



Report Identification Number: SV-22-009

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

Issue Date: Aug 19, 2022

This report, prepared pursuant to section 20(5) of the Social Services Law (SSL), concerns:

- A report made to the New York Statewide Central Register of Child Abuse and Maltreatment (SCR) involving the death of a child.
- The death of a child for whom child protective services has an open case.
- The death of a child whose care and custody or custody and guardianship has been transferred to an authorized agency.
- The death of a child for whom the local department of social services has an open preventive service case.

The Office of Children and Family Services (OCFS) is mandated by section 20 of the SSL to investigate or cause for the investigation of the cause and circumstances surrounding the death, review such investigation, and prepare and issue a fatality report in regard to the categories of deaths noted above involving a child, except where a local or regional fatality review team issues a report, as authorized by law.

Such report must include: the cause of death; the identification of child protective or other services provided or actions taken regard to such child and child’s family; any extraordinary or pertinent information concerning the circumstances of the child’s death; whether the child or the child’s family received assistance, care or services from the social services district prior to the child’s death; any action or further investigation undertaken by OCFS or the social services district since the child’s death; and as appropriate, recommendations for local or state administrative or policy changes.

This report contains no information that would identify the deceased child, his or her siblings, the parent, parents, or other persons legally responsible for the child, and any members of the deceased child’s household.

By statute, this report will be forwarded to the social services district, chief county executive officer, chairperson of the local legislative body of the county where the child died and the social services district that had legal custody of the child, if different. Notice of the issuance of this report will be sent to the Speaker of the Assembly and the Temporary President of the Senate of the State of New York.

This report may **only** be disclosed to the public by OCFS pursuant to section 20(5) of the SSL. **It may be released by OCFS only after OCFS has determined that such disclosure is not contrary to the best interests of the deceased child’s siblings or other children in the household.**

OCFS’ review included an examination of actions taken by individual caseworkers and supervisors within the social services district and agencies under contract with the social services district. The observations and recommendations contained in this report reflect OCFS’ assessment and the performance of these agencies.



Abbreviations

Relationships		
BM-Biological Mother	SM-Subject Mother	SC-Subject Child
BF-Biological Father	SF-Subject Father	OC-Other Child
MGM-Maternal Grand Mother	MGF-Maternal Grand Father	FF-Foster Father
PGM-Paternal Grand Mother	PGF-Paternal Grand Father	DCP-Day Care Provider
MGGM-Maternal Great Grand Mother	MGGF-Maternal Great Grand Father	PGGF-Paternal Great Grand Father
PGGM-Paternal Great Grand Mother	MA/MU-Maternal Aunt/Maternal Uncle	PA/PU-Paternal Aunt/Paternal Uncle
FM-Foster Mother	SS-Surviving Sibling	PS-Parent Sub
CH/CHN-Child/Children	OA-Other Adult	
Contacts		
LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPS-Child Protective Services		
Allegations		
FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	LMC-Lack of Medical Care	EdN-Educational Neglect
EN-Emotional Neglect	SA-Sexual Abuse	M/FTTH-Malnutrition/Failure-to-thrive
IF/C/S-Inadequate Food/ Clothing/ Shelter	IG-Inadequate Guardianship	LS-Lack of Supervision
Ab-Abandonment	OTH/COI-Other	
Miscellaneous		
IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	COS-Court Ordered Services
OP-Order of Protection	RAP-Risk Assessment Profile	FASP-Family Assessment Plan
FAR-Family Assessment Response	Hx-History	Tx-Treatment
CAC-Child Advocacy Center	PIP-Program Improvement Plan	yo- year(s) old
CPR-Cardiopulmonary Resuscitation	ASTO-Allowing Sex Abuse to Occur	



Case Information

Report Type: Child Deceased
Age: 2 day(s)

Jurisdiction: Ulster
Gender: Female

Date of Death: 03/05/2022
Initial Date OCFS Notified: 03/30/2022

Presenting Information

Ulster County Department of Social Services (UCDSS) provided OCFS with a 7065-Agency Reporting Form after learning of the 2-day-old child's death during an open child protective investigation and preventive services case. Prior to the child's birth, the parents were informed that there were concerns regarding the child's in utero development. The mother was induced on 3/3/22 and the child passed away on 3/5/22. The child remained in the hospital for the duration of her life.

