



Report Identification Number: SY-15-025

Prepared by: Syracuse Regional Office

Issue Date: 3/1/2016

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
Contacts		
LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPR-Cardio-pulmonary Resuscitation		
Allegations		
FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	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-Others	
Miscellaneous		
IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services		

Case Information



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Report Type: Child Deceased
Age: 13 year(s)

Jurisdiction: St. Lawrence
Gender: Female

Date of Death: 06/14/2015
Initial Date OCFS Notified: 06/15/2015

Presenting Information

The SC (age 13) was brought to the emergency room on 6/14/15 at approximately 7am. The SC was severely dehydrated, in shock, disoriented, had troubled breathing, cold, faint, dizzy, dirty, pale and unable to speak. The SC had been having severe diarrhea for the past nine days. The SC was brought into the hospital wearing an adult diaper, which was filled with diarrhea and soaked with urine. The SC's perianal area was raw and abraded. The SC passed away during a transfer to another hospital to receive a higher level of care. The mother and the maternal grandparents had failed to provide adequate medical care for the SC in a timely manner.

Executive Summary

This review concerns the death of a 13-year old female child that occurred on 6/14/15 and was reported to the SCR on 6/15/15. The final autopsy listed the cause of death as "spontaneous perforation of sigmoid colon due to toxic megacolon due to chronic idiopathic constipation". A contributory cause of death was "codeine ingestion" and manner of death was "accident".

At the time of her death, the SC was listed as an AB child on a 6/3/15 SCR report which contained allegations of sexual abuse due to the SC presenting at the hospital with physical symptoms that raised suspicion of sexual abuse, as well as what appeared to be fingerprint bruising on her inner thigh. These allegations were ultimately unsubstantiated after the SC's death, as the SC had made no disclosure of abuse or maltreatment and attributed the bruising to her dog jumping off of her lap. No further evidence of sexual abuse was found.

On 6/14/15, an SCR report was received which alleged that the SC had been severely ill and that the BM and maternal grandparents had neglected to get her health care until that day. The SC had been brought to the emergency room that morning and was reported to be severely dehydrated, anemic, and having trouble breathing. The SC was further reported to have a raw and abraded perianal area as well as deep lesions on her forehead, which the BM attributed to diarrhea and "picking at pimples". This report was consolidated into the 6/3/15 report.

On 6/15/15, two SCR reports were received - the first being the SCR fatality report and the second being a duplicate report. Both reports further alleged that the BM and MGPs had failed to seek medical attention for the SC in a timely manner. The SC had passed away during a transfer to another hospital out of state to receive a higher level of care. SLCDSS conducted a joint investigation with law enforcement. SLCDSS interviewed multiple collaterals including the SC's primary medical provider, hospital personnel, first responders, and informal supports. SLCDSS further gathered autopsy, medical, law enforcement and other reports during the course of their investigation. SLCDSS gathered information which indicated that the SC had received frequent and ongoing medical care due to multiple chronic illnesses. The SC had begun taking a prescribed antibiotic following the 6/3 ER visit and had begun experiencing medical problems approximately one week later. The SC was also prescribed Tylenol with codeine. On 6/10/15 the SC had an appointment scheduled with her primary doctor however the BM called and stated that the SC could not attend due to illness. The SC's doctor advised the BM to bring in a sample for testing, which the BM did. On 6/14/15 the SC collapsed in the family's home and EMS was called. The SC was responsive upon their arrival and reported she'd been eating and drinking in the days prior. The BM reported giving the SC a bath the night before and stated that the SC complained of pain in her side. The BM also stated that the SC's genital and anal areas were not raw and abraded at that time. BM stated the SC was home-schooled and needed to wear adult diapers due to her history of medical issues.



The autopsy determined that the child's ingestion of the prescribed codeine had exacerbated constipation which ultimately led to the perforated bowel and septic shock. The SC's primary doctor reported the BM to be attentive and caring to the child's needs; no concerns for the SC's care were reported. Informal collaterals and other adults in the household also reported that the BM was diligent in seeking medical treatment of the SC and that she would not have delayed seeking treatment if it was needed.

