



Report Identification Number: NY-16-041

Prepared by: New York City Regional Office

Issue Date: 12/9/2016

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
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 Deceased
Age: 17 year(s)

Jurisdiction: Kings
Gender: Female

Date of Death: 04/05/2016
Initial Date OCFS Notified: 04/18/2016

Presenting Information

On 4/1/16, the seventeen-year-old female SC was attacked by a group of teenage girls near her home in Brooklyn because she was defending her now 15-year-old male sibling whom the girls were taunting. During the attack the SC's head hit the pavement. The BF came outside and broke up the fight and the police and EMS were called. The SC was transported to Bellevue Hospital in a coma and was subsequently removed from life support on and expired on 4/5/16.

Executive Summary

On 4/18/16, OCFS was notified of the death of this seventeen-year-old female SC who died on 4/5/16 after being assaulted by a group of female teenagers near her home in Brooklyn. According to ACS documentation, the SC fell and her head hit on the pavement in addition to being repeatedly struck by members of the group.

On 4/1/16, the 17-year-old SC was with her now 15-year-old male sibling when the incident occurred. A group of female teenagers were verbally abusing her sibling and the SC was defending him. The SC and the teenagers argued and it escalated to a fight. The BF was notified of the fighting by neighbors while other neighbors called the police. The BF stated there were two or three girls assaulting the SC with punches and kicks when he ran out of his home and intervened. The BF also stated the SC was unconscious, convulsing, and unresponsive when he arrived. The police and EMS were called to the scene and the EMS ambulance transported the SC to Bellevue Hospital. The SC remained in a coma from the time she arrived at Bellevue Hospital until 4/5/16, when she was removed from life support and expired. LE has arrested one person in the homicide investigation. ACS documented the family did not wish to discuss or provide additional information regarding the child's death.

On 4/5/16, the adult sibling of the SC notified the ACS Specialist that the SC expired on the same date. ACS documented that on 4/1/16 the SC had been attacked by a group of people and "beaten up badly over the weekend." The SC was in a coma and was taken off life support on 4/5/16 and expired the same day.

The SC resided with her parents, three adult male siblings, one adult female sibling, the now fifteen-year-old surviving sibling and the five and six-year-old children of her adult female sibling in a five bedroom apartment. There was an investigation from the 2/27/16 report, which was open at the time of the SC's death, ACS made numerous visits to the home in addition to collateral contacts as required. The SC was not named in the 2/27/16 report.

On 4/5/16, the ACS Specialist visited the family and interviewed the parents, surviving sibling and the five and six year-old children of the SC's adult female sibling. The BF stated that the 17-year-old SC and the now fifteen-year-old surviving male sibling were going to a store when a group of girls began to bother her brother. The SC began to defend her sibling and a fight began. The BF added that he received a telephone call and when he arrived he observed two to three people kicking the SC and he began attacking the people who were assaulting the SC.

The BM told the Specialist it was difficult to speak about the incident. The Specialist then interviewed the surviving



sibling who was observed and there were no indications of any marks or bruises on the child. ACS documented the SC stated he "felt really bad." The Specialist also observed the five and six-year-old children of the SC's adult sister who were asleep and documented there were no indications of any neglect or maltreatment of the children.

On 4/26/16, the Specialist visited the family in their home and documented the surviving sibling and the five and six-year old children of the adult sibling were observed without any indication of neglect or maltreatment observed during the visit. During the visit the parents of the SC and the adult female sibling agreed to accept preventive services.

The SC's adult female sibling and her five and six-year-old children relocated during the investigation and receives services separately from the parents and 15-year-old surviving sibling.

On 4/27/16, ACS substantiated the allegations of the 2/27/16 CPS investigation, PD/AM and IG of the surviving sibling and the five and six-year-old children of the adult female sibling by the parents and their adult children. The case remains open for services.

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

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

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

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

Explain:

This is a multigenerational household, the SC's adult female sibling relocated during the investigation.

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: 04/05/2016

Time of Death: Unknown

Date of fatal incident, if different than date of death: 04/01/2016

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

County where fatality incident occurred:

KINGS

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: Outside her home with her brother.

