



**Report Identification Number: SV-18-048**

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

**Issue Date: Feb 08, 2019**

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		



## Case Information

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

**Jurisdiction:** Suffolk  
**Gender:** Female

**Date of Death:** 08/17/2018  
**Initial Date OCFS Notified:** 08/20/2018

## Presenting Information

An SCR report alleged the 2yo SC was being cared for by the maternal grandmother and she took SC into the pool. While holding SC in the pool, the grandmother slipped, causing SC to fall from her arms. For reasons unknown the grandmother was unable to retrieve SC in a timely manner and as a result, she drowned. The grandmother attempted CPR once she retrieved SC from the pool, but was unsuccessful. The explanation provided regarding the timeframe from when SC fell out of the grandmother's arms to SC drowning was suspicious.

## Executive Summary

On 8/17/18, the Suffolk County Department of Social Services (SCDSS) received an SCR report regarding the death of the 2yo female SC. SCDSS had an open investigation at the time, which was received on 6/27/18, against the mother and the father of the SC and 6-month-old sibling. The 6/27/18 report alleged concerns for the condition of the home, the mother's mental health, DV, drug use and inadequate supervision regarding the 5 children ages 10, 9, 4, 2 and 6 months.

A joint investigation of the fatality was conducted with LE. The investigation revealed on 8/17/18, the SC was swimming alone with the maternal grandmother in her in-ground swimming pool. The grandmother's foot slipped and the SC slipped from her arms and sunk to the bottom of the deep end of the pool. The grandmother had a difficult time reaching the SC and eventually pulled the SC out of the pool. She began CPR and called 911 at 5:50 PM. EMS arrived and transported the SC to South Side Hospital where she was pronounced deceased at 6:19 PM. The grandmother rented a basement apartment in the home and the only other person home at the time of the incident was the home owner's adult son, who was sleeping. He, nor the neighbors, heard the grandmother's calls for help. The grandmother said she could swim and denied being under the influence of drugs or alcohol at the time of the incident.

An autopsy was performed and the ME noted the SC had no injuries or illness at the time of her death and the cause of death was drowning. The LE investigation was closed with no charges filed, as it was determined the drowning was accidental.

Through a review of CPS history, it was learned the parents had an extensive history for deplorable home conditions, the two oldest siblings were born with a positive toxicology for marijuana and there was a history of violence perpetrated toward the mother by the 9yo's sibling's father. During past investigation, SCDSS did not attempt to engage the biological fathers as resources for the children and they did not notify the fathers of the investigation as required. This concern has already been brought to the attention of SCDSS and there is an active PIP in place. SCDSS has provided training to their staff and have developed an agency protocol for engaging absent parents, which was evident in recent investigations.

Throughout the current investigation, the home was assessed to be adequately maintained with no safety hazards observed, the children had appropriate hygiene, the parents appeared sober and there were no concerns for current drug use. It was determined the children were safe in their parents' care and that the mother had a lot of support from family. There were subsequent SCR reports received on 9/12/18 and 9/20/18, that were merged into the 8/17/18 investigation, with allegations regarding SC's death, as well as additional allegations against other family members regarding the siblings and were thoroughly investigated by SCDSS.

SCDSS appropriately unsubstantiated all allegations based on a lack of credible evidence that the physical, mental or emotional condition of the children was placed at risk of harm by the parents, grandmother or other family member's



actions. The grandmother could swim, had taken the children swimming in her pool on many occasions, and felt she was able to safely hold the SC in the shallow end of the pool, without incident. The grandmother attended grief counseling services at her church and the parents declined the need for any services as they had support from their family and the children's school. The parents and grandmother had the same landlord and were both in the process of being evicted from their homes after the incident. They declined housing assistance from SCDSS and the parents planned to move out of state. SCDSS provided the parents with grief counseling resources in the state they planned to move to.

### PIP Requirement

For issues identified in historical cases, SCDSS will submit a PIP to the Spring Valley Regional Office within 30 days of receipt of this report. The PIP will identify action(s) SCDSS has taken, or will take, to address the cited issue(s). For issues where a PIP is currently implemented, SCDSS will review the plan and revise as needed to address ongoing concerns.

