



Report Identification Number: SV-20-006

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

Issue Date: May 29, 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: 17 year(s)

Jurisdiction: Nassau
Gender: Male

Date of Death: 02/09/2020
Initial Date OCFS Notified: 02/09/2020

Presenting Information

An SCR report dated 2/9/20, alleged that on a daily basis, the 17-year-old child was being physically abused by his stepmother. As a result of the physical abuse the child became distraught, depressed, and suicidal. On 2/9/20, the 17-year-old child committed suicide by hanging himself in the garage. The report alleges that the step-mother was physically abusive to the 17-year-old and 14-year-old surviving siblings. Also living in the home was the biological father, a 22-year-old sibling, and a 7-year-old sibling. The stepmother was the biological mother to the 22-year-old and 7-year-old siblings. The father was the biological father to the 17-year-old twins and the 7-year-old child.

Executive Summary

This fatality report concerns the suicide of a 17-year-old child that occurred on 2/9/20. A report was made to the SCR on the same date concerning the child's death and allegations of inadequate guardianship and emotional neglect of the child and inadequate guardianship of two surviving siblings, ages 17 and 14, by the mother. The father had an unknown role and there was an additional 22-year-old and 7-year old surviving siblings living in the home with no role. The subject mother referred to in the report is the stepmother of the deceased child and his twin sister.

On 2/9/20 the child was spending time with his 17-year-old twin sister and her boyfriend. The stepmother and other siblings were home and asleep. The child went to the garage of the family home around 1:30AM, where he was known to go to listen to music. The child was found in the garage hanging from a rope a short while later by his sister's boyfriend, who had gone out to the garage to say goodbye to the child as he was leaving the home.

Nassau County Department of Social Services (NCDSS) gathered information regarding the child's death from the family, the child's school, and coordinated the investigation with law enforcement. Law enforcement decided not to pursue criminal charges in their investigation.

NCDSS spoke with school officials and multiple concerns for the child were disclosed. The child had a difficult time dealing with the death of a friend and expressed his difficulties to the school staff in September 2019. The child was also prescribed medication to treat ADHD and displayed impulsive and violent behaviors in school. The child ceased taking the medication after speaking with an Army recruiter, when the child was informed that being on medication may be a barrier to military service. The school informed the parents of these concerns for the child throughout the school year, most recently in December 2019. The stepmother also disclosed knowledge of the child's regular marijuana use, experimentation with cocaine, and stated the child displayed aggressive and violent behaviors in the home which included threats to kill her. The stepmother agreed the child needed to be in counseling and on his medication. The family did not follow through with mental health services.

The surviving siblings were interviewed multiple times during the investigation, including forensic interviews performed at the CAC. The children and parents all denied verbal and physical abuse in the home by the stepmother. All parties denied knowledge that the child was suicidal or in any mental health distress. The father identified dealing with his own depression prior to the child's death and identified a familial history of bi-polar disorder.

Through a review of CPS history, it was learned the child had a history of inappropriate sexual behaviors against his siblings in the home. There were three historical cases in which the child was accused of inappropriate sexual interactions with siblings. The allegations were first made in September 2017. Following NCDSS involvement, the family identified



wanting to address the concerns independently and the inappropriate behavior ceased. The allegations were made again in June and July of 2018 and NCDSS investigated the claims. The child’s twin sister disclosed, in each of the investigations, that the child had touched her breasts and buttocks on multiple occasions in a joking manner, and stood outside her door while she was changing, which made her uncomfortable. Upon the initiation of the 2018 investigations, the father and stepmother informed NCDSS that they would pursue counseling options independently of NCDSS involvement. NCDSS closed their investigations and the father and stepmother did not engage the child in mental health treatment following the case closures.

NCDSS offered services to the family which were declined, and the family identified pursuing counseling and bereavement services independently from NCDSS. NCDSS made unsuccessful efforts to locate and interview the biological mother.

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?** 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? Yes

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:
NCDSS spoke with all appropriate family members and collateral contacts. NCDSS made the appropriate decision to close the case after confirming the surviving children were in counseling to deal with the loss of their sibling.

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: 02/09/2020

Time of Death: Unknown

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

Unknown

County where fatality incident occurred:

Nassau

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?

