwear from their school. Additionally, the parents failed to get the 10-year-old child clinical health services as ordered by Family Court.

**OCFS Review Results:**

Based on the case documentation, the determination of the CPS investigation was appropriate.

**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)
03/10/2018	Sibling, Male, 8 Years	Mother, Female, 29 Years	Educational Neglect	Unsubstantiated	No
	Sibling, Male, 8 Years	Mother, Female, 29 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Male, 8 Years	Father, Male, 28 Years	Educational Neglect	Unsubstantiated	
	Sibling, Male, 8 Years	Father, Male, 28 Years	Lack of Medical Care	Unsubstantiated	
	Sibling, Female, 8 Days	Mother, Female, 29 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 6 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated	



Sibling, Female, 3 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 5 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 11 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 9 Years	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 8 Days	Mother, Female, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated

**Report Summary:**

There were concerns that the BM physically disciplined her six children, whose ages ranged from 1 year to 10 years, in an unknown manner and on a regular basis. The BM screamed and cursed at the children. Also on 3/20/18, the BM gave birth to a baby girl. The baby exhibited withdrawal symptoms and it was suspected that the BM used drugs during the pregnancy.

Additionally, there was a concern that the parents failed to obtain services for the 8-yo who had clinical health concerns. The was being physically aggressive towards others. The child had poor school attendance and was failing as a result. The parents were aware and failed the child to attend school.

**Report Determination:** Indicated

**Date of Determination:** 05/11/2018

**Basis for Determination:**

The newborn tested negative for drugs but the BM admitted she used drugs during the pregnancy and only stopped just before giving birth. The baby remained in the hospital until 4/2/18 because she exhibited signs of drug withdrawal. The BM had failed to secure a pediatrician for the children and the 1-year-old was diagnosed with failure to thrive.

ACS UNSUB the allegation ED/NG. The 8-yo's poor attendance was because the family relocated from the Bronx to Brooklyn. Also, the family encountered issues with the school bus arriving too early and leaving or not showing up at all.

**OCFS Review Results:**

ACS appropriately filed a Neglect Petition on behalf of the newborn. The BM was ordered to comply with referral and random drug screening but she did not comply. ACS' case documentation reflected FCLS was notified of the BM's non-compliance. The family was under COS with FSU.

**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)
11/20/2017	Sibling, Female, 3 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated	No
	Sibling, Female, 3 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 4 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 4 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	

Sibling, Male, 14 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 14 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 11 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 11 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 1 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 6 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 6 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 1 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 9 Years	Mother, Female, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 9 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 3 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 3 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 4 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 4 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 14 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 14 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 11 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 11 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 6 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 6 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 1 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated



Sibling, Male, 7 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 7 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 1 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 9 Years	Father, Male, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 9 Years	Father, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 9 Years	Mother, Female, 28 Years	Educational Neglect	Substantiated
Sibling, Male, 9 Years	Father, Male, 27 Years	Educational Neglect	Substantiated
Sibling, Male, 11 Years	Father, Male, 27 Years	Educational Neglect	Substantiated
Sibling, Male, 11 Years	Mother, Female, 28 Years	Educational Neglect	Substantiated
Sibling, Female, 6 Years	Mother, Female, 28 Years	Educational Neglect	Substantiated
Sibling, Male, 7 Years	Mother, Female, 28 Years	Educational Neglect	Substantiated
Sibling, Female, 6 Years	Father, Male, 27 Years	Educational Neglect	Substantiated
Sibling, Male, 7 Years	Father, Male, 27 Years	Educational Neglect	Substantiated

**Report Summary:**

The BM smoked cigarettes to the point that the air in the home became filled with a cloud of cigarette smoke. The seven, six and three-year-old children were present and negatively impacted. The thick smoke caused the three children to cough and their breathing was affected.

**Report Determination:** Indicated

**Date of Determination:** 01/23/2018

**Basis for Determination:**

The shelter staff made the BM aware that her smoking cigarettes negatively impacted the children, yet she continued to smoke to excess around the children. She also violated shelter policy which prohibited smoking in shelter units.