SLCDSS unsubstantiated allegations of DOA/Fatality, LMED, and IG regarding the BM and MGPs as it was determined that the adults had sought medical care for the SC on a regular basis and had followed all recommendations given by the primary doctor. The adult sibling and BF had no role.

Findings Related to the CPS Investigation of the Fatality

Safety Assessment:

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

Casework activity was commensurate with case circumstances.

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 commensurate with 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: 06/14/2015

Time of Death:



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County where fatality incident occurred: ST. LAWRENCE

Was 911 or local emergency number called? Yes

Time of Call: Unknown

Did EMS to 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

Is the caretaker listed in the Household Composition? Yes - Caregiver

1

At time of incident supervisor was: Not impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Adult Sibling	No Role	Male	18 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Female	13 Year(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Male	70 Year(s)
Deceased Child's Household	Grandparent	Alleged Perpetrator	Female	66 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	42 Year(s)
Other Household 1	Father	No Role	Male	44 Year(s)
Other Household 1	Sibling	No Role	Female	5 Year(s)
Other Household 1	Sibling	No Role	Female	4 Year(s)

LDSS Response

SLCDSS received the fatality SCR report as a subsequent to an already open CPS investigation (6/3/15). Upon receipt of the fatality report, SLCDSS coordinated with the DA and law enforcement appropriately. SLCDSS interviewed the report source as well as medical providers, first responders, and the adults living in the household regarding the allegations. SLCDSS gathered sufficient information to determine all allegations on the initial as well as subsequent reports. Casework activities were timely and appropriate based on case circumstances.

SLCDSS obtained medical examiner, medical/hospital and other records that were included in their external documentation. SLCDSS did not find any credible evidence from any collateral source which indicated that the mother should have known of SC's critical condition or that she should have acted sooner to seek treatment for SC. SLCDSS



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gathered information which indicated that although SC had been ill in the weeks prior to her death, with symptoms similar to those of her ongoing medical issues, that she was conscious, eating and drinking and that treatment was immediately sought when her condition rapidly worsened. SLCDSS further found no evidence that the mother was aware that the codeine prescribed to SC could or would worsen the SC's medical condition in the manner it had. SC's surviving half-siblings (paternal) resided in another household and were not involved in the fatality incident or investigation. SLCDSS offered bereavement counseling and other services to the family. The report was appropriately unfounded and closed on 11/9/15.

Official Manner and Cause of Death

Official Manner: Accident

Primary Cause of Death: From a medical cause

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

Was the fatality investigation conducted by a Multidisciplinary Team (MDT)?No

Comments: St. Lawrence County does not currently have an MDT. The investigation was appropriately coordinated with law enforcement.

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

Comments: St. Lawrence Co. does not have a CFRT.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
024601 - Deceased Child, Female, 13 Yrs	024602 - Mother, Female, 42 Year(s)	Inadequate Guardianship	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024603 - Grandparent, Male, 70 Year(s)	DOA / Fatality	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024603 - Grandparent, Male, 70 Year(s)	Inadequate Guardianship	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024603 - Grandparent, Male, 70 Year(s)	Lack of Medical Care	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024604 - Grandparent, Female, 66 Year(s)	Inadequate Guardianship	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024602 - Mother, Female, 42 Year(s)	DOA / Fatality	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024602 - Mother, Female, 42 Year(s)	Lack of Medical Care	Unsubstantiated
024601 - Deceased Child, Female, 13 Yrs	024604 - Grandparent, Female, 66 Year(s)	DOA / Fatality	Unsubstantiated



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024601 - Deceased Child, Female, 13 Yrs	024604 - Grandparent, Female, 66 Year(s)	Lack of Medical Care	Unsubstantiated
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CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the investigation adhere to established protocols for a joint investigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional information:

There are two surviving half-siblings who do not reside in or visit the household and were not involved in the fatality incident or investigation.

Fatality Safety Assessment Activities

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



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

	Yes	No	N/A	Unable to Determine
Were there surviving siblings/other children in the household removed as a result of this fatality report/investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain as necessary:
 The surviving half-siblings were not named in the report, as they did not reside in or visit the household. They were not involved in the fatality incident or investigation.

Legal Activity Related to the Fatality

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

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Needed but not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

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

Explain: There were no surviving children in the household. The SC's half-siblings were not involved in the fatality incident or investigation.