## Findings Related to the CPS Investigation of the Fatality

### Safety Assessment:

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

The decision to unfound and close the case was appropriate.

**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:

Casework activities were consistent with case circumstances and there was adequate supervisory consultation.

## Required Actions Related to the Fatality



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

## Fatality-Related Information and Investigative Activities

### Incident Information

Date of Death: 08/17/2018

Time of Death: 06:19 PM

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

05:50 PM

County where fatality incident occurred:

Suffolk

Was 911 or local emergency number called?

Yes

Time of Call:

05:50 PM

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: Swimming

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

At time of incident supervisor was: Not impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

### Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	2 Year(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	30 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	32 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	6 Month(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	10 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	9 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	4 Year(s)
Other Household 1	Grandparent	Alleged Perpetrator	Female	71 Year(s)
Other Household 2	Other Adult - 10yo sibling's father	No Role	Male	36 Year(s)
Other Household 3	Other Adult - 9yo sibling's father	No Role	Male	35 Year(s)
Other Household 4	Other Adult - 4yo sibling's father	No Role	Male	25 Year(s)

### LDSS Response



SCDSS initiated their investigation within 24 hours of receipt of the SCR report and coordinated their efforts with LE. SCDSS contacted the source and completed a CPS history check. SCDSS assessed the safety of the four siblings by conducting a home visit at the paternal grandmother’s home on 8/18/18, where the family was temporarily staying, and at the family’s home on 8/22/18, when the family returned.

The paternal grandmother’s home and the family’s home were assessed to meet minimal standards, with no safety hazards present. The parents and children were interviewed regarding the events that led up to SC’s death. The parents said they were at a concert on the night of 8/17/18 and each of the children were with different relatives, with the SC being with the maternal grandmother at her home. The parents were contacted by LE and informed there had been an incident and they were air lifted to the hospital. Upon arrival, they learned SC had drowned in the pool. The parents said to their knowledge, the grandmother could swim and they didn’t know why she took so long to get SC out of the pool. They did not send a bathing suit or SC’s flotation “arm bands” since there was no plan for the SC to go swimming that night. They said the children often went swimming with the grandmother at her home and the children always wore “arm band” flotation devices. They didn’t know why the grandmother took the SC into the pool on this date without them. The children reported they always wore “arms bands” when they went swimming and that their grandmother could swim. It was learned SC was healthy and developmentally on target and the siblings were assessed to be safe in the parent’s care.

The maternal grandmother's home and pool were assessed by SCDSS and pool safety was discussed. There was a fence with a locked gate surrounding the yard. The pool was found to be in good working order, with clear water and SCDSS determined it met the local pool safety requirements. There was a shallow end which gradually sloped to four feet deep before leveling out and then gradually sloped to eight feet deep. The grandmother said she was in the shallow end of the pool holding SC in her arms. SC had no flotation device on since it was a last-minute decision to go into the pool. SC wanted to go deeper so she carried SC to the four-foot area. SC was splashing and playing and the grandmother didn’t realize how far they had gone. The grandmother’s foot slipped and at the same time SC slipped out of her arms and sunk to the bottom of the deepest end of the pool. The grandmother said she tried to dive to the bottom of the pool, but she kept floating back up. Eventually, she grabbed SC with her feet and pulled her out of the pool. She began CPR and called 911.

Grief counseling services were offered to the family and the grandmother engaged in counseling with her own provider. The parents declined counseling, as they had a lot of support from family and the 10yo and 9yo siblings received support from school. Housing assistance was also declined as the family planned to move out of state. SCDSS spoke to the 10yo and 9yo sibling’s fathers, and other family members and they had no current concerns for the children in the mother’s care. They expressed that the home had recently been maintained free from safety hazards and the children’s hygiene had also been maintained. There were no concerns reported for drug use or the mother's MH. Diligent efforts were made to speak to the 4yo sibling’s father, but were unsuccessful.

SCDSS conducted a thorough investigation and contacted multiple collaterals, including hospital staff, ME, EMTs, LE, school and pediatrician. It was appropriately determined the incident was accidental and that the grandmother provided a minimum degree of care to the SC. SCDSS also appropriately unsubstantiated the additional allegations against the parents and other family members regarding the siblings, that were reported after SC’s death.

