

**Report Identification Number: AL-16-030**

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

**Issue Date: May 05, 2017**

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	

### 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	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	

## Case Information



**Report Type:** Child Not Found  
**Age:** Unknown

**Jurisdiction:** Greene  
**Gender:** Unknown

**Date of Death:** Unknown  
**Initial Date OCFS Notified:** 12/23/2016

### Presenting Information

An SCR report was received on 12/23/16 that alleged the SF and SM killed their child, name and age unknown, because they could not financially afford to care for her. It was unknown when this occurred. The roles of the ten-year-old and eight-year-old SS were unknown.

### Executive Summary

On 12/23/16, Greene County Department of Social Services (GCDSS) received a report from the SCR with allegations of DOA/Fatality and IG against the SF and SM regarding the unknown female SC. Through the interviews conducted by GCDSS and New York State Police (NYSP), it was learned that the eight-year-old SS told someone that her family didn't have any money, and in the hospital, they had to kill the baby that her father and mother had. The SS's biological mother (BM) had been deceased for four years, so it was presumed she was referring to the SF's ex-girlfriend, who is named as subject on the report. All family members denied there was another child born to the SF and BM after the eight-year-old SS was born. All parties also denied that SF and SM ever had a child together. SF and SM broke up over a year ago and have not had any contact since. The eight-year-old SS later admitted she made up the story as a joke and didn't think it would get this far.

GCDSS adequately assessed the safety of the SS and found the home they reside in with the SF to be safe. No concerns arose during the investigation regarding the care of the SS. GCDSS subsequently recommended the SF enroll the eight-year-old SS in counseling. The SF did not feel she needed counseling at this time, but did agree to have the school guidance counselor check in on her when needed. GCDSS contacted all necessary collaterals and established that the SC was never born, therefore there was no fatality. GCDSS appropriately unfounded and closed the report.

There are Program Improvement Plans (PIPs) in place dated 09/29/2016 to address some of the citations noted in the CPS investigative history three years prior to the fatality. These PIPs will continue to be monitored. For citations where there is no PIP in place, GCDSS will submit a PIP to the Regional Office within thirty days of issuance of this report, identifying what action will be taken to address the issue cited.

### 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:**  
 Safety of the SS was assessed within 24 hours, although the 24 hour safety assessment was completed and approved three days late on 12/27/2016, which was the next business day. GCDSS appropriately assessed there were no safety factors present, unsubstantiated all allegations and closed the case.

**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:**  
 GCDSS conducted a thorough investigation and appropriately unsubstantiated all allegations and closed the case.

### Required Actions Related to the Fatality

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

### Fatality-Related Information and Investigative Activities

#### Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim		
Deceased Child's Household	Father	Alleged Perpetrator	Male	36 Year(s)
Deceased Child's Household	Sibling	No Role	Female	8 Year(s)
Deceased Child's Household	Sibling	No Role	Male	10 Year(s)
Other Household 1	Mother	Alleged Perpetrator	Female	40 Year(s)

#### LDSS Response

On 12/23/2016 GCDSS received an SCR report regarding the death of the unknown female SC. Upon receiving the report GCDSS contacted NYSP to coordinate their investigation. GCDSS and NYSP conducted interviews with the ten and eight-year-old SS at school and then jointly conducted a home visit and interviewed the SF. The SS and SF denied that the SC ever existed or that there was ever a child that died. The eight-year-old SS denied reporting to anyone that she had a baby sister that died. SF stated that he had not been in a relationship with SM (his ex-girlfriend) for almost two years and they have not had any contact. It was learned that the BM of the SS died in 2012 and SF denied that BM ever had a child that died. After the SF spoke to the eight-year-old SS she admitted to GCDSS that she did tell someone at school that her BM and SF had a baby that died. She stated that it was a joke and wasn't supposed to get this far. GCDSS worked



diligently to locate and interview SM, who denied that she or SF ever had a child that died. NYSP unfounded and closed their investigation with no charges or arrests made.

GCDSS conducted a thorough and complete investigation. The necessary collaterals were contacted to determine that no child was ever born to SF and SM or the BM, that had died. GCDSS spoke to the SS's pediatrician, school, Public Health, the Town Clerk, child support, SF's mental health counselor and family members. CPS history was reviewed for SF, SM and BM as required. GCDSS recommended that the SF take the eight-year-old SS for counseling. SF decided he did not want to take her for counseling as she was doing well in school and at home, but did agree to have the school guidance counselor check in on the SS and speak to her as needed. GCDSS appropriately unsubstantiated the allegations against the SF and SM as there was a lack of credible evidence to support that the SC ever existed. Service needs were adequately assessed and the case was closed.

