



Report Identification Number: RO-21-011

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

Issue Date: Sep 20, 2021

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: 16 year(s)

Jurisdiction: Monroe
Gender: Male

Date of Death: 03/25/2021
Initial Date OCFS Notified: 03/25/2021

Presenting Information

Monroe County Department of Human Services (MCDHS) received a report from the SCR on 3/25/21, alleging the child was diagnosed with a Neurological disorder in August of 2019. At that time, the subject child was prescribed daily medication and given necessary follow up appointments to monitor his condition. The mother failed to bring the subject child to any neurology appointments over the course of the past year and a half. The subject child was not seen medically since 2019 and continued to have seizures. On 3/24/21, the subject child had four seizures during the day for unknown reasons. The mother was recommended to seek medical advice and failed to contact the appropriate medical professionals. On the morning of 3/25/21 at approximately 8:30AM, the mother found the subject child unresponsive. As a result of the mother's failure to seek necessary medical monitoring of the subject child's condition, the subject child continued to have seizures.

Executive Summary

This fatality report concerns the death of the 16-year-old male subject child that occurred on 3/25/21. A report was made to the SCR on the same date with allegations of Inadequate Guardianship, Lack of Medical Care, and DOA/Fatality against the mother for the subject child and Inadequate Guardianship for the siblings. During the investigation, MCDHS added the allegation of Lack of Medical Care for the 10-year-old sibling and 3-month-old sibling. MCDHS completed a thorough investigation into the death of the child and the additional allegations concerning the siblings. An autopsy was completed; however, the results were pending at the time of this writing. There were no criminal charges brought against the mother regarding the child's death.

Medical records reflected the subject child was diagnosed with a Neurological disorder in 2019. At that time, the subject child was prescribed daily medication and given follow-up appointments to monitor his medical condition. The child did not attend any appointments over the course of more than two years. The child continued to have seizures on a frequent basis.

The investigation revealed on 3/24/21, the subject child had four seizures during the day. The mother reached out to medical professionals on the evening of 3/24/21 and was recommended to seek medical advice from the on-call neurology office. The mother did not make additional attempts to seek medical assistance for the subject child and the subject child went to bed. The mother checked on the subject child the following morning and found him to be deceased. She contacted 911 and first responders arrived, and the subject child was declared dead at approximately 8:30AM at the home.

From the time the investigation began to the time of its closure, MCDHS met with all family members and interviewed pertinent collateral sources. The allegations of Inadequate Guardianship, Lack of Medical Care, and DOA/Fatality against the mother regarding the subject child and siblings were indicated. The mother failed to follow through with medical appointments for the siblings despite concerns that they were not up to date with well-child visits. The 10-year-old sibling had a medical condition that she was not receiving appropriate treatment for due to the mother's noncompliance. The 3-month-old sibling was born with a medical condition that required follow-up therapies and the mother did not bring the sibling to the scheduled appointments. The mother allowed her boyfriend to have access to the siblings despite him being a registered sex offender. The boyfriend was on parole and violating conditions of his parole by having contact with the eldest siblings, who were not his biological children.

MCDHS offered fatality related services to the family. The mother was initially receptive to services for herself and the



siblings and immediately began working with a community-based provider who offered trauma services. After a few sessions, the mother became noncompliant with community-based services and MCDHS. MCDHS filed an Article 10 Severe Abuse Petition against the mother due to the mother's failure to engage in appropriate services and failure to follow up with appointments for the children. An Order of Supervision was granted by family court and the mother was mandated to engage in preventive services and attend to the siblings' medical needs.

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

Explain:

MCDHS gathered information to determine the allegations and assess the safety of the surviving siblings. MCDHS filed an Article 10 Abuse Petition in family court and an Order of Supervision was granted.

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

Was casework activity commensurate with appropriate and relevant statutory or regulatory requirements? Yes

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

Explain:

The case record reflected supervisory consultations throughout the investigation. The level of casework activity was commensurate with the case circumstances.

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: 03/25/2021

Time of Death: 08:30 AM (Approximate)

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

Unknown

County where fatality incident occurred:

Monroe

Was 911 or local emergency number called?

Yes

Time of Call:

08:17 AM

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

How long before incident was the child last seen by caretaker? 5 Hours

At time of incident was supervisor impaired? Not impaired.