### Official Manner and Cause of Death

**Official Manner:** Accident

**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? No**

**Comments:** There is no OCFS approved Child Fatality Review Team in Suffolk County.

**SCR Fatality Report Summary**

<b>Alleged Victim(s)</b>	<b>Alleged Perpetrator(s)</b>	<b>Allegation(s)</b>	<b>Allegation Outcome</b>
048901 - Deceased Child, Female, 2 Yrs	048909 - Grandparent, Female, 71 Year(s)	DOA / Fatality	Unsubstantiated
048901 - Deceased Child, Female, 2 Yrs	048909 - Grandparent, Female, 71 Year(s)	Lack of Supervision	Unsubstantiated
048901 - Deceased Child, Female, 2 Yrs	048909 - Grandparent, Female, 71 Year(s)	Inadequate Guardianship	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Guardianship	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048902 - Mother, Female, 32 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048903 - Father, Male, 30 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048904 - Sibling, Female, 10 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048903 - Father, Male, 30 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048902 - Mother, Female, 32 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048906 - Sibling, Female, 4 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Guardianship	Unsubstantiated
048907 - Sibling, Female, 9 Year(s)	048902 - Mother, Female, 32 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048907 - Sibling, Female, 9 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
048907 - Sibling, Female, 9 Year(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048907 - Sibling, Female, 9 Year(s)	048903 - Father, Male, 30 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated



# Child Fatality Report

048907 - Sibling, Female, 9 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Guardianship	Unsubstantiated
048907 - Sibling, Female, 9 Year(s)	048903 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048902 - Mother, Female, 32 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Guardianship	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048902 - Mother, Female, 32 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048903 - Father, Male, 30 Year(s)	Parents Drug / Alcohol Misuse	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048903 - Father, Male, 30 Year(s)	Inadequate Guardianship	Unsubstantiated
048908 - Sibling, Female, 6 Month(s)	048903 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Unsubstantiated

### CPS Fatality Casework/Investigative Activities

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

**Additional information:**

Attempts to interview the 4yo sibling's father were unsuccessful.

### Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
<b>Were there any surviving siblings or other children in the household?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





<b>Was there an adequate assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:</b>				
<b>Within 24 hours?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>At 7 days?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>At 30 days?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there an approved Initial Safety Assessment for all surviving siblings/ other children in the household within 24 hours?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Are there any safety issues that need to be referred back to the local district?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>When safety factors were present that placed the surviving siblings/other children in the household in impending or immediate danger of serious harm, were the safety interventions, including parent/caretaker actions adequate?</b>	<input 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
<b>Was the risk assessment/RAP adequate in this case?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was there an adequate assessment of the family's need for services?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Did the protective factors in this case require the LDSS to file a petition in Family Court at any time during or after the investigation?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Were appropriate/needed services offered in this case</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Explain:**  
The family was assessed to be in need of housing and bereavement services, although the family declined services.

**Placement Activities in Response to the Fatality Investigation**

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

Have any Orders of Protection been issued? No

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

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

**Additional information, if necessary:**

DV services were already provided to the mother and 9yo sibling's father and completed in 2010. There were no current concerns for DV.

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:**

The children were referred for grief counseling services, although the parents declined services at that time.

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

**Explain:**

The maternal grandmother received grief counseling services from her church. The parents declined services.



## History Prior to the Fatality

### Child Information

<b>Did the child have a history of alleged child abuse/maltreatment?</b>	Yes
<b>Was there an open CPS case with this child at the time of death?</b>	Yes
<b>Was the child ever placed outside of the home prior to the death?</b>	No
<b>Were there any siblings ever placed outside of the home prior to this child's death?</b>	No
<b>Was the child acutely ill during the two weeks before death?</b>	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)
06/27/2018	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	No
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Lack of Supervision	Unsubstantiated	
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 10 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 10 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 10 Years	Mother, Female, 32 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 10 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	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	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 9 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated	