Yes

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 - Not needed given developmental age or circumstances

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	Adult Sibling	No Role	Female	22 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Male	17 Year(s)
Deceased Child's Household	Father	No Role	Male	46 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	14 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	17 Year(s)
Deceased Child's Household	Sibling	No Role	Female	7 Year(s)
Deceased Child's Household	Stepmother	Alleged Perpetrator	Female	42 Year(s)

LDSS Response

On 2/9/20, NCDSS received the fatality report from the SCR and initiated their investigation within 24 hours. NCDSS contacted LE, completed a history check, and assessed the safety of the surviving siblings in the home. Attempts made to contact the source of the report were unsuccessful until 2/18/20.

On 2/10/20, the CW made a home visit and spoke with the SF, the SM, and the surviving siblings, ages 22, 17, 14, and 7. The 17-year-old SS gave her account of the event. The SS stated the SC went to the garage to listen to music around 1:00AM and that this was common. The SS stated she was watching a movie with her boyfriend. When her boyfriend was



leaving, he stopped in the garage to say goodbye to the SC and found the SC hanging from a rope in the garage. The boyfriend contacted 911, began CPR and notified the 17-year-old SS by phone. The SS then notified the SM and other SS. When EMS arrived on the scene, they instructed the family to remain inside. The SM identified she was asleep and awoken by the 14-year-old SS and responded to the garage where EMS instructed the family back inside the home. The SF was out of town at the time of the incident and returned home upon learning of the SC's death. The 14-year-old SS and the 7-year-old SS were both asleep in the home at the time of the incident. All parties denied knowledge of the SC being suicidal. The SF, the SM, and the surviving siblings all denied physical discipline and verbal abuse by the SM during the initial interviews performed in the home. All parties identified that the SC had expressed no suicidal ideations.

The 17-year-old SS and the 14-year-old SS were interviewed again at the CAC. Both children identified that the SC had expressed no indications he was going to commit suicide. The 17-year-old SS disclosed that the SC had used marijuana regularly and alcohol. The 17-year-old SS disclosed no knowledge of substance use by the SC on the night of the incident. Both children identified that there was no physical discipline in the home. The 17-year-old SS identified that the SC was yelled at by their parents but there was no verbal abuse that would have led to the SC feeling suicidal. The 17-year-old SS identified being very close with the SC and that the SC discussed everything with her and never showed any indication of being physically or verbally abused or any suicidal ideation.

The SF identified to NCDSS that he had been suffering from depression prior to the SC's death and that other paternal family members are diagnosed with bi-polar disorder. The SF identified that the SC was not on his prescribed medications due to wanting to pursue the armed forces following his graduation from high school. Taking medication would have been a red flag to the military. The SC was also not engaged in mental health services.

NCDSS interviewed collateral contacts from the SC's school. NCDSS was informed of concerns for the SC's behaviors in school. In September 2019 the school expressed a concern to the SM that the SC was struggling with the death of a friend. The SM identified that she would follow up with counseling for the child. The SC was also prescribed medication for ADHD which the SC had discontinued taking to pursue a career with the armed forces after high school. NCDSS was informed that the SM was made aware of the concerns for the SC's behaviors in school as recently as December 2019. The SM identified then that the child should be on medication. At the time of the SC's death, the SC was not engaged in counseling or on his prescribed medication.

The family was offered services and identified they would be engaging in counseling independently. NCDSS confirmed appointments were scheduled and attended. All allegations were Unfounded and the case was closed. A correlation between the SC's suicide and the parents past actions or inactions could not be made and there was no evidence the SC and SS were being physically or emotionally abused by the SM in the home.

Official Manner and Cause of Death

Official Manner: Suicide

Primary Cause of Death: From an injury - external 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? Yes

SCR Fatality Report Summary



Child Fatality Report

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
053310 - Deceased Child, Male, 17 Year(s)	053316 - Stepmother, Female, 42 Year(s)	DOA / Fatality	Unsubstantiated
053310 - Deceased Child, Male, 17 Year(s)	053316 - Stepmother, Female, 42 Year(s)	Inadequate Guardianship	Unsubstantiated
053310 - Deceased Child, Male, 17 Year(s)	053316 - Stepmother, Female, 42 Year(s)	Emotional Neglect	Unsubstantiated
053311 - Sibling, Female, 17 Year(s)	053316 - Stepmother, Female, 42 Year(s)	Inadequate Guardianship	Unsubstantiated
053313 - Sibling, Female, 14 Year(s)	053316 - Stepmother, Female, 42 Year(s)	Inadequate Guardianship	Unsubstantiated