### Multidisciplinary Investigation/Review

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

**Comments:** GCDSS conducted the investigation collaboratively with LE.

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

**Comments:** GCDSS does not have an approved Child Fatality Review Team

### SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
033861 - Deceased Child, ,	033864 - Father, Male, 36 Year(s)	DOA / Fatality	Unsubstantiated
033861 - Deceased Child, ,	033864 - Father, Male, 36 Year(s)	Inadequate Guardianship	Unsubstantiated
033861 - Deceased Child, ,	036261 - Mother, Female, 40 Year(s)	DOA / Fatality	Unsubstantiated
033861 - Deceased Child, ,	036261 - Mother, Female, 40 Year(s)	Inadequate Guardianship	Unsubstantiated

### CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?				
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional information:**

GCDD contacted all necessary collaterals and interviewed all necessary individuals.

**Fatality Safety Assessment Activities**

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

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

	Yes	No	N/A	Unable to Determine
Was the risk assessment/RAP adequate in this case?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate assessment of the family's need for services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the protective factors in this case require the LDSS to file a petition in Family Court at any time during or after the investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Were appropriate/needed services offered in this case	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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### Placement Activities in Response to the Fatality Investigation

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

### 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>				
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

**Additional information, if necessary:**

The SF was already engaged in MH counseling. GCDSS requested the SF bring the eight-year-old SS for counseling. GCDSS assisted the SF in arranging for the school guidance counselor to provide the SS with counseling as needed. It is unknown if this occurred.

**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? N/A**

**Explain:**

There was no fatality.

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

**Explain:**

There was no fatality.

### 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)
07/31/2014	13330 - Sibling, Female, 6 Years	13324 - Father, Male, 34 Years	Inadequate Guardianship	Unfounded	Yes
	13330 - Sibling, Female, 6 Years	13331 - Father, Male, 43 Years	Inadequate Guardianship	Unfounded	
	13329 - Sibling, Male, 8 Years	13324 - Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	13329 - Sibling, Male, 8 Years	13331 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13329 - Sibling, Male, 8 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Inadequate Guardianship	Unfounded	
	14905 - Other Child - SM's daughter, Female, 16 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Parents Drug / Alcohol Misuse	Unfounded	
	14905 - Other Child - SM's daughter, Female, 16 Years	13324 - Father, Male, 34 Years	Inadequate Guardianship	Unfounded	
	14905 - Other Child - SM's daughter, Female, 16 Years	13331 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13330 - Sibling, Female, 6 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Inadequate Guardianship	Unfounded	
	14905 - Other Child - SM's	13324 - Father, Male, 34	Parents Drug /	Unfounded	



daughter, Female, 16 Years	Years	Alcohol Misuse	
13330 - Sibling, Female, 6 Years	13324 - Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unfounded
13329 - Sibling, Male, 8 Years	13324 - Father, Male, 34 Years	Inadequate Guardianship	Unfounded
13329 - Sibling, Male, 8 Years	13324 - Father, Male, 34 Years	Parents Drug / Alcohol Misuse	Unfounded
13330 - Sibling, Female, 6 Years	13324 - Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unfounded
13330 - Sibling, Female, 6 Years	13331 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Unfounded
13329 - Sibling, Male, 8 Years	13331 - Father, Male, 43 Years	Inadequate Guardianship	Unfounded
13329 - Sibling, Male, 8 Years	14904 - Mother, Female, 38 Years	Inadequate Food / Clothing / Shelter	Unfounded
13329 - Sibling, Male, 8 Years	14904 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded
13330 - Sibling, Female, 6 Years	14904 - Mother, Female, 38 Years	Inadequate Food / Clothing / Shelter	Unfounded
13330 - Sibling, Female, 6 Years	14904 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	14904 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded
13329 - Sibling, Male, 8 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Parents Drug / Alcohol Misuse	Unfounded
13330 - Sibling, Female, 6 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Parents Drug / Alcohol Misuse	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	14906 - Other Adult - SM's adult son, Male, 18 Years	Inadequate Guardianship	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	13324 - Father, Male, 34 Years	Inadequate Food / Clothing / Shelter	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	13331 - Father, Male, 43 Years	Childs Drug / Alcohol Use	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	13331 - Father, Male, 43 Years	Inadequate Guardianship	Unfounded
13329 - Sibling, Male, 8 Years	14904 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded
13330 - Sibling, Female, 6 Years	14904 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	14904 - Mother, Female, 38 Years	Inadequate Food / Clothing / Shelter	Unfounded
14905 - Other Child - SM's daughter, Female, 16 Years	14904 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded

**Report Summary:**

SCR report alleged SM and the BF were the parents of the then sixteen and eighteen-year-old children. SF was the father



to then six and eight-year-old SS. SF lived in the house with the BM and the four children. It was alleged the BM and SF were taking pills and drinking alcohol. The BM and SF became high and intoxicated to the point of impairment in the presence of the children. The BF, the eighteen-year-old, and the sixteen-year-old were all smoking marijuana together, to the point of impairment. It was also alleged there wasn't enough food in the house for the children and it was unknown when the children ate last.