Sibling, Female, 4 Years	Mother, Female, 32 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Lack of Supervision	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 3 Months	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 2 Years	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 10 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 10 Years	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 10 Years	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 10 Years	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 9 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 9 Years	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 9 Years	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 9 Years	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Months	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Months	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Months	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 3 Months	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated



Deceased Child, Female, 2 Years	Aunt/Uncle, Male, 51 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 2 Years	Aunt/Uncle, Male, 51 Years	Lack of Supervision	Unsubstantiated
Deceased Child, Female, 2 Years	Aunt/Uncle, Male, 51 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 10 Years	Aunt/Uncle, Male, 51 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 10 Years	Aunt/Uncle, Male, 51 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 10 Years	Aunt/Uncle, Male, 51 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 9 Years	Aunt/Uncle, Male, 51 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 9 Years	Aunt/Uncle, Male, 51 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 9 Years	Aunt/Uncle, Male, 51 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 4 Years	Aunt/Uncle, Male, 51 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Aunt/Uncle, Male, 51 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Aunt/Uncle, Male, 51 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Months	Aunt/Uncle, Male, 51 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 3 Months	Aunt/Uncle, Male, 51 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Months	Aunt/Uncle, Male, 51 Years	Lack of Supervision	Unsubstantiated

**Report Summary:**

An SCR report alleged the home was in a deplorable condition and posed a health hazard for the children. Subsequent SCR reports were received on 7/13/18 and 8/10/18 with similar allegations and additionally alleged the mother was experiencing MH issues, there were physical altercations between the mother and father, the mother, father and maternal uncle were abusing drugs while caring for the children and the uncle sexually abused other children in the past and was around the children.

**Report Determination:** Unfounded

**Date of Determination:** 08/24/2018

**Basis for Determination:**

The home was found to be clean and free from safety hazards with exception of one home visit where it was cluttered. The children were observed to be clean and all family members denied all allegations. Medical and school records were reviewed from the previously closed investigation and no concerns were noted. All family members denied DV, drug or alcohol use or that the uncle resided in the home or was ever alone with the children. The mother denied having MH concerns. The parents had the support of the grandparents, who assisted them in caring for the children.

**OCFS Review Results:**

SCDSS interviewed the mother, father, uncle and verbal children and the younger children were observed. Safe sleep and pool safety were discussed with the parents prior to SC's death. The 9yo sibling's father was interviewed and his home



assessed to be safe. Attempts were made to locate the 4yo sibling's father and to provide him with a Notice of Existence letter. There were no attempts to interview the 10yo sibling's father, although he was provided with a Notice of Existence letter. The SC died while in the care of the grandmother and the incident was investigated in a separate SCR report, which remained opened. The appropriate bereavement services were offered 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)
03/29/2018	Sibling, Female, 10 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Substantiated	Yes
	Sibling, Female, 9 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 3 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 1 Months	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 10 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 9 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 3 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 2 Years	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 1 Months	Father, Male, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 10 Years	Other Adult - 10yo sibling's father , Male, 36 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**

An SCR report alleged the mother and father failed to provide the children with an adequate living environment. The home was filthy, smelled like cat urine, was infested with bugs and there were dirty dishes and trash throughout the home. The children were not bathing and smelled and the parents failed to address the situation. The 10yo sibling's father was aware of the home's condition and failed to address the situation.

**Report Determination:** Indicated

**Date of Determination:** 06/14/2018

**Basis for Determination:**

There were dirty clothes piled in the hallways posing a fire hazard, dirty dishes piled in the kitchen, the garbage was overflowing and the floors were cluttered with small items that were choking hazards. The home continued to be in a deplorable condition, with the conditions worsening throughout the investigation. The family cleaned the home as instructed to by SCDSS prior to the last home visit, and the home was observed to be clean at that time. The 10yo sibling's father was incarcerated for five years and not in a position to address the home conditions. The parents had the support of the grandparents, who assisted them in caring for the children.

**OCFS Review Results:**

Safe sleep education and pool safety were discussed with the parents. The 10yo sibling's father was interviewed in prison and attempts were made to interview the 9yo's father and to locate the 4yo's father, without success. Notice of Existence



letters were provided to the necessary adults. The children's medical records were reviewed and there were no concerns. The mother stated she was overwhelmed with keeping the home clean and was having medical issues, although no services were offered.