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

Explain: Bereavement counseling and other services were offered to the family.

History Prior to the Fatality

Child Information

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

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
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06/26/2013	7463 - Sibling, Female, 4 Years	7461 - Father, Male, 42 Years	Inadequate Guardianship	Indicated	Yes
	7465 - Other Child - Father's Partner's Child, Male, 6 Years	7461 - Father, Male, 42 Years	Inadequate Guardianship	Indicated	
	7463 - Sibling, Female, 4 Years	7462 - Father's Partner, Female, 32 Years	Parents Drug / Alcohol Misuse	Indicated	
	7463 - Sibling, Female, 4 Years	7461 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated	
	7464 - Sibling, Female, 2 Years	7461 - Father, Male, 42 Years	Inadequate Guardianship	Indicated	
	7464 - Sibling, Female, 2 Years	7461 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated	
	7465 - Other Child - Father's Partner's Child, Male, 6 Years	7461 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated	
	7463 - Sibling, Female, 4 Years	7462 - Father's Partner, Female, 32 Years	Inadequate Guardianship	Indicated	
	7464 - Sibling, Female, 2 Years	7462 - Father's Partner, Female, 32 Years	Inadequate Guardianship	Indicated	
	7464 - Sibling, Female, 2 Years	7462 - Father's Partner, Female, 32 Years	Parents Drug / Alcohol Misuse	Indicated	
	7465 - Other Child - Father's Partner's Child, Male, 6 Years	7462 - Father's Partner, Female, 32 Years	Inadequate Guardianship	Indicated	
	7465 - Other Child - Father's Partner's Child, Male, 6 Years	7462 - Father's Partner, Female, 32 Years	Parents Drug / Alcohol Misuse	Indicated	

Report Summary:

The BF and his girlfriend have loud, verbal fights in the presence of the two half-siblings and an unrelated child in the home. All three children are very dirty. The adults use alcohol and drugs, on a daily basis, in the presence of the children, and get high in front of the children.

Determination: Indicated **Date of Determination:** 06/18/2014

Basis for Determination:

SLCDSS found credible evidence to substantiate the allegations and indicate the report. The adults were involved in multiple domestic disputes in the presence of the children which resulted in law enforcement involvement. Both adults were also found to have been engaging in alcohol and drug use while caring for the children. The children reported being distressed during the DV incidents.

OCFS Review Results:

OCFS review found that notes were not entered in a timely manner. The notes were entered between 3-11 months after the event date. Two narratives were each entered twice on different dates which made it difficult to determine when the casework activities were actually completed. The investigation was kept open from 6/26/13 - 6/18/14 which exceeded the 60-day timeframe.

Note that multiple subsequent reports were received during the time this investigation was open and not consolidated. They are reviewed separately in this report.

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

Issue:



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Timely/Adequate Case Recording/Progress Notes

Summary:

OCFS review found that notes were not entered in a timely manner. The notes were entered between 3-11 months after the event date. Two narratives were each entered with different dates making it difficult to determine when the casework activities were actually completed.

Legal Reference:

18 NYCRR 428.5(a) and (c)

Action:

SLCDSS will develop a plan to insure that notes are entered in a timely manner and will contain appropriate content.

Issue:

Timeliness of Determination

Summary:

The investigation was kept open from 6/26/13 - 6/18/14 which exceeded the 60-day timeframe.

Legal Reference:

SSL 424(7);18 NYCRR 432.2(b)(3)(iv)

Action:

SLCDSS will develop a plan to insure that investigations are closed within the mandated 60-day timeframe.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/25/2013	7468 - Sibling, Female, 4 Years	7466 - Father, Male, 42 Years	Inadequate Food / Clothing / Shelter	Unfounded	No
	7469 - Sibling, Female, 2 Years	7466 - Father, Male, 42 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7470 - Other Child - Father's Partner's Child, Male, 12 Years	7466 - Father, Male, 42 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7471 - Other Child - Father's Partner's Child, Female, 15 Years	7466 - Father, Male, 42 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7469 - Sibling, Female, 2 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7470 - Other Child - Father's Partner's Child, Male, 12 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7472 - Other Child - Father's Partner's Child, Male, 6 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	7468 - Sibling, Female, 4 Years	7466 - Father, Male, 42 Years	Inadequate Guardianship	Indicated	
	7469 - Sibling, Female, 2 Years	7466 - Father, Male, 42 Years	Inadequate Guardianship	Indicated	
	7469 - Sibling, Female, 2 Years	7466 - Father, Male,	Parents Drug /	Indicated	