Did child have supervision at time of incident leading to death? No - Not needed given developmental age or circumstances

Total number of deaths at incident event:

Children ages 0-18: 01

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Adult Sibling	No Role	Male	21 Year(s)
Deceased Child's Household	Adult Sibling	No Role	Male	22 Year(s)
Deceased Child's Household	Adult Sibling	No Role	Male	19 Year(s)
Deceased Child's Household	Deceased Child	No Role	Female	17 Year(s)
Deceased Child's Household	Father	No Role	Male	49 Year(s)
Deceased Child's Household	Mother	No Role	Female	41 Year(s)
Deceased Child's Household	Other Child	No Role	Male	15 Year(s)
Deceased Child's Household	Other Child	No Role	Female	5 Year(s)
Deceased Child's Household	Other Child	No Role	Male	06 Year(s)
Deceased Child's Household	Sibling	No Role	Female	23 Year(s)

LDSS Response

On 4/5/16, the adult sibling of the SC notified the ACS Specialist that the SC expired on the same date. ACS documented that on 4/1/16 the SC had been attacked by a group of people and "beaten up badly over the weekend." The SC was in a coma and was taken off life support on 4/4/16 and she expired on 4/5/16.

The SC resided with her parents, three adult male siblings, one adult female sibling, the now fifteen-year-old surviving sibling in and the five and six-year-old children of her adult female sibling in a five bedroom apartment. During the investigation of the 2/27/16 report, which was open at the time of the SC's death, ACS made numerous visits to the home in addition to collateral contacts as required. The SC was not named in the 2/27/16 report.

On 4/5/16, the ACS Specialist visited the family and interviewed the parents, surviving sibling and the five and six year-old children of the SC's adult female sibling. The BF stated that the 17-year-old SC and the now fifteen-year-old surviving male sibling were going to a store when a group of girls began to bother her brother. The SC began to defend her sibling and a fight began. The BF added that he received a telephone call and when he arrived he observed two to three people kicking the SC and he began attacking the people who were assaulting the SC.

The BM told the Specialist it was difficult to speak about the incident. The Specialist then interviewed the surviving sibling who was observed and there were no indications of any marks or bruises on the child. ACS documented the SC stated he "felt really bad." The Specialist also observed the five and six-year-old children of the SC's adult sister who were asleep and documented there were no indications of any neglect or maltreatment of the children.

On 4/26/16, the Specialist visited the family in their home and documented the surviving sibling and the five and six-year old children of the adult sibling were observed without any indication of neglect or maltreatment observed during the visit. During the visit the parents of the SC and the adult female sibling agreed to accept preventive services.

The SC's adult female sibling and her five and six-year-old children relocated during the investigation and receives services separately from the parents and 15-year-old surviving sibling.

On 4/27/16, ACS determined the allegations of the 2/27/16 CPS investigation. ACS determined allegations of PD/AM and IG of the surviving sibling and the five and six-year-old children of the adult female sibling by the parents and their adult children.

ACS documented the adults in the home reported they used marijuana and all refused to be screened and provided inadequate guardianship to the children named in the report.

The case remains open for services.

Official Manner and Cause of Death

Official Manner: Pending

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 reviewed by an OCFS approved Child Fatality Review Team? No

Comments: New York City does not have an OCFS approved CFRT.

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"/>
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"/>
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:

The SC died during a CPS investigation of her parents and adult siblings. There was no suspicion of maltreatment or neglect by the parents in the SC's death.

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 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 type="checkbox"/>	<input checked="" 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"/>



NYS Office of Children and Family Services - Child Fatality Report

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"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

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"/>
Was there an adequate assessment of the family's need for services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the protective factors in this case require the LDSS to file a petition in Family Court at any time during or after the investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were appropriate/needed services offered in this case	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Placement Activities in Response to the Fatality Investigation

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



NYS Office of Children and Family Services - Child Fatality Report

Housing assistance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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:

The parents of the SC were offered and accepted preventive services in addition to services for the surviving sibling.

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

Explain:

ACS made the appropriate referrals for the entire family of the SC for bereavement and other services, however, although the family initially agreed to accept services they did not follow through. Although the family attend some appointments with the service providers they have to be more consistent to reach their service goals.

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

Explain:

ACS made the appropriate referrals for the entire family of the SC for bereavement and other services, however, although the family initially agreed to accept services they did not follow through with the service goals. They do not regularly attend their appointments with the service providers.

History Prior to the Fatality

Child Information

Did the child have a history of alleged child abuse/maltreatment?