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

**Issue:**  
Failure to offer services

**Summary:**  
The mother expressed being overwhelmed with having medical issues and keeping the home clean, although SCDSS did not offer services to the family.

**Legal Reference:**  
SSL §424(10);18 NYCRR 432.3(p)

**Action:**  
When service needs are identified, SCDSS will make the appropriate referral to Preventive Services in an effort to determine whether there are services that can benefit the family.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
11/06/2017	Sibling, Female, 9 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 9 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Deceased Child, Female, 2 Years	Mother, Female, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

**Report Summary:**  
An SCR report alleged the home was a health and safety hazard to the children, with clutter and food on the floors, and was infested with cockroaches and fleas and the parents failed to address the situation. The mother was abusing cocaine, marijuana and alcohol while caring for the children.

**Report Determination:** Unfounded **Date of Determination:** 01/22/2018

**Basis for Determination:**  
The home was found to have an ongoing infestation of cockroaches with an extermination scheduled and small objects and paper on the floor. The parents cleaned the home when instructed to and it was exterminated as scheduled. There were no safety hazards observed during follow up home visits. There were no drugs or paraphernalia observed in the home and the parents did not appear to be under the influence of drugs or alcohol. School records were reviewed and no concerns were noted. The parents had the support of the grandparents in caring for the children.



**OCFS Review Results:**

The mother, father and older children were interviewed and the younger children were observed. Several home visits were conducted to assess the home and the children's safety. SCDSS did not explore the three sibling's fathers as a possible resource for the children, they did not make effort to interview them about the report or provide them with Notice of Existence letters, although did make effort to locate and notify the fathers in subsequent investigations. SCDSS thoroughly reviewed the previous case, which showed no educational concerns. SCDSS did not offer any services to the family. The seven day safety assessment was due by 11/13/17 and was not completed until 11/28/17.

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

**Issue:**

Failure to provide notice of report

**Summary:**

SCDSS did not make effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the three fathers.

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

**Issue:**

Timely/Adequate Seven Day Assessment

**Summary:**

The seven day safety assessment was due by 11/13/17 and was not completed until 11/28/17.

**Legal Reference:**

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

**Action:**

SCDSS will complete all safety assessments in the amount of time required.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
08/27/2017	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	





Sibling, Female, 9 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 9 Years	Father, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 8 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 8 Years	Father, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Female, 3 Years	Father, Male, 29 Years	Inadequate Guardianship	Unsubstantiated
Deceased Child, Female, 1 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Deceased Child, Female, 1 Years	Father, Male, 29 Years	Inadequate Guardianship	Unsubstantiated

**Report Summary:**

An SCR report alleged the living conditions of the home were unsanitary and unsafe for the children, with an odor of cat urine and feces, maggots, roaches and cat feces on the floor and stove and rotten food and broken objects on the floor.

**Report Determination:** Unfounded

**Date of Determination:** 10/04/2017

**Basis for Determination:**

The family was camping for several weeks and had a neighbor caring for their cats. While they were away the cats knocked down a shelf and the family returned home on the day the report was received, to find broken glass and broken objects. The broken items and glass were cleaned prior to SCDSS arriving to the home. There were no maggots, rotting food or cat feces observed on the stove or floor. There was a strong smell of cat urine, which improved when the home was cleaned. There was an ongoing issue with cockroaches and the family exterminated the home in the past. The allegations were unsubstantiated as the home was cleaned up and maintained throughout the case.

**OCFS Review Results:**

The mother, father and older children were interviewed and the younger children were observed. Effort was made to interview the 4yo sibling's father, but not the father of the 9yo. The fathers were not provided with a Notice of Existence letter. Several home visits were conducted to assess the condition of the home and the children's safety. SCDSS did a thorough review of the previous case, which showed no concerns for the children's health. The parents had the support of the grandparents and said they planned to move. SCDSS referred the family for financial assistance with moving expenses, however no other services were offered to the family.