At time of incident supervisor was:

Distracted

Absent

Asleep

Other:

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Male	16 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	32 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	3 Month(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	2 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	10 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	9 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	6 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	11 Year(s)
Other Household 1	Other Adult - Father of Sibling	No Role	Male	32 Year(s)
Other Household 2	Father	No Role	Male	35 Year(s)
Other Household 3	Other Adult - Father of Sibling	No Role	Male	29 Year(s)

LDSS Response



MCDHS initiated the fatality investigation within 24 hours after the report was received and coordinated their efforts with their multidisciplinary team. MCDHS began gathering information about the family and the events leading up to the subject child's death.

The mother was interviewed at the home immediately following the death. The mother reported the subject child had an increase in seizure activity on 3/24/21. The mother reported she contacted the hospital and they informed her to keep an eye on the subject child and reach out to the neurology department if his condition worsened. The mother reported she observed the subject child fall asleep on the couch. The mother did not recall what time she fell asleep. She reported she woke the next morning and checked on the subject child. The mother found the child was not in his bedroom or on the couch where she last saw him. The mother found the subject child on the floor in the living room, unresponsive. She immediately called 911 and began CPR at the instruction of the 911 provider. MCDHS observed the subject child's body on the floor of the home, under a blanket. The family reported they were waiting for the funeral home to retrieve the body.

Medical records revealed the mother called the hospital on 3/24/21 at approximately 9:30PM. The mother spoke to a resident doctor and informed the on-call resident that the subject child was having an increase in seizures. The record revealed the subject child had 4 convulsive seizures that lasted between 1-4 minutes each. The mother denied having rescue medication but reported he had been taking his regular medication. The mother was instructed to contact the pediatric neurology department and was provided the contact information. The mother was also recommended to call 911 if the child experienced another seizure. The hospital's neurology department shared that they had made multiple attempts to engage the mother in order to get the subject child seen for appointments; however, despite their outreach, the subject child failed to attend any follow-up appointments. Medical documentation of missed appointments was provided to MCDHS. The record revealed 15 attempts by Neurology to engage the mother.

Medical records were received regarding the siblings. The records reflected that the siblings were not up to date on well-child visits and immunizations. Additionally, the 10-year-old sibling and 3-month-old sibling had medical conditions that were not being treated. Following receipt of the medical records, MCDHS attempted to engage the mother in order to have the siblings assessed medically. The mother agreed to make appointments for the children but became increasingly noncompliant.

Throughout the investigation, MCDHS assessed the safety of the siblings and spoke with numerous collateral sources, including medical staff, the pediatrician, and the case manager of the community-based preventive program. MCDHS continued to make attempts to engage the mother to no avail. MCHDS filed an Article 10 Severe Abuse Petition against the mother after multiple failed attempts to engage her.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Pending

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Comments: MCDHS adhered to previously approved protocols for joint investigations by collaborating with law enforcement and notifying the DA's office of the death.

Was the fatality reviewed by an OCFS approved Child Fatality Review Team? Yes



Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
058078 - Deceased Child, Male, 16 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058078 - Deceased Child, Male, 16 Year(s)	058079 - Mother, Female, 32 Year(s)	DOA / Fatality	Substantiated
058078 - Deceased Child, Male, 16 Year(s)	058079 - Mother, Female, 32 Year(s)	Lack of Medical Care	Substantiated
058080 - Sibling, Male, 11 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058082 - Sibling, Female, 10 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058082 - Sibling, Female, 10 Year(s)	058079 - Mother, Female, 32 Year(s)	Lack of Medical Care	Substantiated
058083 - Sibling, Male, 9 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058085 - Sibling, Male, 6 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058086 - Sibling, Female, 3 Month(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated
058086 - Sibling, Female, 3 Month(s)	058079 - Mother, Female, 32 Year(s)	Lack of Medical Care	Substantiated
058093 - Sibling, Male, 2 Year(s)	058079 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Substantiated

CPS Fatality Casework/Investigative Activities

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



Additional information:

MCDHS contacted relevant collateral sources.

Fatality Safety Assessment Activities

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

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: MCDHS provided community-based referrals for mental health and bereavement counseling to the family. MCDHS opened a preventive services case following filing an Article 10 Abuse Petition against the mother.				

Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
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Child Fatality Report

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"/>
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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"/>
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Explain as necessary:
 There was no removal of the siblings. An Abuse Petition was filed and an Order of Supervision was granted. At the time of this writing, the siblings remained in the mother's 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

Family Court Petition Type: FCA Article 10 - CPS		
Date Filed:	Fact Finding Description:	Disposition Description:
	There was not a fact finding	Order of Supervision
Respondent:	058079 Mother Female 32 Year(s)	
Comments:	MCDHS filed an Article 10 Severe Abuse Petition against the mother regarding the 5 siblings. An initial court appearance was held on 5/27/21 and an Order of Supervision was ordered. The mother was ordered to comply with MCDHS with regard to attending all medical appointments and following through with any and all recommendations from medical professionals regarding all 5 siblings. The mother was ordered to engage in services with MCDHS and allow MCDHS access to the siblings. Further court appearances for the fact finding were scheduled at the time of this writing.	

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parenting Skills	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alcohol/Substance abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other, specify: Trauma Services and Preventive Services

Additional information, if necessary:

MCDHS provided preventive services and community-based trauma services to the family following the death. MCDHS provided information on burial assistance.

Were services provided to siblings or other children in the household to address any immediate needs and support their well-being in response to the fatality? Yes

Explain:

Preventive services and community-based trauma services were provided to the siblings following the death.

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

Explain:

The mother engaged in preventive services following the death.

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? Yes
- 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? Yes

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/15/2021	Deceased Child, Male, 16 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Male, 11 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated	



Sibling, Female, 10 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 6 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 2 Years	Mother, Female, 32 Years	Inadequate Guardianship	Substantiated
Deceased Child, Male, 16 Years	Mother, Female, 32 Years	Lack of Medical Care	Substantiated
Sibling, Female, 10 Years	Mother, Female, 32 Years	Lack of Medical Care	Substantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Lack of Medical Care	Substantiated

Report Summary:

MCDHS received a report from the SCR alleging the subject child was diagnosed with a Neurological disorder in August 2019. The subject child was prescribed medication and required to follow up with seizure and medication management. The mother failed to follow up with appointments from 11/2019 until the date of the SCR report.

Report Determination: Indicated

Date of Determination: 06/01/2021

Basis for Determination:

MCDHS determined the mother failed to follow through with medical appointments for the subject child. The subject child began having seizures in 2018 and was referred to Neurology. The child was not initially seen at the Neurology department until the following year. The subject child continued to have seizures and ultimately died during this investigation as the result of a seizure. The mother failed to follow through with appointments and recommendations following the initial neurological appointment.

OCFS Review Results:

MCDHS completed assessments within the required timeframes. MCDHS confirmed the mother made an appointment with neurology for the child following receipt of the report; however, the child passed away prior to his appointment. MCDHS addressed new concerns as they arose. MCDHS explored all areas of potential service needs with the family and made referrals for community-based services as necessary. MCDHS filed a Severe Abuse Petition against the mother and an Order of Supervision was granted through family court. MCDHS opened a mandated Preventive Services case to oversee the Order of Supervision and offer additional support to the family.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
12/01/2020	Deceased Child, Male, 15 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Deceased Child, Male, 15 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Male, 15 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated	
	Sibling, Male, 11 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	



Sibling, Male, 11 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 11 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Female, 9 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 9 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 9 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 8 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 8 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 5 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 5 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 5 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 32 Years	Lacerations / Bruises / Welts	Unsubstantiated
Deceased Child, Male, 15 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Deceased Child, Male, 15 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Male, 15 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 11 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 11 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 11 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Female, 9 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 9 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 9 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated



Sibling, Male, 8 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 8 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 5 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 5 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 5 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 2 Years	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 2 Years	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 2 Years	Mother's Partner, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated
Deceased Child, Male, 15 Years	Mother, Female, 32 Years	Lack of Medical Care	Unsubstantiated
Sibling, Female, 9 Years	Mother, Female, 32 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 8 Years	Mother, Female, 32 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 5 Years	Mother, Female, 32 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 32 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 11 Years	Mother, Female, 32 Years	Educational Neglect	Unsubstantiated
Sibling, Female, 1 Days	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 1 Days	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Days	Mother's Partner, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 1 Days	Mother's Partner, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 1 Days	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

Report Summary:

MCDHS received a report from the SCR alleging the mother had anger issues and abused marijuana while caring for the children. The mother used excessive discipline on the children in the past, causing marks and bruises. The mother's boyfriend (the father of the youngest two siblings) was a sex offender and provided care for the children. The boyfriend also used excessive discipline. The subject child had special needs and was not receiving needed therapies. A subsequent



report was received when the youngest sibling was born and alleged the mother tested positive for marijuana at the time of her birth.