Executive Summary

This fatality report concerns the death of a 2-day-old female subject child. Ulster County Department of Social Services (UCDSS) had an open preventive services case and an open child protective investigation at the time of the death regarding concerns unrelated to the fatality. UCDSS learned of the death of the child during a routine home visit with the family. The family was involved with preventive services regarding the sibling's complex trauma history and behavioral problems. The family received case management services, transportation services, mental health services, family therapy, and parenting education.

The mother had a high-risk pregnancy, and the child was diagnosed with cardiac abnormalities in January 2022, while in utero. The child was born on 3/3/22 and died on 3/5/22 as a result of the child's medical condition. The child remained in the hospital for the duration of her life. There was no autopsy completed.

Following the child's death, UCDSS assessed the safety of the two surviving siblings ages 6 and 7 years-old. The siblings were the father's children and their biological mother was deceased. The home was assessed, and the siblings were deemed safe in the care and custody of the parents. The siblings were interviewed and did not report any concerns to UCDSS. Bereavement services were offered to the family. The CPS investigation was unfounded and closed and the family remained actively engaged with preventive services at the time of the fatality.

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? N/A

Determination:

- Was sufficient information gathered to make determination(s) for all allegations as well as any others identified in the course of the investigation? N/A
- Was the determination made by the district to unfound or indicate appropriate? N/A

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



Child Fatality Report

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:
There was minimal detail gathered and documented regarding the child's death. Based on the information UCDSS gathered, they determined there was no reasonable cause to suspect the death was a result of abuse or maltreatment in the open CPS investigation. UCDSS closed their CPS investigation and the preventive services case remained open.

Required Actions Related to the Fatality

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

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 03/05/2022

Time of Death: Unknown

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

County where fatality incident occurred: New York

Was 911 or local emergency number called? No

Did EMS respond to the scene? No

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: Hospitalized

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

At time of incident was supervisor impaired? Not impaired.

At time of incident supervisor was:

- Distracted
- Absent
- Asleep
- Other: **unknown**

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	No Role	Female	2 Day(s)
Deceased Child's Household	Father	No Role	Male	31 Year(s)



Child Fatality Report

Deceased Child's Household	Mother	No Role	Female	26 Year(s)
Deceased Child's Household	Sibling	No Role	Female	7 Year(s)
Deceased Child's Household	Sibling	No Role	Female	8 Year(s)

LDSS Response

UCDSS was notified about the child's death during the open CPS investigation. UCDSS then notified the Westchester Regional Office on 3/30/22, and submitted the required 7065-Agency Reporting Form.

The mother had a high-risk pregnancy, which resulted in the subject child being diagnosed with cardiac abnormalities while in utero. The subject child was born on 3/3/22 and hospitalized until her death on 3/5/22.

UCDSS saw the two surviving siblings and the parents at the home after learning of the death on 3/28/22. The family was actively engaged with preventive services at the time of the death. The family was referred to Hospice for grief services, however, at the time there were no grief therapists available and UCDSS referred the family elsewhere.

UCDSS had an open CPS investigation with the family that began on 11/4/21, and the case record showed no casework activity from 12/22/21 until 3/28/22. The open CPS investigation was unfounded and closed after the death of the child. The preventive services case remained open.

Official Manner and Cause of Death

Official Manner: Unknown
Primary Cause of Death: Unknown
Person Declaring Official Manner and Cause of Death: Hospital physician

Multidisciplinary Investigation/Review

Was the fatality referred to an OCFS approved Child Fatality Review Team?No
Comments: Ulster County does not have an OCFS approved Child Fatality Review Team.