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	42 Years	Alcohol Misuse	
7470 - Other Child - Father's Partner's Child, Male, 12 Years	7466 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated
7471 - Other Child - Father's Partner's Child, Female, 15 Years	7466 - Father, Male, 42 Years	Inadequate Guardianship	Indicated
7468 - Sibling, Female, 4 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Food / Clothing / Shelter	Unfounded
7471 - Other Child - Father's Partner's Child, Female, 15 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Food / Clothing / Shelter	Unfounded
7472 - Other Child - Father's Partner's Child, Male, 6 Years	7466 - Father, Male, 42 Years	Inadequate Food / Clothing / Shelter	Unfounded
7468 - Sibling, Female, 4 Years	7466 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated
7470 - Other Child - Father's Partner's Child, Male, 12 Years	7466 - Father, Male, 42 Years	Inadequate Guardianship	Indicated
7471 - Other Child - Father's Partner's Child, Female, 15 Years	7466 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated
7472 - Other Child - Father's Partner's Child, Male, 6 Years	7466 - Father, Male, 42 Years	Inadequate Guardianship	Indicated
7472 - Other Child - Father's Partner's Child, Male, 6 Years	7466 - Father, Male, 42 Years	Parents Drug / Alcohol Misuse	Indicated
7468 - Sibling, Female, 4 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated
7468 - Sibling, Female, 4 Years	7467 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7469 - Sibling, Female, 2 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated
7469 - Sibling, Female, 2 Years	7467 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7470 - Other Child - Father's Partner's Child, Male, 12 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated
7470 - Other Child - Father's Partner's Child, Male, 12 Years	7467 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7471 - Other Child - Father's	7467 - Father's	Inadequate	Indicated



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Partner's Child, Female, 15 Years	Partner, Female, 33 Years	Guardianship	
7471 - Other Child - Father's Partner's Child, Female, 15 Years	7467 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7472 - Other Child - Father's Partner's Child, Male, 6 Years	7467 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated
7472 - Other Child - Father's Partner's Child, Male, 6 Years	7467 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated

Report Summary:

The BF and his girlfriend abused crack cocaine and prescription pills, and they got high around the half-siblings and other unrelated children in the household. The adults were selling property, including food stamps, to meet their drug needs. As a result the children went hungry a lot.

This report was received subsequent to 6/26/13 report.

Determination: Indicated **Date of Determination:** 06/18/2014

Basis for Determination:

SLCDSS found credible evidence to substantiate the allegations and indicate the report. The adults were involved in multiple domestic disputes in the presence of the children which resulted in law enforcement involvement. Both adults were also found to have been engaging in alcohol and drug use while caring for the children. The children reported being distressed during the DV incidents.

OCFS Review Results:

OCFS review found that notes were not entered in a timely manner. The notes were entered between 3-9 months after the event date. The investigation was kept open from 8/25/13 - 6/18/14 which exceeded the 60-day timeframe.

See previous citation (6/26/13 report).

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
11/29/2013	7475 - Sibling, Female, 4 Years	7473 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Indicated	No
	7475 - Sibling, Female, 4 Years	7474 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated	
	7475 - Sibling, Female, 4 Years	7474 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated	
	7477 - Other Child - Father's Partner's Child, Male, 6 Years	7474 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated	
	7475 - Sibling, Female, 4 Years	7473 - Father, Male, 43 Years	Inadequate Guardianship	Indicated	
	7476 - Sibling, Female, 3 Years	7473 - Father, Male, 43 Years	Inadequate Guardianship	Indicated	
	7476 - Sibling, Female, 3 Years	7473 - Father, Male, 43	Parents Drug /	Indicated	