Report Determination: Unfounded

Date of Determination: 03/05/2021

Basis for Determination:

MCDHS determined there was no credible evidence to support the allegations. MCDHS assessed the children regularly to be free from marks and bruises. Though the mother tested positive for marijuana, she denied using substances in front of the children and was always observed to be a sober caretaker. The children denied knowledge of drug or alcohol use in the home. The mother's boyfriend was observed and resided outside the home. All denied he acted as a caretaker for any of the children other than the youngest two siblings, which were his children.

OCFS Review Results:

MCDHS completed a Plan of Safe Care following the birth of the sibling. MCDHS completed assessments within the required timeframes. MCDHS did not contact collateral sources related to the SC's neurodevelopmental diagnosis or therapeutic needs. MCDHS observed the subject child have seizures during the two initial home visits and did not follow through that the child was receiving appropriate medical intervention until case closure. MCDHS had a conversation with the mother upon finding out the child was not receiving appropriate medical intervention, but did not follow up to assess the subject child received treatment despite the medical provider voicing serious concern for the child's health.

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

Issue:

Appropriateness of allegation determination

Summary:

MCDHS documented their basis for unsubstantiating the allegation of LMED for the SC by stating they expressed the importance of following up with appointments and acknowledged that a follow up was scheduled for that month. MCDHS closed the investigation before verifying that the appointment was attended, despite the mother historically missing appointments.

Legal Reference:

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

Action:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
08/24/2020	Sibling, Male, 10 Years	Grandparent, Male, 54 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 8 Years	Grandparent, Male, 54 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 8 Years	Grandparent, Male, 54 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 5 Years	Grandparent, Male, 54 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - Father of Sibling's Child, Female, 1 Years	Grandparent, Male, 54 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Substantiated	



Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Substantiated
Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Substantiated
Sibling, Male, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Substantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Substantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Substantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Substantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Substantiated
Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Choking / Twisting / Shaking	Unsubstantiated
Sibling, Male, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Choking / Twisting / Shaking	Unsubstantiated

**Report Summary:**

MCDHS received a report from the SCR alleging the father of the eldest siblings interrogated the children every weekend when they visited his home. The father became angry when the children did not provide the information he wanted. Additionally, on 8/15/20, the father went to work and left the 8yo, 5yo, and 1yo children in the car for hours. The father of the siblings resided with his parents and there were concerns the paternal grandparents of the siblings were growing marijuana and using illicit substances.

Report Determination: Indicated**Date of Determination:** 10/26/2020**Basis for Determination:**

MCDHS determined the father left the children in his vehicle for an extended period of time while the father worked. MCDHS was able to obtain video footage of the children in the vehicle. The children were observed fighting in the vehicle and the 1yo other child was not in a car seat. The investigation revealed the grandparents were not growing marijuana or using illicit substances.

OCFS Review Results:

During the investigation, MCDHS learned of concerns regarding the subject child having seizures to the degree that he was receiving injuries (bruising) to his face and head, but did not delve further into the condition or whether the child was receiving the appropriate medical treatment for his condition. The progress notes reveal the child was not up to date in immunizations, but there was no further discussion with medical personnel regarding his seizure disorder. MCDHS completed casework within the required timeframes and notified all appropriate adults of the report.

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

Determination of Nature, Extent and Cause of Conditions (Report)

Summary:

In addition to conditions enumerated in a report, MCDHS is required to determine any other condition that may constitute abuse or maltreatment. MCDHS learned the subject child had a seizure disorder and was sustaining injuries from the disorder. MCDHS did not gather information from medical professionals regarding the child's treatment, compliance, or attendance.