**Determination:** Unfounded **Date of Determination:** 10/03/2014

**Basis for Determination:**  
GCDSS Unsub the allegations as all parents and children gave no indication of substance abuse. No evidence of substance use was observed at home visits and no safety concerns were observed in the home. SM's recent drug screens found only prescribed substances in her system.

**OCFS Review Results:**  
The case record did not reflect that GCDSS reviewed all history within regulatory required timeframes. The six and eight-year-old SS were not interviewed. There were no collaterals contacted regarding the SF's alleged drug use. There was no follow up in regard to SF's drug test and whether he completed it as planned. There was also no follow up with SF's mental health counselor, which GCDSS obtained a release for. The RAP did not reflect concerns that the SM's children were in foster care in the past and the SF's mental health concerns.

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

**Issue:**  
Face-to-Face Interview (Subject/Family)

**Summary:**  
GCDSS did not interview the six and eight-year-old children named as maltreated children on the report.

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

**Action:**  
GCDSS will prioritize speaking with all children named on a case or who reside at the case address, not only to address the allegations, but also to accurately assess safety and risk.

**Issue:**  
Adequacy of Risk Assessment Profile (RAP)

**Summary:**  
The RAP did not reflect the risk concerns noted in the case record regarding the children having been placed in foster care in the past and the SF's mental health concerns.

**Legal Reference:**  
18 NYCRR 432.2(d)

**Action:**  
GCDCFS will properly assess for risk and accurately portray the concerns in the RAP.

**Issue:**  
Overall Completeness and Adequacy of Investigation

**Summary:**  
GCDSS failed to contact all necessary collaterals to gather sufficient documentation to determine the allegations. There were no collateral contacts made regarding the SF's drug use. The CW didn't follow up to see if the SF completed the drug test as planned or speak to his MH counselor, which they obtained a release for.

**Legal Reference:**  
SSL 424(6); 18 NYCRR 432.2(b)(3)

**Action:**  
GCDSS will make diligent efforts to obtain supporting information/documentation from all necessary collaterals when



determining allegations.

**Issue:**

Review of CPS History

**Summary:**

The case record did not reflect that GCDSS reviewed all history within regulatory required timeframes.

**Legal Reference:**

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

**Action:**

GCDSS will review all history within regulatory required timeframes.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
04/10/2014	13341 - Sibling, Female, 5 Years	13336 - Father, Male, 33 Years	Parents Drug / Alcohol Misuse	Unfounded	Yes
	13340 - Sibling, Male, 8 Years	13336 - Father, Male, 33 Years	Inadequate Guardianship	Unfounded	
	14902 - Other Child - SM's daughter , Female, 16 Years	14901 - Mother, Female, 38 Years	Childs Drug / Alcohol Use	Unfounded	
	14903 - Other Child - SM's son, Male, 17 Years	14901 - Mother, Female, 38 Years	Childs Drug / Alcohol Use	Unfounded	
	13340 - Sibling, Male, 8 Years	14901 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded	
	13341 - Sibling, Female, 5 Years	14901 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded	
	14902 - Other Child - SM's daughter , Female, 16 Years	14901 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded	
	14903 - Other Child - SM's son, Male, 17 Years	14901 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13340 - Sibling, Male, 8 Years	14901 - Mother, Female, 38 Years	Parents Drug / Alcohol Misuse	Unfounded	
	14903 - Other Child - SM's son, Male, 17 Years	13337 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Unfounded	
	14902 - Other Child - SM's daughter , Female, 16 Years	13337 - Father, Male, 43 Years	Inadequate Guardianship	Unfounded	
	14902 - Other Child - SM's daughter , Female, 16 Years	13336 - Father, Male, 33 Years	Inadequate Guardianship	Unfounded	
	13340 - Sibling, Male, 8 Years	13336 - Father, Male, 33 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13341 - Sibling, Female, 5 Years	13336 - Father, Male, 33 Years	Inadequate Guardianship	Unfounded	
	14902 - Other Child - SM's daughter , Female, 16 Years	14901 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded	
	14903 - Other Child - SM's son, Male, 17 Years	14901 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded	
13341 - Sibling, Female, 5 Years	14901 - Mother,	Inadequate	Unfounded		