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	Years	Alcohol Misuse	
7477 - Other Child - Father's Partner's Child, Male, 6 Years	7473 - Father, Male, 43 Years	Inadequate Guardianship	Indicated
7477 - Other Child - Father's Partner's Child, Male, 6 Years	7473 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Indicated
7476 - Sibling, Female, 3 Years	7474 - Father's Partner, Female, 33 Years	Inadequate Guardianship	Indicated
7476 - Sibling, Female, 3 Years	7474 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7477 - Other Child - Father's Partner's Child, Male, 6 Years	7474 - Father's Partner, Female, 33 Years	Parents Drug / Alcohol Misuse	Indicated
7477 - Other Child - Father's Partner's Child, Male, 6 Years	7473 - Father, Male, 43 Years	Lack of Medical Care	Indicated
7477 - Other Child - Father's Partner's Child, Male, 6 Years	7474 - Father's Partner, Female, 33 Years	Lack of Medical Care	Indicated

Report Summary:

On 11/28/13 around midnight, BF was intoxicated. He and his girlfriend got into a loud argument regarding BF's suspicion she was using crack. The argument became physical when BF grabbed his girlfriend, threw her onto the bed, and attempted to punch her. The half-siblings and an unrelated child were present and in danger of being injured during the violence. They were upset.

This report was received subsequent to the 6/26/13 report.

Determination: Indicated

Date of Determination: 06/18/2014

Basis for Determination:

SLCDSS found credible evidence to substantiate the allegations and indicate the report. The adults were involved in multiple domestic disputes in the presence of the children which resulted in law enforcement involvement. Both adults were also found to have been engaging in alcohol and drug use while caring for the children. The children reported being distressed during the DV incidents. This was occurring on an ongoing basis. SLDSS filed a neglect petition against the BF and his girlfriend during this investigation.

OCFS Review Results:

OCFS review found that notes were not entered in a timely manner. The notes were entered between 1-6 months after the event date. The investigation was kept open from 11/29/13 - 6/18/14 which exceeded the 60-day timeframe.

See previous citation (6/26/13 report).

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/11/2014	7491 - Deceased Child, Female, 13 Years	7492 - Mother, Female, 42 Years	Educational Neglect	Far-Open	No

Report Summary:

The SC had been absent 44 days this school year, failing as a result. BM had been made aware, however, was unable/unwilling to ensure the SC's educational needs were met.

OCFS Review Results:

OCFS review found that casework activities were conducted appropriately. Safety and risk were adequately assessed.



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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/12/2014	7480 - Other Child - Father's Partner's Child, Female, 16 Years	7479 - Father's Partner - Father's Partner's Child, Female, 33 Years	Educational Neglect	Indicated	Yes
	7480 - Other Child - Father's Partner's Child, Female, 16 Years	7478 - Father - Father's Partner's Child, Male, 43 Years	Educational Neglect	Indicated	

Report Summary:
 Report alleged that an unrelated sixteen-year-old child in BF's home had excessive school absences which placed the child at risk of educational impairment.
 This report was received subsequent to 6/26/13 report.

Determination: Indicated **Date of Determination:** 06/19/2014

Basis for Determination:
 SLCDSS found credible evidence to substantiate the allegations. BF and his girlfriend were not following the Education laws of NYS regarding their choice to homeschool the child and as a result the child experienced educational impairment.

OCFS Review Results:
 A separate case (6/26/13) open during this time contains a face-to-face interview note with the child regarding these allegations, however the narrative was not entered into the documentation for this case.

OCFS review found that notes were not entered in a timely manner. Several notes were entered between 1-3 months after the event date. The same narrative was copied and pasted into two different dates (3/12/14 and 3/14/14) making it difficult to determine when casework activities were actually completed. The investigation was kept open from 3/12/14 - 6/19/14 which exceeded the 60-day timeframe.

See previous citation (6/26/13 report).

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

Issue:
 Timely/Adequate Case Recording/Progress Notes

Summary:
 A separate case (6/26/13) open during this time contains documentation of a face-to-face interview with the child regarding the allegations. This contact was sufficient however the note was not entered into the appropriate investigation.