Yes



NYS Office of Children and Family Services - Child Fatality Report

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? No

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)
02/27/2016	11776 - Sibling, Male, 15 Years	11771 - Mother, Female, 40 Years	Parents Drug / Alcohol Misuse	Indicated	No
	11776 - Sibling, Male, 15 Years	11774 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Indicated	
	11776 - Sibling, Male, 15 Years	11774 - Aunt/Uncle, Male, 21 Years	Parents Drug / Alcohol Misuse	Indicated	
	11776 - Sibling, Male, 15 Years	11775 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Indicated	
	11776 - Sibling, Male, 15 Years	11771 - Mother, Female, 40 Years	Inadequate Guardianship	Indicated	
	11776 - Sibling, Male, 15 Years	11772 - Father, Male, 49 Years	Inadequate Guardianship	Indicated	
	11776 - Sibling, Male, 15 Years	11773 - Aunt/Uncle, Female, 23 Years	Inadequate Guardianship	Indicated	
	11776 - Sibling, Male, 15 Years	11775 - Aunt/Uncle, Male, 22 Years	Parents Drug / Alcohol Misuse	Indicated	
	11776 - Sibling, Male, 15 Years	11772 - Father, Male, 49 Years	Parents Drug / Alcohol Misuse	Indicated	
	11776 - Sibling, Male, 15 Years	11773 - Aunt/Uncle, Female, 23 Years	Parents Drug / Alcohol Misuse	Indicated	

Report Summary:
 The allegations of this report were PD/AM and IG by the BM, BF and the three adult MU's and MA against the three minor children in the home who were 5, 6 and 15-years-of age. The multi-generational family resided in one apartment prior to the death of the SC. The adult daughter of the BM and BF is the mother of the 5 and 6-year-old children and the BM and BF are the parents of the 15- year-old child.

Determination: Indicated **Date of Determination:** 04/28/2016

Basis for Determination:
 ACS investigated the allegations of the report and determined there was credible evidence to substantiate all of the allegations of the report.

OCFS Review Results:
 It was during this investigation that the 17 year-old SC died in an altercation in which she was assaulted. The BM and BF of the 15-year-old agreed to accept services and the BM of the 3 and five year-old children also accepted services and left



NYS Office of Children and Family Services - Child Fatality Report

the home of her parents with her two children.

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)
03/06/2015	11822 - Deceased Child, Female, 17 Years	11820 - Mother, Female, 40 Years	Inadequate Guardianship	Unfounded	Yes
	11822 - Deceased Child, Female, 17 Years	11820 - Mother, Female, 40 Years	Lack of Medical Care	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11820 - Mother, Female, 40 Years	Parents Drug / Alcohol Misuse	Unfounded	
	11823 - Sibling, Male, 15 Years	11820 - Mother, Female, 40 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	11823 - Sibling, Male, 15 Years	11820 - Mother, Female, 40 Years	Inadequate Guardianship	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11821 - Father, Male, 49 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11821 - Father, Male, 49 Years	Inadequate Guardianship	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11821 - Father, Male, 49 Years	Lack of Medical Care	Unfounded	
	11823 - Sibling, Male, 15 Years	11821 - Father, Male, 49 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	11823 - Sibling, Male, 15 Years	11821 - Father, Male, 49 Years	Inadequate Guardianship	Unfounded	
	11823 - Sibling, Male, 15 Years	11821 - Father, Male, 49 Years	Lack of Medical Care	Unfounded	
	11823 - Sibling, Male, 15 Years	11821 - Father, Male, 49 Years	Parents Drug / Alcohol Misuse	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11824 - Aunt/Uncle, Male, 21 Years	Lack of Medical Care	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11824 - Aunt/Uncle, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	
	11823 - Sibling, Male, 15 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	11823 - Sibling, Male, 15 Years	11824 - Aunt/Uncle, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	
	11822 - Deceased Child, Female, 17 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Food / Clothing / Shelter	Unfounded	