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

This was not an SCR-reported fatality; therefore, certain investigative activities were not required.

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate assessment of impending or immediate danger to surviving siblings/other children in the household named in the report:				
Within 24 hours?	<input 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"/>
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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Explain:
This was not an SCR-reported fatality; therefore, certain investigative activities were not required.

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"/>

Explain:
The family was referred for Hospice grief services.

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 children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain as necessary: This was not an SCR-reported fatality; therefore, certain investigative activities were not required.				

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

Additional information, if necessary:
 The family was actively engaged with preventive services prior to the fatality and continued with services after the death



of the child. The family was referred for Hospice grief services following the death; however, there were no available therapists, and the family was referred to alternate grief services.

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

Explain:
The family was referred to Hospice for grief services, there was a waitlist and the family was referred elsewhere.

Were services provided to parent(s) and other care givers to address any immediate needs related to the fatality? No

Explain:
The family was referred to Hospice for grief services, there was a waitlist and the family was referred elsewhere.

History Prior to the Fatality

Child Information

- Did the child have a history of alleged child abuse/maltreatment?** No
- 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?** Yes
- Was the child acutely ill during the two weeks before death?** Yes

Infants Under One Year Old

During pregnancy, mother:

- Had medical complications / infections
- Misused over-the-counter or prescription drugs
- Experienced domestic violence
- Was not noted in the case record to have any of the issues listed
- Had heavy alcohol use
- Smoked tobacco
- Used illicit drugs

Infant was born:

- Drug exposed
- With neither of the issues listed noted in case record
- With fetal alcohol effects or syndrome

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
11/04/2021	Sibling, Female, 7 Years	Father, Male, 31 Years	Inadequate Guardianship	Unsubstantiated	No
	Sibling, Female, 7 Years	Father, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 31 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 31 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	



Report Summary:

The SCR report alleged the father was under the influence of drugs and/or alcohol to the point that he was impaired and slurring his words, while caring for the siblings.

Report Determination: Unfounded

Date of Determination: 04/07/2022

Basis for Determination:

The father was interviewed, and he denied using marijuana while being the sole caretaker of the children. The father had a valid medical marijuana card and this was confirmed by his probation officer. The siblings and the home were observed and there were no concerns. The subject child was born during the investigation with cardiac abnormalities and remained in the hospital until her death. There was no evidence the subject child's death was a result of abuse or maltreatment. The family continued to work with preventive services and the case was unfounded due to UCDSO finding no credible evidence to support the allegations.

OCFS Review Results:

The record reflected UCDSO began their investigation within 24-hours, spoke with the source of the report, and conducted a CPS history check. The siblings were seen and assessed to be safe. The record reflected there was no further casework contact until 3/11/22 with the family. There was case documentation of a supervisory consult on 1/18/22.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
07/14/2021	Sibling, Female, 6 Years	Other Adult - Paramour of the siblings mother, Male, 32 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 6 Years	Other Adult - Paramour of the siblings mother, Male, 32 Years	Sexual Abuse	Unsubstantiated	

Report Summary:

The SCR report alleged, in the past the then 6-year-old sibling was sexually abused by her mother's boyfriend. The roles of the father, the mother and other sibling were unknown.

Report Determination: Unfounded

Date of Determination: 09/27/2021

Basis for Determination:

During the course of the investigation all parties were interviewed, and the boyfriend denied the allegations. The siblings had been in the custody of the father since their mother passed away in 2020. The siblings were interviewed, and the then 7-year-old sibling made no disclosures. The then 6-year-old sibling made a vague disclosure that her mother's boyfriend had touched her inappropriately, when she was 4-years-old and living with her mother in a hotel. UCDSO found no credible evidence to substantiate the allegations and the case was unfounded and closed.

OCFS Review Results:

The record did not reflect that UCDSO contacted the source of the report, The record did not reflect contact with collaterals who may have had relevant information regarding the allegations. The seven-day safety assessment was completed on 7/29/21 after the due date and it was not documented that the home environment was assessed for safety regarding the children. The record did not reflect the father and mother were interviewed during the investigation despite being listed on the report. UCDSO did enter notes in a timely manner and completed the CPS history review timely.