CPS Fatality Casework/Investigative Activities

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

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:				
Within 24 hours?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 7 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At 30 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Child Fatality Report

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were appropriate/needed services offered in this case	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Placement Activities in Response to the Fatality Investigation

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

Legal Activity Related to the Fatality

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

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral



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

Were services provided to siblings or other children in the household to address any immediate needs and support their well-being in response to the fatality? No

Explain:

Services were offered to the family by NCDSS. The family chose to pursue services independently.

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

Explain:

Services were offered to the family by NCDSS. The family chose to pursue services independently.

History Prior to the Fatality

Child Information

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

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)
07/31/2018	Deceased Child, Male, 15 Years	Stepmother, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Deceased Child, Male, 15 Years	Stepmother, Female, 41 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 15 Years	Stepmother, Female, 41 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 15 Years	Stepmother, Female, 41 Years	Lack of Supervision	Unsubstantiated	

Report Summary:

An SCR report alleged that the 15-year-old male grabbed the 15-year-old female child on her breasts and buttocks in September 2017 and again in June 2018. The report was subsequent to an SCR report dated 6/6/18.

Report Determination: Unfounded

Date of Determination: 08/21/2018

Basis for Determination:

The 15-year-old female identified that the touching occurred over the clothing and made her feel uncomfortable. She also identified that the touching was done in a joking manner and that the 15-year-old male had talked to her in her bedroom while she was in her underwear. The parents agreed to engage the male in counseling as this was the second time a report was made for the same allegations. A lock was fixed on the 15-year-old female's door and the parents identified enhanced supervision of the children would happen going forward.

OCFS Review Results:

OCDCSS completed interviews with appropriate parties in the home with the offending child and parents present. LE declined to participate in the investigation. The case was closed without collateral information being obtained for the children. The record reflects that a law enforcement search was returned for the parents. Notices of existence were not generated in Connections for the subsequent report. The biological mother was not contacted regarding the report. The seven-day safety assessment contained no information as to how the safety determination was made.

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

Issue:

Failure to utilize an approved MDT

Summary:

Nassau County Department of Social Services informed LE of the report with allegations of SA. LE was not present during interviews and requested follow up after contact. No follow up contact with LE was documented in the case record. The children were interviewed in the home in the presence of the parents and offending child and not in a fully confidential setting.

Legal Reference:

SSL 423(6); SSL 424 (5-a); 10-OCFS-LCM-09

Action:

NCDSS will coordinate investigations of reports with allegations of abuse with law enforcement and follow an MDT approach to investigating reports with allegations of abuse. When conducting investigations into allegations of abuse, NCDSS will conduct interviews at the CAC without alleged perpetrators or subjects present.

Issue:

Contact/Information From Reporting/Collateral Source

Summary:



The record did not contain documentation that any attempts were made to contact a relevant collateral. A potential therapist was disclosed by the family and NCDSS made no attempt to contact the collateral and obtain information about appointments scheduled or attended.

Legal Reference:

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

Action:

Nassau County Department of Social Services will make diligent efforts to contact collaterals to gather relevant information as it pertains to safety, risk, and a determination of the allegations.

Issue:

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

Summary:

Nassau County Department of Social Services did not make reasonable efforts to interview the biological mother of the 15-year-old twins named in the report.

Legal Reference:

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

Action:

Nassau County Department of Social Services will make reasonable efforts to contact absent parent(s) of children named in a report and will send a Notice of Existence letter if contact information is available.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/06/2018	Sibling, Female, 15 Years	Stepmother, Female, 41 Years	Lack of Supervision	Unsubstantiated	Yes
	Sibling, Female, 15 Years	Stepmother, Female, 41 Years	Sexual Abuse	Unsubstantiated	
	Deceased Child, Male, 15 Years	Stepmother, Female, 41 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 44 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 44 Years	Sexual Abuse	Unsubstantiated	
	Deceased Child, Male, 15 Years	Father, Male, 44 Years	Lack of Supervision	Unsubstantiated	

Report Summary:

An SCR report alleged that the parents were recently made aware that the 15-year-old male had touched the 15-year-old female sibling on her breasts and buttocks. The male also watched his sister get dressed and undressed in her bedroom.