During the investigation, ACS observed that the family's home had insufficient amount of food. The parents did not provide any reasonable explanation for the limited amount of food in the home. Additionally, the school staff reported the 9 and 11-year-old children had missed days of school and were not doing well academically. The children were going to school with dirty clothing and foul body odors. The school reached out to the BM but she did not respond.

**OCFS Review Results:**

ACS conducted the investigation appropriately. The family continued to engage in services with COS.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/28/2017	Sibling, Female, 2 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Female, 4 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 10 Months	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 11 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	



Sibling, Female, 5 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 9 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 2 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 4 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 10 Months	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 11 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 5 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 7 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 9 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 7 Years	Mother, Female, 28 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 7 Years	Stepfather, Male, 27 Years	Lack of Supervision	Unsubstantiated

**Report Summary:**

There were ongoing concerns specifically about the hygiene and behaviors of the nine and seven-year-old children. Both children had developmental delays. The children smell of urine and their clothes were dirty. The BM and her boyfriend were aware of the children’s hygiene issues but the concerns continued. The BM and her boyfriend were not supervising the seven-year-old child and he got some alcohol, put it in a pot on the stove and almost caused a fire. The family was still under COS; however, the BM was not fully engaged in PPRS and not following through with recommended services.

**Report Determination:** Indicated **Date of Determination:** 08/25/2017

**Basis for Determination:**

The BM was non-compliant with obtaining proper medical care and clinical health services for the children. She was also non-compliant with PPRS and failed to provide income information to obtain permanent housing. The BM was non-compliant with court orders to keep necessary appointments for the children. The SF was a PLR for the children as he had caretaking responsibilities for them and resided in the home. He failed to provide income information to obtain permanent housing and had also failed to follow up with necessary medical and clinical health appointments for his 7-mo bio-child.

ACS did not find any credible evidence to substantiate the allegation LSUP.

**OCFS Review Results:**

The determination of the investigation was appropriate based on the information obtained by ACS.

**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)
03/28/2017	Sibling, Male, 7 Years	Mother, Female, 28 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Male, 7 Years	Mother, Female, 28 Years	Lack of Medical Care	Substantiated	
	Sibling, Male, 7 Years	Stepfather, Male, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 7 Years	Stepfather, Male, 27 Years	Lack of Medical Care	Substantiated	

**Report Summary:**

The then seven-year-old child was diagnosed with a clinical health condition and severe behavioral problems. He was supposed to be on medication. The BM and the stepfather (SF) were aware but failed to follow through with the child’s treatment. The child was physically aggressive toward others. On 3/27/17, the child’s behaviors were out of control and he was a safety concern. An ambulance was requested to take him for a clinical health evaluation; however, the BM



refused to allow the child to be taken in an ambulance and agreed to take him to the hospital. The BM did not take the child to the hospital.

**Report Determination:** Indicated

**Date of Determination:** 05/26/2017

**Basis for Determination:**

The BM was aware of the child's clinical health diagnosis and his need for medication management but did not follow through with the child's appointments for therapy and treatment. The BM received notice from the child's school regarding the child's behavior deteriorating. The BM did not follow through with the school's recommendations.

Although the SF was not the child's BF, he resided in the home and had caretaking responsibilities for the child. He was aware of the child's clinical health diagnosis and the child's need for medication management, he did not support the BM to follow through with the child's treatment.

**OCFS Review Results:**

ACS conducted the investigation appropriately. The family continued to engage in services.

**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)
11/17/2016	Sibling, Female, 2 Years	Other - Parent, Male, 26 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Female, 2 Years	Other - Parent, Male, 26 Years	Lack of Medical Care	Substantiated	
	Sibling, Male, 8 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 27 Years	Lack of Medical Care	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Months	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 4 Months	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 10 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 10 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 5 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated	
Sibling, Female, 5 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated		





Sibling, Male, 6 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Male, 6 Years	Mother, Female, 27 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Mother, Female, 27 Years	Inadequate Food / Clothing / Shelter	Substantiated

**Report Summary:**

The concerns for this report were IG, and IFCS for the children and the family. The now five-year-old child had hearing issues and needed an auditory evaluation. The parents were given referrals for the child but they failed to follow through with the referral. The case records also reflected the family had an open CPS investigation in New Jersey at the time, regarding the parents not meeting the medical and educational needs of the children.