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

**Issue:**

Failure to provide notice of report

**Summary:**

There was no effort made to interview the 9yo sibling's father about the report or provide the 9yo or 4yo sibling's fathers with a Notice of Existence letter.

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.



Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
05/30/2017	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 9 Years	Mother, Female, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Mother, Female, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

**Report Summary:**

An SCR report alleged the mother, father and children were living in deplorable conditions, the children were not provided with an adequate amount of food, they did not bathe regularly, and the mother was using marijuana while the sole caretaker for the children.

**Report Determination:** Unfounded

**Date of Determination:** 08/07/2017

**Basis for Determination:**

This case was investigated concurrently with the 3/22/17 case. Upon receipt of this case, there was debris observed on the floor, an ongoing issue with cockroaches and head lice and there were multiple pets in the home causing a foul odor. SCDSS provided the family with new mattresses and a couch, which assisted in eliminating the head lice. It was denied the mother used marijuana, there were no drugs observed in the home and the family had an adequate supply of food. At case closing the condition of the home and the children's hygiene had improved, therefore the allegations were unsubstantiated. The parents had the support of the grandparents, who assisted them in caring for the children.

**OCFS Review Results:**

The mother, father and older children were interviewed and the younger children were observed. SCDSS obtained LE and school records and two home visits were conducted. The determination for this case was not consistent with the determination for the 3/22/17 case, which was indicated. The investigation conclusion narratives were almost identical and based on the same facts gathered. SCDSS did not explore the three sibling's fathers as a possible resource for the children, they did not make effort to interview them about the report or provide them with Notice of Existence letters.

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

**Issue:**



**Appropriateness of allegation determination**

**Summary:**

The determination for this subsequent investigation was not consistent with the determination for the initial investigation, which were investigated concurrently, based on the same facts and closed on the same date.

**Legal Reference:**

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

**Action:**

The child protective services has the sole responsibility for making a determination within 60 days after receiving the report as to whether there is some credible evidence of child abuse and/or maltreatment so as either to "indicate" or "unfound" a report of child abuse and/or maltreatment.

**Issue:**

Failure to provide notice of report

**Summary:**

SCDSS did not make effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the three fathers.

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
03/22/2017	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Substantiated	Yes
	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 9 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 8 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 2 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 1 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 9 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 9 Years	Mother, Female, 31 Years	Inadequate Guardianship	Substantiated	

**Report Summary:**

An SCR report alleged the mother and father failed to ensure the children had adequate hygiene and clothing.



**Report Determination:** Indicated **Date of Determination:** 08/07/2017

**Basis for Determination:**  
 Upon receipt of the report, the home was observed to be cluttered and dirty, with dirty dishes, full litter boxes and cockroaches. The children had a foul odor, dirty clothing and were itchy. The children had chronic head lice and they had transferred cockroaches to school in their backpack. A subsequent report was received on 5/30/17 and was investigated concurrently. When instructed to, the family improved the cleanliness of the home and both cases were closed on the same date. The parents had the support of the grandparents, who assisted them in caring for the children.

**OCFS Review Results:**  
 SCDSS interviewed the mother, father, verbal children and the younger children were observed. Necessary collaterals were contacted and SCDSS provided the family with referrals for MH counseling and Early Intervention. SCDSS did not explore the three sibling's fathers as a possible resource for the children, they did not make effort to interview them about the report or provide them with Notice of Existence letters. Seven out of 15 notes were entered up to four months after the event date.

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

**Issue:**  
 Failure to provide notice of report  
**Summary:**  
 SCDSS did not make effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the three fathers.  
**Legal Reference:**  
 18 NYCRR 432.2(b)(3)(ii)(f)  
**Action:**  
 SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

**Issue:**  
 Timely/Adequate Case Recording/Progress Notes  
**Summary:**  
 Seven out of 15 notes were entered up to four months after the event date.  
**Legal Reference:**  
 18 NYCRR 428.5  
**Action:**  
 All progress notes will be entered as contemporaneously as possible.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
01/05/2017	Sibling, Female, 8 Years	Mother, Female, 31 Years	Inadequate Guardianship	Substantiated	Yes
	Sibling, Female, 7 Years	Mother, Female, 31 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 2 Years	Mother, Female, 31 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Female, 1 Years	Mother, Female, 31 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 8 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	



Sibling, Female, 7 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 2 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated
Deceased Child, Female, 1 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated

**Report Summary:**

An SCR report alleged the conditions of the home posed a hazard to the children and they had poor hygiene.