Report Determination: Unfounded

Date of Determination: 08/21/2018

Basis for Determination:

The 15-year-old female identified that the touching occurred over the clothing and made her feel uncomfortable. She also identified that the touching was done in a joking manner and that the 15-year-old male had talked to her in her bedroom while she was in her underwear. The parents agreed to engage the male in counseling as this was the second time a report was made for the same behaviors. A lock was fixed on the 15-year-old female's door and the parents identified enhanced supervision of the children would happen going forward. The other children denied knowledge of the SC touching anyone inappropriately.

OCFS Review Results:

NCDSS conducted interviews with all appropriate parties in the family. The interviews were conducted in the home and



schools and not at a CAC. LE declined to participate in the investigation. The case was closed without obtaining collateral information that pertained to the children. The biological mother was not contacted regarding the report. The seven-day safety assessment was submitted late.

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

Issue:
Failure to provide notice of report

Summary:
Nassau County Department of Social Services did not make reasonable efforts to obtain demographic information or interview the biological mother of the 15-year-old twins about the report.

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

Action:
Nassau County Department of Social Services will make reasonable efforts to contact absent parent(s) of children named in a report and will send a Notice of Existence letter.

Issue:
Timely/Adequate Seven Day Assessment

Summary:
The seven-day safety assessment was completed 6 days late.

Legal Reference:
SSL 424(3);18 NYCRR432.2(b)(3)(ii)(c)

Action:
Within 7 days of receipt of the report, NCDSS must conduct a preliminary assessment of safety to determine whether the children named in the report and any other children in the household may be in immediate danger of serious harm. he results of each safety assessment must be documented in the case record in the form and manner required by OCFS.

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

Summary:
Nassau County Department of Social Services did not make reasonable efforts to interview the biological mother of the 15-year-old twins named in the report.

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

Action:
Nassau County Department of Social Services will make reasonable efforts to contact absent parent(s) of children named in a report and will send a Notice of Existence letter if contact information is available.

Issue:
Contact/Information From Reporting/Collateral Source

Summary:
The record did not contain documentation that any attempts were made to contact a relevant collateral. A potential therapist was disclosed by the family and NCDSS made no attempt to contact the collateral and obtain information about appointments scheduled or attended.

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

Action:
Nassau County Department of Social Services will make diligent efforts to contact collaterals to gather relevant information as it pertains to safety, risk, and a determination of the allegations.

Issue:



Failure to utilize an approved MDT

Summary:

Law enforcement was notified of the report and identified not receiving a Law Enforcement Referral. No further attempts to coordinate the investigation with LE was made by Nassau County DSS. Interviews and home visits were then conducted without law enforcement presence. No further coordination of the investigation with law enforcement is documented in the case record. Interviews were not conducted in the CAC as per protocol.

Legal Reference:

SSL 423(6); SSL 424 (5-a); 10-OCFS-LCM-09

Action:

CPS reports with allegations of sex abuse and cases that involve the death of a child, where an LDSS has chosen to establish an OCFS approved multidisciplinary team (MDT), must be investigated by the MDT. In local districts where no MDT has been established, NCDSS must jointly investigate the above named CPS cases with law enforcement. When conducting investigations into allegations of abuse, NCDSS will conduct interviews at the CAC without alleged perpetrators or subjects present.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/21/2017	Deceased Child, Male, 15 Years	Stepmother, Female, 39 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Deceased Child, Male, 15 Years	Stepmother, Female, 39 Years	Lack of Supervision	Unsubstantiated	
	Deceased Child, Male, 15 Years	Stepmother, Female, 39 Years	Sexual Abuse	Unsubstantiated	
	Sibling, Female, 15 Years	Stepmother, Female, 39 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 15 Years	Stepmother, Female, 39 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 15 Years	Stepmother, Female, 39 Years	Sexual Abuse	Unsubstantiated	
	Sibling, Female, 5 Years	Stepmother, Female, 39 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 5 Years	Stepmother, Female, 39 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 5 Years	Stepmother, Female, 39 Years	Sexual Abuse	Unsubstantiated	
	Deceased Child, Male, 15 Years	Father, Male, 44 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Male, 15 Years	Father, Male, 44 Years	Lack of Supervision	Unsubstantiated	
	Deceased Child, Male, 15 Years	Father, Male, 44 Years	Sexual Abuse	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 44 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 44 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 15 Years	Father, Male, 44 Years	Sexual Abuse	Unsubstantiated	