Legal Reference:

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

Action:

MCDHS will address new concerns as they arise with all applicable caregivers, in an effort to determine whether the action(s)/inaction(s) constitute as abuse or maltreatment.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/04/2020	Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 10 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 8 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	



Sibling, Male, 7 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 7 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 7 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 5 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Lack of Supervision	Unsubstantiated
Other Child - Father of Sibling's Child, Female, 1 Years	Other Adult - Father of Sibling, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Male, 7 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 7 Years	Mother, Female, 31 Years	Lacerations / Bruises / Welts	Unsubstantiated
Sibling, Male, 7 Years	Mother's Partner, Male, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 7 Years	Mother's Partner, Male, 28 Years	Lacerations / Bruises / Welts	Unsubstantiated

Report Summary:

MCDHS received a report from the SCR alleging the mother and her boyfriend hit the siblings with excessive force, causing injuries. Specifically, the 7-year-old sibling was hit in the leg with an object, which caused a bleeding laceration. Subsequent reports were received on 3/26/20 and 4/3/20. The 3/26/20 report alleged the mother and her boyfriend were using illicit drugs in the presence of the children and continued to use excessive discipline on the children. The 4/3/20 report alleged the father of the eldest siblings was smoking marijuana while caring for the children. He also slept naked with the 9-year-old female sibling.

Report Determination: Unfounded

Date of Determination: 05/05/2020

Basis for Determination:

MCDHS did not find credible evidence to substantiate the allegations. The children were observed on multiple occasions to be free from marks and bruises. The mother denied hitting the children with anything other than an open hand on their buttocks and denied using excessive discipline. MCDHS did not find evidence that the father of the siblings was using marijuana nor was there evidence he was sleeping naked with the sibling.

OCFS Review Results:

MCDHS completed the 7-day Safety Assessment within the required timeframe and notified all appropriate adults of the report. MCDHS completed a thorough investigation and closed the case once all objectives were met. 33 of the 75 progress notes were entered more than a month after their event dates.

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



Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

33 of the 75 progress notes were entered more than a month after their event dates.

Legal Reference:

18 NYCRR 428.5

Action:

MCDHS will enter all progress notes contemporaneous to their event dates.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
11/11/2019	Sibling, Male, 10 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	No
	Sibling, Male, 10 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 7 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 4 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 4 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Other Child - Child of the Mother's Boyfriend, Male, 10 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - Child of the Mother's Boyfriend, Male, 10 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 10 Years	Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 10 Years	Mother's Partner, Male, 27 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 8 Years	Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Mother's Partner, Male, 27 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 7 Years	Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 7 Years	Mother's Partner, Male, 27 Years	Lack of Supervision	Unsubstantiated	
Sibling, Male, 4 Years	Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unsubstantiated		



Child Fatality Report

Sibling, Male, 4 Years	Mother's Partner, Male, 27 Years	Lack of Supervision	Unsubstantiated
Other Child - Child of the Mother's Boyfriend, Male, 10 Years	Mother's Partner, Male, 27 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Child of the Mother's Boyfriend, Male, 10 Years	Mother's Partner, Male, 27 Years	Lack of Supervision	Unsubstantiated

Report Summary:

MCDHS received a report from the SCR alleging on 11/10/19, the mother and the father of the two youngest siblings left the siblings and another young child outside and unsupervised for 3 or more hours. The children did not wish to remain outside because it was cold. The children alerted the mother and father of the youngest siblings that they wished to go into the home. The adults were angry and used physical discipline on the siblings. The children sustained marks as a result of being physically disciplined.

Report Determination: Unfounded

Date of Determination: 01/27/2019

Basis for Determination:

MCDHS determined there was no credible evidence to substantiate the allegations. MCDHS found the children to be inconsistent in their accounts of the events of 11/10/19. The children were all observed to be free from marks and bruises. The children were assessed to be safe with their mother.

OCFS Review Results:

This investigation met all statutory requirements.

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)
04/11/2019	Sibling, Male, 9 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	No
	Sibling, Male, 9 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 6 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 6 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 4 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 4 Years	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 5 Months	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 5 Months	Mother, Female, 30 Years	Lack of Supervision	Unsubstantiated	
	Deceased Child, Male, 14 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	



Report Summary:

MCDHS received a report from the SCR alleging on 4/5/19, the mother left the 10yo, 7yo, 6yo, 4yo, and 3-month-old siblings home and unsupervised for an unknown length of time. The children were not mature enough to care for themselves or an infant. This had occurred at another unknown time. It was unknown if the children were ever injured as a result. Additionally, the siblings and subject child had been covered in bedbug bites and the mother was not addressing the bedbugs.