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The 7-day safety assessment was completed late on 7/29/21.

Legal Reference:

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



Action:

UCDSS will document and approve all safety assessments within the required time frame.

PIP Requirement:

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

Issue:

Contact/Information From Reporting/Collateral Source

Summary:

The record did not reflect that UCDSS contacted the source of the report.

Legal Reference:

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

Action:

UCDSS will contact, or make diligent efforts to contact, the source of all SCR reports so as to verify adequacy of report and possibly obtain additional information. UCDSS will document the contact or attempts at contact.

PIP Requirement:

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

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The record does not reflect that the father and mother were interviewed regarding the report, both of whom resided at the case address and were listed on the report.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

UCDSS will make casework contacts in accordance with the following regulation: Casework contacts mean face-to-face contacts with a child and/or a child's parents or guardians, or activities with the child and/or the child's parents or guardians, which may include but are not limited to facilitating information gathering and analysis of safety and risk factors and determining the allegations.

PIP Requirement:

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

Issue:

Pre-Determination/Home Visit

Summary:

The record did not reflect that UCDSS went into the home during a home visit, to assess the the children's environment for safety.

Legal Reference:

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

Action:

Prior to a determination being made, the investigation must include one home visit so as to evaluate the environment of the child named in the report as well as other children in the same home.

PIP Requirement:



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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
05/17/2021	Sibling, Female, 6 Years	Grandparent, Female, 50 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	Yes
	Sibling, Female, 6 Years	Grandparent, Female, 50 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Grandparent, Female, 50 Years	Lacerations / Bruises / Welts	Unsubstantiated	
	Sibling, Female, 6 Years	Grandparent, Female, 50 Years	Swelling / Dislocations / Sprains	Unsubstantiated	

Report Summary:

The SCR report alleged, the then 6-year-old sibling was visiting with the maternal grandmother from 5/14/21-5/16/21, and she was injured. The siblings right eye was swollen and black and blue, with lacerations on the top and bottom of the eye. There was no explanation for her injuries. The grandmother was the only adult caring for the sibling at that time and she failed to properly care for the sibling which resulted in the child being injured. The siblings went multiple days without eating while in the care of the grandmother and were hungry as a result. It was unknown how long this had been going on. The father had an unknown role.

Report Determination: Unfounded

Date of Determination: 07/22/2021

Basis for Determination:

UCDSS saw and interviewed all parties. The grandmother denied that the sibling was injured while in her care over the weekend. The sibling stated that her sister hit her in the eye while on visitation with the grandmother and she had a mark over her right eye. The older sibling denied hitting her sister. Photographs had been taken by family members that showed that the sibling had no marks when she went to the grandmother’s home. The family was engaged in preventive services and there were no concerns. The CPS investigation was unfounded and closed. The preventive services case remained open.

OCFS Review Results:

UCDSS initiated their investigation within 24 hours and contacted the source of the report. The record reflected the mother’s notice of existence letter was not sent in a timely manner and the seven-day safety assessment was not completed on time. The record reflected the face-to-face interviews with the siblings were focused on the reported allegations and didn’t illicit information about overall safety and risk.

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

Issue:

Failure to provide notice of report

Summary:

The record reflected the mother’s NOE was not sent in a timely manner. The letter was mailed the day of the case closure.

Legal Reference:

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

Action:

UCDSS will mail or deliver notification letters to subject(s), parent(s) and other adults named in the report within the first seven days following the receipt of the report.

PIP Requirement:



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

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The record reflected the conversation with siblings was lacking key safety-related questions that were concerns in the CPS report; UCDSS missed the opportunity to ask the siblings about discipline, supervision or any questions that pertained getting enough to eat.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

UCDSS will incorporate key safety-related questions as they pertain to case circumstances.