**Report Determination:** Indicated

**Date of Determination:** 03/06/2017

**Basis for Determination:**

The home was found to be deplorable and a health and safety hazard to the children, with garbage, clothing, old food, dirty dishes, multiple animals, animal feces and cockroaches. The family cleaned the home when instructed to by SCDSS and maintained a clean home during the investigation. The parents had the support of the grandparents, who assisted them with caring for the children.

**OCFS Review Results:**

SCDSS interviewed the parents and children that were verbal and the younger children were observed. Necessary collaterals were contacted. The mother expressed she was having a difficult time handling a loss and was sleeping a lot, however the case was closed with no services offered. SCDSS did not explore the three sibling's fathers as a possible resource for the children, they did not make effort to interview them about the report or provide them with Notice of Existence letters.

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

**Issue:**

Failure to provide notice of report

**Summary:**

SCDSS did not make an effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the three fathers.

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

**Issue:**

Failure to offer services

**Summary:**

The mother expressed having a difficult time dealing with a loss and there were ongoing concerns for the condition of the home and SCDSS did not offer services to the family.

**Legal Reference:**

SSL §424(10);18 NYCRR 432.3(p)

**Action:**

When service needs are identified, SCDSS will make the appropriate referral to Preventive Services in an effort to determine whether there are services that can benefit the family.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
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12/14/2015	Sibling, Female, 6 Years	Father, Male, 28 Years	Excessive Corporal Punishment	Substantiated	Yes
	Sibling, Female, 6 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 1 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 1 Years	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 2 Months	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Deceased Child, Female, 2 Months	Mother, Female, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 7 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 1 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 1 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated	
	Deceased Child, Female, 2 Months	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Deceased Child, Female, 2 Months	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated	
Sibling, Female, 6 Years	Father, Male, 28 Years	Lacerations / Bruises / Welts	Unsubstantiated		

**Report Summary:**

An SCR report alleged the parents and children were living in deplorable conditions, the children had poor hygiene and the parents were not addressing the issues and the mother smoked marijuana to impairment and slept all day. A subsequent report was received 12/22/15 with allegations the father hit the 9yo sibling in the face causing a bruise to her cheek.

**Report Determination:** Indicated

**Date of Determination:** 02/09/2016

**Basis for Determination:**

It was determined the father slapped the 9yo sibling in the face and left a 1 1/2 inch scratch on her cheek. Family members denied the father used physical discipline in the past and there were no additional incidents reported. There were no safety hazards observed in the home as the home was still clean and maintained since the closing of the last



report. It was reported the children bathed regularly and they had clean clothing. All family members denied the mother smoked marijuana or slept all day. The mother had the support of the grandparents, who assisted her in caring for the children.

**OCFS Review Results:**

SCDSS interviewed the parents, verbal children and the younger children were observed. The safety assessment and RAP were completed accurately and on time. SCDSS contacted necessary collaterals and appropriately offered Preventive Services, which were declined. SCDSS did not explore the three sibling's fathers as a possible resource for the children, they did not make effort to interview them about the report or provide them with Notice of Existence letters.

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

**Issue:**

Failure to provide notice of report

**Summary:**

SCDSS did not make effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the three fathers

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/29/2015	Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	Yes
	Sibling, Female, 7 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 6 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 1 Years	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Female, 1 Months	Mother, Female, 30 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Deceased Child, Female, 1 Months	Mother, Female, 30 Years	Inadequate Guardianship	Substantiated	

**Report Summary:**

An SCR report alleged the living conditions of the home were hazardous and unsanitary to the children and the mother failed to address the conditions.