Report Determination: Unfounded

Date of Determination: 12/18/2019

Basis for Determination:

MCDHS determined there was no credible evidence to substantiate the allegations. All the children and the mother denied the children were ever left home alone unsupervised. The mother agreed there had been an issue with bedbugs and the family had moved prior to the report due to the infestation. MCDHS found no concerns after assessing the children and speaking with collateral sources.

OCFS Review Results:

MCDHS completed all casework within the required timeframes. MCDHS assessed the family's needs and provided a Pack 'N Play to the family for the youngest sibling. MCDHS contacted relevant collateral sources and engaged all family members. MCDHS gathered sufficient information during their investigation to assess the safety and risk factors for all the children and determine the allegations.

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)
03/25/2019	Deceased Child, Male, 14 Years	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Male, 9 Years	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 6 Years	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 4 Years	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 4 Months	Day Care Provider, Female, 45 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 9 Years	Day Care Provider, Female, 45 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 8 Years	Day Care Provider, Female, 45 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 6 Years	Day Care Provider, Female, 45 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 4 Years	Day Care Provider, Female, 45 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 4 Months	Day Care Provider, Female, 45 Years	Lack of Supervision	Unsubstantiated	

Report Summary:

MCDHS received a report alleging the subject child and his four younger siblings (ages 9, 8, 6, and 4) were attending daycare before and after school. The daycare provider tied the subject child's hands with a bandana and made him sit for



an indefinite amount of time. The siblings were made to perform squats for an extended time. The children were all sprayed with a chemical and made to sit in the basement. Meals and snacks were withheld from the children and the eldest four children were encouraged to hit other children in the daycare.

Report Determination: Unfounded

Date of Determination: 02/04/2020

Basis for Determination:

MCDHS determined there was no credible evidence to support the allegations. MCDHS completed a joint investigation with an OCFS Child Care Council Representative due to the report being flagged as a daycare case. The investigation did not find evidence that the children were mistreated or neglected while attending daycare. The mother enrolled the children in a different daycare during the investigation.

OCFS Review Results:

12 of the 23 notes were entered more than eight months after their event dates. A review of CPS history was not completed until nine months after receipt of the report. A child attending the daycare was alleged to be an abused/neglected child and, though he was assessed and interviewed, he was not added to the report.

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

Issue:

Timely/Adequate Case Recording/Progress Notes

Summary:

twelve of the twenty three progress notes were added more than eight months after their event dates.

Legal Reference:

18 NYCRR 428.5

Action:

MCDHS will enter all progress notes contemporaneous to their event dates.

Issue:

Review of CPS History

Summary:

A review of CPS history was not documented in the case record until nine months after receipt of the report.

Legal Reference:

18 NYCRR 432.2(b)(3)(i)

Action:

Within one business day, MCDHS will review SCR records pertaining to all prior reports involving members of the family, including legally sealed unfounded reports where the current report involves a subject of the unfounded report, a child named in the unfounded report or a child's sibling named in the unfounded report. The history check should be documented in progress notes accordingly.

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

There was history for the family dating back to 2010. Multiple unfounded reports related to the mother's alleged substance abuse in the presence of the children. There were also unfounded reports regarding the mother's use of excessive force in disciplining the siblings and subject child. The mother tested positive for marijuana at the time of two of the siblings' births. The reports were unfounded as MCDHS did not find a negative impact on the children.

Known CPS History Outside of NYS

There was no known history outside of New York State.



Foster Care Placement History

There was an open Foster Care case from 2/28/12 until 10/16/13. The two eldest siblings were placed in kinship care with their paternal grandparents on 3/1/12 via a court order. Placement was the result of the siblings sustaining injuries with no explanation. Additionally, the subject child was placed in foster care on an emergency basis due to sustaining multiple loop pattern marks on his arms, back, stomach, and legs. The subject child was released to the care of his paternal grandmother following his initial placement in a foster boarding home. The mother had no explanation for the injuries of the subject child and was charged with endangering the welfare of a child and assault 2nd, as a result. The mother worked with MCDHS to obtain suitable housing, engaged in substance abuse treatment, and attend to the children's medical and educational needs. As a result of court on 8/1/13, the three children were approved to return to the care and custody of their mother. The mother completed her court ordered services and the services case was closed on 10/16/13.

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