	Female, 38 Years	Guardianship	
14902 - Other Child - SM's daughter , Female, 16 Years	13336 - Father, Male, 33 Years	Parents Drug / Alcohol Misuse	Unfounded
14903 - Other Child - SM's son, Male, 17 Years	13337 - Father, Male, 43 Years	Inadequate Guardianship	Unfounded
14902 - Other Child - SM's daughter , Female, 16 Years	13337 - Father, Male, 43 Years	Childs Drug / Alcohol Use	Unfounded
14902 - Other Child - SM's daughter , Female, 16 Years	13337 - Father, Male, 43 Years	Parents Drug / Alcohol Misuse	Unfounded
14903 - Other Child - SM's son, Male, 17 Years	13336 - Father, Male, 33 Years	Inadequate Guardianship	Unfounded
14903 - Other Child - SM's son, Male, 17 Years	13336 - Father, Male, 33 Years	Parents Drug / Alcohol Misuse	Unfounded
14903 - Other Child - SM's son, Male, 17 Years	13337 - Father, Male, 43 Years	Childs Drug / Alcohol Use	Unfounded

**Report Summary:**

SCR report alleged SM and SF were alcoholics and they smoked marijuana in the presence of the SM's children, (then seventeen and sixteen-years-old) and surviving siblings (then eight and five-years old). It alleged the SM drank to intoxication, passed out and engaged in physical altercations with her two children and kicked them out of the home frequently. The children would hang out with whomever they could find until she allowed them back into the home again. It also alleged the BF smoked marijuana with his seventeen and sixteen-year-old children and the SM was aware and allowed them to smoke marijuana.

**Determination:** Unfounded**Date of Determination:** 06/06/2014**Basis for Determination:**

GCDSS Unsub the allegations as all children and parents denied the allegations. The SM and SF were on a suboxone regimen for years. The SM's doctor had no concerns and said she had been drug testing appropriately. SF's doctor expressed no concerns, however his recent test was positive for cocaine. SF denied using cocaine and his doctor was going to discuss his ongoing course of treatment at the next appointment. There was not enough credible evidence to support that SF's alleged drug misuse impacted the children in any way. The SM's children denied using drugs. The children's pediatrician had no concerns.

**OCFS Review Results:**

The case record did not reflect that all history was reviewed within regulatory required timeframes. The seventeen-year-old alleged maltreated child was not interviewed. All alleged maltreated children need to be interviewed, regardless if they reside in the home. These steps are crucial in conducting a thorough investigation and in making an appropriate determination for the allegations.

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

**Issue:**

Review of CPS History

**Summary:**

The case record did not reflect that GCDSS reviewed all history within regulatory required timeframes.

**Legal Reference:**

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

**Action:**

GCDSS will review all history within regulatory required timeframes.

**Issue:**



Face-to-Face Interview (Subject/Family)

**Summary:**

GCDSS did not interview the seventeen-year-old alleged maltreated child named on the report.

**Legal Reference:**

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

**Action:**

GCDSS will prioritize speaking with all children named on a report or who reside at the case address, not only to address the allegations, but also to accurately assess safety and risk.

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

SCR report 11/21/2006 SM IND for IG and PD/AM of her ten and eight-year-old children. The children were placed in foster care via Article 10 petition. The children returned to SM's custody on 10/04/2010, CPS case closed 10/19/2010.

SCR report 05/28/2008 UNF SF for IG and BM for IG, LS, PD/AM of the BM's ten and seven-year-old children and their two-year-old and newborn.

SCR report 08/23/2009 IND SF and BM for LS of their three and one-year-old children.

SCR report 11/18/2009 UNF SM for LMC of her thirteen-year-old child.

SCR report 2/26/2010 UNF SF and BM for IF/C/S, IG, PD/AM of BM's eleven and nine-year-old and their four and one-year-old children.

SCR report 05/21/2010 UNF SF for LS of his four and two-year-old children.

SCR report 7/19/2010 UNF SF and BM for IG and LS of their two-year-old child.

SCR report 11/01/2010 UNF SF and BM for IG, LS, PD/AM of their four and two-year-old children.

SCR report 10/19/2011 UNF SM for LMC of her fifteen-year-old child and IG of her thirteen-year-old child.

SCR report 07/12/2012 UNF SF and SF's ex-girlfriend for IG, LS, PD/AM of SF's six and four-year-old-children.

SCR report 09/06/2012 UNF SM and SF for IG and PD/AM of the SM's sixteen and fourteen-year-old children.

SCR report 04/17/2013 IND SM for IG and LMC of her sixteen-year-old child and UNF for IG of her fifteen-year-old child.

### Known CPS History Outside of NYS

There is no known CPS history outside of NYS.

### Required Action(s)

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

Yes No

### Preventive Services History

There is no record of Preventive Services 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? 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