Legal Reference:
 18 NYCRR 428.5(a) and (c)

Action:
 SLCDSS will develop a plan to insure that case records contain appropriate documentation of face-to-face interviews with children listed on investigations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/11/2015	7485 - Other Child - Father's	7482 - Father's Partner,	Parents Drug /	Unfounded	No



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Partner's Child, Male, 8 Years	Female, 34 Years	Alcohol Misuse	
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7482 - Father's Partner, Female, 34 Years	Educational Neglect	Unfounded
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7482 - Father's Partner, Female, 34 Years	Inadequate Guardianship	Unfounded
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7482 - Father's Partner, Female, 34 Years	Parents Drug / Alcohol Misuse	Unfounded
7484 - Sibling, Female, 4 Years	7481 - Father, Male, 44 Years	Inadequate Guardianship	Unfounded
7484 - Sibling, Female, 4 Years	7481 - Father, Male, 44 Years	Parents Drug / Alcohol Misuse	Unfounded
7485 - Other Child - Father's Partner's Child, Male, 8 Years	7481 - Father, Male, 44 Years	Parents Drug / Alcohol Misuse	Unfounded
7484 - Sibling, Female, 4 Years	7482 - Father's Partner, Female, 34 Years	Parents Drug / Alcohol Misuse	Unfounded
7483 - Sibling, Female, 5 Years	7481 - Father, Male, 44 Years	Inadequate Guardianship	Unfounded
7483 - Sibling, Female, 5 Years	7481 - Father, Male, 44 Years	Parents Drug / Alcohol Misuse	Unfounded
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7481 - Father, Male, 44 Years	Educational Neglect	Unfounded
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7481 - Father, Male, 44 Years	Inadequate Guardianship	Unfounded
7483 - Sibling, Female, 5 Years	7482 - Father's Partner, Female, 34 Years	Inadequate Guardianship	Unfounded
7483 - Sibling, Female, 5 Years	7482 - Father's Partner, Female, 34 Years	Parents Drug / Alcohol Misuse	Unfounded
7485 - Other Child - Father's Partner's Child, Male, 8 Years	7482 - Father's Partner, Female, 34 Years	Educational Neglect	Unfounded
7485 - Other Child - Father's Partner's Child, Male, 8 Years	7482 - Father's Partner, Female, 34 Years	Inadequate Guardianship	Unfounded
7483 - Sibling, Female, 5 Years	7481 - Father, Male, 44 Years	Educational Neglect	Unfounded
7484 - Sibling, Female, 4 Years	7481 - Father, Male, 44 Years	Educational Neglect	Unfounded
7485 - Other Child - Father's Partner's Child, Male, 8 Years	7481 - Father, Male, 44 Years	Educational Neglect	Unfounded
7485 - Other Child - Father's Partner's Child, Male, 8 Years	7481 - Father, Male, 44 Years	Inadequate Guardianship	Unfounded
7486 - Other Child - Father's Partner's Child, Male, 16 Years	7481 - Father, Male, 44 Years	Parents Drug / Alcohol Misuse	Unfounded
7483 - Sibling, Female, 5 Years	7482 - Father's Partner, Female, 34 Years	Educational Neglect	Unfounded
7484 - Sibling, Female, 4 Years	7482 - Father's Partner, Female, 34 Years	Educational Neglect	Unfounded



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	Female, 34 Years	Neglect	
7484 - Sibling, Female, 4 Years	7482 - Father's Partner, Female, 34 Years	Inadequate Guardianship	Unfounded

Report Summary:

Report alleged that an unrelated child in BF's home had been absent from school excessively and the adults in the home were not addressing his attendance.

It was further alleged that adults used drugs in the presence of the children.

Determination: Unfounded

Date of Determination: 07/09/2015

Basis for Determination:

SLCDSS did not find credible evidence to substantiate the allegations. The investigation indicated that the child had only been residing in BF's home for three weeks and was out of school due to a broken foot during that time. Child moved in with his father and was re-enrolled in school in another district.

OCFS Review Results:

OCFS review found that notes were not entered in a timely manner. The notes were entered between 1-3 months after the event date. The investigation was kept open from 3/11/15 - 7/9/15 which exceeded the 60-day timeframe.

See previous citation (6/26/13 report).