PIP Requirement:

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

Issue:

Review of CPS History

Summary:

The record reflected that UCDSS did check history for the father, grandmother and siblings; however, there was no documentation of a CPS history check for the mother.

Legal Reference:

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

Action:

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

PIP Requirement:

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The 7-Day Safety Assessment was Completed late on 7/29/21.

Legal Reference:

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

Action:

UCDSS will document and approve all safety assessments within the required time frame.

PIP Requirement:

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



Child Fatality Report

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
02/25/2021	Sibling, Female, 6 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Sibling, Female, 6 Years	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 30 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 6 Years	Father, Male, 30 Years	Childs Drug / Alcohol Use	Unsubstantiated	
	Sibling, Female, 6 Years	Unrelated Home Member, Male, 32 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

Report Summary:

The SCR report alleged that the father and the mother regularly became angry with the then 6-year-old sibling and would hold her down and forcefully hit her on the buttocks as a form of punishment. A few months prior, the father had given the sibling a marijuana brownie, and the child was impaired, walked into a wall and fell to the ground. It was unknown if the child was injured. The father and the unrelated home member used ecstasy pills to the point of impairment while caring for the sibling, and failed to appropriately dress the sibling for the weather. As a result the child left the home with no jacket. Further details were unknown.

Report Determination: Unfounded**Date of Determination:** 04/28/2021**Basis for Determination:**

UCDSS interviewed the adults and they denied the allegations. The father reported there was an ongoing custody matter with the maternal grandmother and the report was made in retaliation by relatives. The sibling was spoken to and did not understand what the report was about; she reported she liked living with her father and the mother. The father was on probation and was being monitored and drug tested by his probation officer. The father was drug tested and tested negative for all substances. There was no evidence to support the allegations in the report. The CPS investigation was unfounded and closed, and referred to community based services.

OCFS Review Results:

The record does not reflect that UCDSS checked or documented history within the required time frame and the seven-day safety assessment was approved late. UCDSS missed an opportunity to fully interview the sibling and address drug misuse in the home. UCDSS began their investigation and entered progress notes in a timely manner.

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

Issue:

Review of CPS History

Summary:

The record reflected the CPS history check was completed untimely. The SCR report was received on 2/25/21; however, the history check was completed on 4/20/21.

Legal Reference:

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

Action:

Within 1 business day of a report, UCDSS must review all SCR records of prior reports, including legally sealed reports, and document such. Within 5 business days, UCDSS will review its own CPS record(s) that apply to the prior reports, including legally sealed unfounded and family assessment response reports.

PIP Requirement:



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

Issue:

Adequacy of face-to-face contacts with the child and/or child's parents or guardians

Summary:

The report listed concerns regarding the sibling being hit and given drugs, the sibling was interviewed regarding being hit; however, UCDSS missed the opportunity to ask about any drug misuse in the home. The father and the unrelated home member both admitted to using marijuana.

Legal Reference:

18 NYCRR 432.1 (o)

Action:

UCDSS will make casework contacts in accordance with the following regulation: Casework contacts mean face-to-face contacts with a child and/or a child's parents or guardians, or activities with the child and/or the child's parents or guardians, which may include but are not limited to facilitating information gathering and analysis of safety and risk factors and determining the allegations.

PIP Requirement:

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The 7-day Safety Assessment was not documented and approved timely. The assessment was completed on 3/3/21 but not approved until 4/21/21.

Legal Reference:

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

Action:

UCDSS will document and approve all safety assessments within the required timeframe.