**Report Determination:** Indicated

**Date of Determination:** 01/18/2017

**Basis for Determination:**

The BM admitted she had not taken the child for any medical appointments since birth and that the child did not have any immunization follow up. ACS did not observe any formula in the home for the child baby and the parents did not make any viable plan to obtain it. ACS had to purchase milk for the family. The child was diagnosed with failure to thrive. Also, the now three-year-old child did not have his medical checkups and his immunizations were not current. ACS filed a Neglect Petition against the BM in Bronx Family Court. The court released the children to the BM with COS. ACS referred the family to Visiting Nurse Services and intensive PPRs.

**OCFS Review Results:**

Based on the case documentation, ACS' determination of the report was appropriate. ACS kept the case open for services. The family engaged in services and VNS reported that the child was gaining weight. Additionally, all the children were seen by the pediatrician.

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

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

The family did not have any CPS history more than three years prior to the fatality.

**Known CPS History Outside of NYS**

The family had prior history with North Carolina Division of Social Services and State of New Jersey Department of Children and Families regarding the allegations LMC, and ED/NG; however, the allegations were unfounded.

**Services Open at the Time of the Fatality**

**Was the deceased child(ren) involved in an open preventive services case at the time of the fatality?** Yes

**Date the preventive services case was opened:** 12/01/2016

**Evaluative Review of Services that were Open at the Time of the Fatality**

	Yes	No	N/A	Unable to Determine
<b>Did the service provider(s) comply with the timeliness and content requirements for progress notes?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Did the services provided meet the service needs as outlined in the case record?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Did all service providers comply with mandated reporter requirements?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





# Child Fatality Report

<b>Was there information in the case record that indicated the existence of behaviors or conditions that placed the children in the case in danger or increased their risk of harm?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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### Casework Contacts

	Yes	No	N/A	Unable to Determine
<b>Did the service provider comply with case work contacts, including face-to-face contact as required by regulations pertaining to the program choice?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Services Provided

	Yes	No	N/A	Unable to Determine
<b>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?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Were services provided to parents as necessary to achieve safety, permanency, and well-being?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Family Assessment and Service Plan (FASP)

	Yes	No	N/A	Unable to Determine
<b>Was the most recent FASP approved on time?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there a current Risk Assessment Profile/Risk Assessment in the most recent FASP?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Provider

	Yes	No	N/A	Unable to Determine
<b>Were Services provided by a provider other than the Local Department of Social Services?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional information, if necessary:**  
 FSS opened due to PPRS and court action.

### Preventive Services History

On 12/1/16, an FSS was opened for the family due to COS and PPRS services. The now 5-yo SS received Visiting Nurse Services due to low birth weight and failure to thrive. The family also received heavy duty cleaning services. The BM attended drug treatment and the BF was on probation. The children received clinical health services but were discharged



due to non-compliance. The family did not follow through with WIC and EI services for the children. The family received PPRS services with New Alternatives for Children.

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

Was there any legal activity within three years prior to the fatality investigation?

Family Court

Criminal Court

Order of Protection

### Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
06/28/2019	There was not a fact finding	There was not a disposition
<b>Respondent:</b>	051264 Mother Female 30 Year(s)	
<b>Comments:</b>	<p>The BM used and tested positive for prescription drugs during her pregnancy and until 4 days prior to giving birth to the SC. She was unable to provide any medical documentation to support her use of the medication.</p> <p>Also, ACS observed the home to be in a filthy deplorable condition, posing safety hazards to the children in the home. Additionally, the BM failed to follow up with the children's medical needs. On 6/28/19, ACS conducted an emergency removal of the children from the home; however, the children were returned to the care of their respective BFs with a COS and a TOP stating the BM could not be left alone with the children.</p>	

### Have any Orders of Protection been issued? Yes

**From:** 07/01/2019

**To:** Unknown

**Explain:**

On 7/1/19, the Family Court released the children to their three respective fathers with COS and a TOP stating the BM could not be left alone with the children.

### 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