Sibling, Female, 5 Years	Father, Male, 44 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 44 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 44 Years	Sexual Abuse	Unsubstantiated

Report Summary:

An SCR report alleged that the 15-year-old male grabbed his twin sister on the breasts and buttocks and the parents were aware after the initial incident. The 15-year-old male denied the incident occurred. After the initial incident the parents denied witnessing the 15-year-old male act out sexually with the 15-year-old female and the 5-year-old sibling. The report alleged that the parents were not taking adequate steps to provide an appropriate level of supervision of the children.

Report Determination: Unfounded**Date of Determination:** 10/19/2017**Basis for Determination:**

The 15-year-old female disclosed that the 15-year-old had touched her breasts and buttocks. This behavior was described as done as a joke to annoy her. The 5-year-old female disclosed that she felt the 15-year-old male's private parts when he sat on her. The allegation was denied having been intentional by the SC. The allegations were identified to have been disclosed a day before the report was made and the family identified wishing to handle the concerns without CPS involvement.

OCFS Review Results:

NCDSS interviewed family members in the home instead of a CAC. During the interviews in the home other children were listening and interrupted the interviews. The case was not coordinated with a LE response. No collateral information was obtained for the family. The seven-day safety assessment was not submitted on time and was six days late. The biological mother to the 15-year-old twins was not contacted regarding the report.

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The seven-day safety assessment was completed 6 days late.

Legal Reference:

SSL 424(3);18 NYCRR432.2(b)(3)(ii)(c)

Action:

Within 7-days of receipt of the report, NCDSS must conduct a preliminary assessment of safety to determine whether the children named in the report and any other children in the household may be in immediate danger of serious harm. The results of each safety assessment must be documented in the case record in the form and manner required by OCFS.

Issue:

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

Summary:

Nassau County Department of Social Services did not make reasonable efforts to interview the biological mother of the 15-year-old twins named in the report.

Legal Reference:

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

Action:

Nassau County Department of Social Services will make reasonable efforts to contact absent parent(s) of children named in a report and will send a Notice of Existence letter if contact information is available.

Issue:

Failure to utilize an approved MDT

Summary:



Nassau County Department of Social Services informed law enforcement of the report with allegations of sexual abuse. Interviews and home visits were then conducted without law enforcement presence. No further coordination of the investigation with law enforcement is documented in the case record. Interviews were not conducted in the CAC according to protocol.

Legal Reference:

SSL 423(6); SSL 424 (5-a); 10-OCFS-LCM-09

Action:

NCDSS will coordinate investigations of reports with allegations of abuse with law enforcement and follow an MDT approach to investigating reports with allegations of abuse. When conducting investigations into allegations of abuse, NCDSS will conduct interviews at the CAC without alleged perpetrators or subjects present.

Issue:

Contact/Information From Reporting/Collateral Source

Summary:

The record did not contain documentation that any attempts were made to contact a relevant collateral. A potential therapist was disclosed by the family and NCDSS made no attempt to contact the collateral and obtain information about appointments scheduled or attended.

Legal Reference:

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

Action:

Nassau County Department of Social Services will make diligent efforts to contact collaterals to gather relevant information as it pertains to safety, risk, and a determination of the allegations.

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

The SF and the SM are named as subjects in two unfounded reports from 11/4/13 and 11/2/09 with allegations of physical and verbal abuse, excessive alcohol use, and that the SF had a substance abuse issue. The SM is named as the subject on two indicated reports from 7/23/04, and 10/4/03. The allegations in those reports were for hitting and kicking her child as punishment, leaving marks and bruises. The BM is named on an indicated report dated 1/25/04, in which she was suicidal, having mental health issues and abusing prescription medication. All cases above were closed with no further services provided to the family.

Known CPS History Outside of NYS

There is no known history outside of New York State.

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