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/08/2020	Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Educational Neglect	Substantiated	Yes
	Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Lack of Medical Care	Substantiated	



Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Lack of Supervision	Substantiated
Sibling, Female, 6 Years	Grandparent, Female, 49 Years	Other	Unsubstantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Educational Neglect	Substantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Inadequate Food / Clothing / Shelter	Substantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Lack of Medical Care	Substantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Lack of Supervision	Substantiated
Sibling, Female, 5 Years	Grandparent, Female, 49 Years	Other	Unsubstantiated
Sibling, Female, 6 Years	Father, Male, 30 Years	Other	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 30 Years	Other	Unsubstantiated
Sibling, Female, 6 Years	Other Adult - Siblings Mother, Female, 28 Years	Other	Unsubstantiated
Sibling, Female, 5 Years	Other Adult - Siblings Mother, Female, 28 Years	Other	Unsubstantiated

Report Summary:

The report was a Family Court ordered investigation regarding the MGM, the father, the siblings and the siblings' mother. An additional information report was received during the open investigation regarding the siblings not being enrolled in school.

Report Determination: Indicated

Date of Determination: 11/04/2020

Basis for Determination:

UCDSS interviewed all parties and found that the MGM had custody of the two siblings (SSs) and returned them to their mother, in 2018, without returning to court. During that time, the siblings mother continued to use drugs and was homeless with the children. The siblings' mother had overdosed and died in August of 2020. While the siblings were in the care of the MGM, the siblings did not have appropriate clothing, food or medical care and were not appropriately supervised or attending school. The father obtained custody of the then 5-year-old SS and the other SS remained with the MGM. The report was indicated against the MGM for the SSs for IG, IF/C/S, LS, EdN, LMC, and Other/COI.

OCFS Review Results:

UCDSS began their investigation and completed a CPS history check upon receiving the reports. Home visits were made to assess the safety of the two siblings. Adults were interviewed; however, UCDSS missed the opportunity to interview the two siblings face-to-face.

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

Issue:

Failure to Conduct a Face-to-Face Interview (Subject/Family)

Summary:

UCDSS missed the opportunity to interview the two siblings to assess overall safety and risk. The siblings were seen but not fully interviewed.

**Legal Reference:**

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

Action:

A full Child Protective investigation shall include face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report. Such interviews or reasons why an interview was not possible should be documented in progress notes. .

PIP Requirement:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
09/12/2019	Other - Other Child, Male, 2 Years	Mother, Male, 24 Years	Inadequate Guardianship	Unsubstantiated	Yes
	Other - Other Child, Male, 2 Years	Father, Male, 29 Years	Inadequate Guardianship	Unsubstantiated	
	Other - Other Child, Male, 2 Years	Other - Other Child's Mother, Female, 20 Years	Inadequate Guardianship	Unsubstantiated	
	Other - Other Child, Male, 2 Years	Other - Other Child's Father, Male, 20 Years	Inadequate Guardianship	Unsubstantiated	
	Other - Other Child, Male, 2 Years	Other Adult - Other Child's Uncle, Male, 27 Years	Inadequate Guardianship	Unsubstantiated	

Report Summary:

The SCR report alleged that the parents resided with another family at the time the report was made and that several years ago the father of the other child acted in an out-of-control manner and hit the other child on the buttocks for unknown reasons. On 9/12/19, the mother of the other child engaged in an altercation with another adult with the other child present. The other adult, the father and the mother were present for the altercation and did not intervene to protect the other child.

Report Determination: Unfounded

Date of Determination: 11/15/2019

Basis for Determination:

There was a no contact OP in place against the father for the other child. The other child was not present for the altercation that occurred between the adults at the residence. There was an open preventive case at the time of the report regarding the other child's father and his discipline of the other child. The case was unfounded as there were no child protective concerns during the investigation. The preventive services case remained open at the close of the investigation.

OCFS Review Results:

UCDSS began their investigation and entered progress notes in a timely manner. The record did not reflect that CPS history searches were done for the individuals listed on the report, and the seven-day safety assessment was not completed on time. The record also did not reflect the father of the other child listed in the report was interviewed or that diligent efforts were made to contact him. The father of the other child was listed as a secondary caretaker on the RAP. It should be noted the information in the RAP, regarding the other child's father, was not found to be documented in the case record.

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

Issue:

Failure to Conduct a Face-to-Face Interview (Subject/Family)

Summary:



The father of the other child was not interviewed regarding the report, despite being listed as an alleged subject on the report. The record did not reflect diligent efforts made to contact the father of the other child as there was only one attempted phone call documented.