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
06/03/2015	7361 - Deceased Child, Female, 13 Years	7362 - Mother, Female, 42 Years	Sexual Abuse	Unfounded	No
	7361 - Deceased Child, Female, 13 Years	7363 - Grandparent, Male, 70 Years	Inadequate Guardianship	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7364 - Grandparent, Female, 66 Years	Inadequate Guardianship	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7364 - Grandparent, Female, 66 Years	Sexual Abuse	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7365 - Adult Sibling, Male, 21 Years	Inadequate Guardianship	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7365 - Adult Sibling, Male, 21 Years	Sexual Abuse	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7366 - Adult Sibling, Male, 18 Years	Inadequate Guardianship	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7363 - Grandparent, Male, 70 Years	Lack of Medical Care	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7364 - Grandparent, Female, 66 Years	Lack of Medical Care	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7364 - Grandparent, Female, 66 Years	Malnutrition / Failure to Thrive	Unfounded	
	7361 - Deceased Child, Female, 13 Years	7362 - Mother, Female, 42 Years	Inadequate Guardianship	Unfounded	
	7361 - Deceased Child,	7363 - Grandparent,	Sexual Abuse	Unfounded	



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Female, 13 Years	Male, 70 Years		
7361 - Deceased Child, Female, 13 Years	7366 - Adult Sibling, Male, 18 Years	Sexual Abuse	Unfounded
7361 - Deceased Child, Female, 13 Years	7362 - Mother, Female, 42 Years	Lack of Medical Care	Unfounded
7361 - Deceased Child, Female, 13 Years	7362 - Mother, Female, 42 Years	Malnutrition / Failure to Thrive	Unfounded
7361 - Deceased Child, Female, 13 Years	7363 - Grandparent, Male, 70 Years	Malnutrition / Failure to Thrive	Unfounded

Report Summary:

Report alleged that the SC had medical symptoms that caused suspicion of sexual abuse. The SC had linear bruises on her inner thigh in the shape of fingerprints. The SC is homeschooled and always at home. The adults in the home - BM, two adult siblings and MGPs had no explanation of the SC's injuries.

On 6/14/15 a subsequent report was received that further added allegations of LMED and M/FTT against the BM and MGPs regarding the SC. This report was consolidated into the 6/3/15 report and alleged that SC was brought into the ER in critical medical condition and that the adults had failed to seek timely medical treatment.

The Fatality SCR report was subsequently received on 6/15/15.

Determination: Unfounded

Date of Determination: 08/25/2015

Basis for Determination:

No credible evidence was found to indicate that the SC was sexually abused. A SANE exam was completed SC denied she was ever touched inappropriately. The SC attributed the bruising to her dog and was diagnosed with a medical illness which accounted for her other physical symptoms. The SC died during the investigation due to unrelated causes.

OCFS Review Results:

SLDSS responded in a timely and appropriate manner and assessed safety and risk adequately. Case determination was appropriate.

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

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

1/03 - IND against the BF for IG and PDRG regarding the half-sibling.

8/03 - IND against the BM and BF for LSUP and IG related to the SC and adult sibling.

4/04 - IND against the BM for IG related to the SC and two siblings (now adult) due to DV in the presence of the children.

1/09 - UNF re. IG allegation against the BM for the SC and adult siblings.

3/09 - UNF re. EdN allegation against the BM for the SC.

8/09 - UNF re. allegations of PDRG and IG against the BF regarding his partner's children.

5/12 - UNF re. EdN and IG allegations against the BM for the SC and adult sibling.

Known CPS History Outside of NYS

There is no known CPS history outside of NYS.

Services Open at the Time of the Fatality



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Required Action(s)

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

Yes No

Preventive Services History

An FSS case was opened on 3/4/14 as a result of a neglect petition being filed against the biological father and his partner related to the half-siblings. The father and his partner engaged in drug/alcohol abuse and domestic violence on an ongoing basis. This case was pending as of this review and was unrelated to the fatality.

Casework Contacts

	Yes	No	N/A	Unable to Determine
Were face-to-face contacts with the child in the child's placement location made with the required frequency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Required Action(s)

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

Yes No

Foster Care Placement History

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

Legal History Within Three Years Prior to the Fatality

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

Family Court Criminal Court Order of Protection

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
01/10/2014	There was not a fact finding	There was not a disposition
Respondent:	024606 Father Male 44 Year(s)	
Comments:		



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