NYS Office of Children and Family Services - Child Fatality Report

11822 - Deceased Child, Female, 17 Years	11825 - Aunt/Uncle, Male, 22 Years	Lack of Medical Care	Unfounded
11822 - Deceased Child, Female, 17 Years	11825 - Aunt/Uncle, Male, 22 Years	Parents Drug / Alcohol Misuse	Unfounded
11823 - Sibling, Male, 15 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Food / Clothing / Shelter	Unfounded
11823 - Sibling, Male, 15 Years	11825 - Aunt/Uncle, Male, 22 Years	Lack of Medical Care	Unfounded
11822 - Deceased Child, Female, 17 Years	11828 - Adult Sibling, Female, 23 Years	Inadequate Food / Clothing / Shelter	Unfounded
11822 - Deceased Child, Female, 17 Years	11828 - Adult Sibling, Female, 23 Years	Lack of Medical Care	Unfounded
11822 - Deceased Child, Female, 17 Years	11828 - Adult Sibling, Female, 23 Years	Parents Drug / Alcohol Misuse	Unfounded
11823 - Sibling, Male, 15 Years	11828 - Adult Sibling, Female, 23 Years	Inadequate Food / Clothing / Shelter	Unfounded
11823 - Sibling, Male, 15 Years	11828 - Adult Sibling, Female, 23 Years	Lack of Medical Care	Unfounded
11823 - Sibling, Male, 15 Years	11828 - Adult Sibling, Female, 23 Years	Parents Drug / Alcohol Misuse	Unfounded
11823 - Sibling, Male, 15 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Unfounded
11827 - Other Child - niece, Female, 5 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Unfounded
11829 - Other Child - nephew, Male, 6 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Unfounded
11827 - Other Child - niece, Female, 5 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Unfounded
11829 - Other Child - nephew, Male, 6 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Unfounded
11827 - Other Child - niece, Female, 5 Years	11828 - Adult Sibling, Female, 23 Years	Educational Neglect	Indicated
11829 - Other Child - nephew, Male, 6 Years	11828 - Adult Sibling, Female, 23 Years	Educational Neglect	Indicated
11822 - Deceased Child, Female, 17 Years	11820 - Mother, Female, 40 Years	Inadequate Food / Clothing / Shelter	Unfounded
11823 - Sibling, Male, 15 Years	11820 - Mother, Female, 40 Years	Lack of Medical Care	Unfounded
11823 - Sibling, Male, 15 Years	11820 - Mother, Female, 40 Years	Parents Drug / Alcohol Misuse	Unfounded
11822 - Deceased Child, Female, 17 Years	11821 - Father, Male, 49 Years	Parents Drug / Alcohol Misuse	Unfounded
11823 - Sibling, Male, 15 Years	11824 - Aunt/Uncle, Male, 21 Years	Inadequate Guardianship	Unfounded

11823 - Sibling, Male, 15 Years	11824 - Aunt/Uncle, Male, 21 Years	Lack of Medical Care	Unfounded
11822 - Deceased Child, Female, 17 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Unfounded
11823 - Sibling, Male, 15 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Unfounded
11823 - Sibling, Male, 15 Years	11825 - Aunt/Uncle, Male, 22 Years	Parents Drug / Alcohol Misuse	Unfounded
11822 - Deceased Child, Female, 17 Years	11828 - Adult Sibling, Female, 23 Years	Inadequate Guardianship	Unfounded
11823 - Sibling, Male, 15 Years	11828 - Adult Sibling, Female, 23 Years	Inadequate Guardianship	Unfounded
11823 - Sibling, Male, 15 Years	11825 - Aunt/Uncle, Male, 22 Years	Inadequate Guardianship	Unfounded
11827 - Other Child - niece, Female, 5 Years	11828 - Adult Sibling, Female, 23 Years	Parents Drug / Alcohol Misuse	Indicated
11829 - Other Child - nephew, Male, 6 Years	11828 - Adult Sibling, Female, 23 Years	Parents Drug / Alcohol Misuse	Indicated

Report Summary:

On 3/6/15, the SCR registered a report that alleged EdN, I/F/C/S, PD/AM and IG of the SC and the now fifteen-year-old surviving sibling by the BM and BF. The report also named the SC's adult sibling, in addition to her two adult male siblings as subjects that alleged EdN and PD/AM of the now five and six-year-old children by the three adult siblings.

Determination: Indicated

Date of Determination: 05/04/2015

Basis for Determination:

ACS unfounded this report against the BM of the SC but substantiated it against the SC's adult sibling for EdN. and PD/AM of her now six and five year-old children. ACS documented that

OCFS Review Results:

The substantiation of the allegations of EdN. and PD/AM were appropriate, however, the case should have been called into the SCR separately from the BM of the SC. The BM of the SC is the MGM of the now five and six-year-old children. The decision to substantiate for the allegation PD/AM was appropriate, however, the decision to substantiate for the allegation EdN was inappropriate because the then five-year-old male child was not required to be in school.

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

Issue:

Appropriateness of allegation determination

Summary:

On 5/4/15, the allegation of EdN was substantiated against the BM's adult sibling for her then five-year-old male child who was not required to be in school.

Legal Reference:

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

Action:

The Administration for Children's Services (ACS) must submit a corrective action plan within 45 days that identifies what action it has, or will take, to address the citation(s) identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who attended and what was discussed.



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

The BM and BF were named in reports dated 10/15/08, 1/28/10 and 11/9/12. The allegations of these reports were EdN. CD/A, LS, PD/AM, IF/C/S, S/A and IG of the children several of whom are now adults. All of the allegations of the 10/15/08 and 1/28/10 reports were unsubstantiated and both reports were unfounded and closed. ACS did not find credible evidence to support the allegations of these reports.

ACS investigated the allegations of the 11/9/12 report and there was credible evidence to substantiate the allegations CD/A, and IG. The allegations S/A, and PD/AM were unsubstantiated and the family was referred for services but did not follow through to receive any services.

Known CPS History Outside of NYS

There is no 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.

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? 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