**Report Determination:** Indicated

**Date of Determination:** 12/10/2015

**Basis for Determination:**

The conditions of the home were found to be hazardous and unsanitary with the floors covered with clothing, newspapers and other items, dirty dishes piled in the sink and choking hazards on the floor. The mother had a history of her home



being in deplorable condition. The family cleaned the home when instructed to and maintained a clean home throughout the investigation. The mother had the support of the grandparents, who assisted her in caring for the children.

**OCFS Review Results:**

SCDSS interviewed the mother and verbal children and observed the younger children. Pertinent collaterals were contacted and follow up home visits were conducted to monitor the condition. The father frequented the home, was a regular caretaker for the children, was aware of the conditions of the home, and he also failed to address the deplorable conditions until instructed by SCDSS. Allegations of IG and IF/C/S should have been added against the father and substantiated and he should have been listed as a secondary caretaker in the Risk Assessment Profile. SCDSS did not make effort to interview the three fathers about the report or provide Notice of Existence letters to the four fathers.

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

**Issue:**

Failure to provide notice of report

**Summary:**

SCDSS did not make effort to interview the three sibling's fathers about the report or provide Notice of Existence letters to the four fathers.

**Legal Reference:**

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

**Action:**

SCDSS will make diligent efforts to contact absent parents of children named in a report and will send a Notice of Existence letter if contact information is available within seven days of receipt of the report.

**Issue:**

Pre-Determination/Nature, Extent and Cause of Any Condition

**Summary:**

During the investigation, it was learned the father frequented the home, was a regular caretaker for the children, was aware of the conditions of the home, and he also failed to address the deplorable conditions until instructed by SCDSS. Allegations of IG and IF/C/S should have been added against the father and substantiated.

**Legal Reference:**

18 NYCRR 432.2(b)(3)(iii)(c)

**Action:**

SCDSS will make an adequate assessment of the nature, extent and cause of any condition which may constitute abuse or maltreatment, whether contained in the original SCR report or discovered during the open investigation.

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

- 1/7/15 unsubstantiated PD/AM, IG and EdN against mother regarding 10yo, 9yo and 4yo.
- 5/19/14 substantiated PD/AM against mother regarding 4yo.
- 3/14/13 unsubstantiated for PD/AM and IG against mother regarding 10yo and 9yo.
- 6/4/12 substantiated PD/AM and IG against 10yo sibling's father and unsubstantiated IG and PD/AM against that father's partner and the mother regarding 10yo.
- 7/6/11 IG, LS and PD/AM against mother and 9yo sibling's father tracked FAR.
- 4/5/10 unsubstantiated IG against mother and unrelated home member regarding 10yo and 9yo. Case remained open for CPS services.
- 2/8/10 unsubstantiated IG, PD/AM and IF/C/S against mother and 10yo sibling's father regarding 10yo and 9yo. Case remained open for CPS services.
- 7/9/09 unsubstantiated IG, LS, PD/AM against mother, MGF and 9yo sibling's father regarding 10yo and 9yo. Case remained open for CPS services.





6/7/09 substantiated IG against mother and 9yo sibling's father and PD/AM against 9yo sibling's father regarding 10yo and 9yo. Case remained opened for CPS services.

3/16/09 substantiated PD/AM and IG against mother and 9yo sibling's father regarding 10yo and 9yo. Article 10 Neglect Petition filed against both parents and case opened for court ordered CPS services.

7/25/08 unsubstantiated PD/AM and IG against mother regarding 10yo.

2/26/08 substantiated PD/AM and IG against mother regarding 10yo.

4/27/01 substantiated IG and LS against maternal grandmother regarding mother as a child.

### Known CPS History Outside of NYS

There is no known CPS history outside of New York State.

### Preventive Services History

A CPS Services case opened on 3/20/09, following an indicated CPS report due to the 9yo sibling being born with a positive toxicology for marijuana. The 10yo sibling also had a positive toxicology for marijuana at birth and the mother and the 9yo sibling's father admitted to regular marijuana use and there was a history of DV between the parents. An Article 10 Neglect Petition was filed against both parents and there was a finding of neglect. Parent training classes, DV services and substance abuse treatment services were completed by both parents and the case closed on 9/10/10 with the service plan goals completed successfully.

### 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