Legal Reference:

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

Action:

A full Child Protective investigation shall include face-to-face interviews with subjects of the report and family members of such subjects, including children named in the report. Such interviews or reasons why an interview was not possible should be documented in progress notes.

PIP Requirement:

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

Issue:

Review of CPS History

Summary:

The record did not reflect that UCDSS did a CPS history check for the individuals listed on the report.

Legal Reference:

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

Action:

Within 1 business day of a report, LDSS must review all SCR records of prior reports, including legally sealed reports, and document such. Within 5 business days, LDSS will review its own CPS record(s) that apply to the prior reports, including legally sealed unfounded and family assessment response reports.

PIP Requirement:

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

Issue:

Timely/Adequate Seven Day Assessment

Summary:

The record reflected that the 7-day Safety Assessment was not documented and approved timely. It was completed 11 days late.

Legal Reference:

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

Action:

UCDSS will document and approve all safety assessments within the required timeframe.

PIP Requirement:

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

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

There was CPS history dating back to 2011 with the father as a subject. The history includes eight unfounded reports with allegations of IG, IF/C/S, PD/AM and CD/A. There were three indicated reports with allegations of IG and two FAR cases



with concerns regarding IF/C/S, IG, and PD/AM.

There was CPS history dating back to 2014 with the mother as a subject. The history included two unfounded reports with allegations of IF/C/S, IG, PD/AM.

There was CPS history for the 7-year-old sibling dating back to 2014. The history included the sibling as a maltreated child in three unfounded reports with allegations of IF/C/S, IG, and PD/AM, one indicated case with allegations of IG, and two FAR cases with concerns regarding IF/C/S, IG, and PD/AM.

There was CPS history for the 6-year-old sibling dating back to 2015. The history included the sibling as a maltreated child in two FAR cases with concerns regarding IF/C/S, IG, and PD/AM.

Known CPS History Outside of NYS

There was no know CPS history outside of New York State.

Services Open at the Time of the Fatality

Was the deceased child(ren) involved in an open preventive services case at the time of the fatality? Yes

Date the preventive services case was opened: 05/06/2021

Evaluative Review of Services that were Open at the Time of the Fatality

	Yes	No	N/A	Unable to Determine
Did the service provider(s) comply with the timeliness and content requirements for progress notes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the services provided meet the service needs as outlined in the case record?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did all service providers comply with mandated reporter requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there information in the case record that indicated the existence of behaviors or conditions that placed the children in the case in danger or increased their risk of harm?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Casework Contacts

	Yes	No	N/A	Unable to Determine
Did the service provider comply with case work contacts, including face-to-face contact as required by regulations pertaining to the program choice?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Services Provided

	Yes	No	N/A	Unable to Determine



Child Fatality Report

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were services provided to parents as necessary to achieve safety, permanency, and well-being?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Family Assessment and Service Plan (FASP)

	Yes	No	N/A	Unable to Determine
Was the most recent FASP approved on time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there a current Risk Assessment Profile/Risk Assessment in the most recent FASP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Provider

	Yes	No	N/A	Unable to Determine
Were Services provided by a provider other than the Local Department of Social Services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional information, if necessary:
 A preventive services case was opened on 5/6/21. The father and mother self-referred for the program, for the siblings. The siblings had complex trauma history and behavioral concerns. The case was opened and siblings were referred to and engaged with mental health services. UCDCSS was the primary service provider for the preventive services case.

Preventive Services History

A preventive services case was opened on 5/6/21. The father self-referred for the program regarding the siblings. Both siblings had complex trauma history and behavioral concerns. The siblings were referred to and engaged with mental health services. The family received transportation services, emotional support services, family therapy, and parenting education. At the time of the fatality, the family was still engaged with services and the siblings were engaged and actively participating in mental health services. The family was referred for grief counseling regarding the death of the child and placed on a waitlist.

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