



Report Identification Number: SY-20-034

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

Issue Date: Jan 07, 2021

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: 1 month(s)

Jurisdiction: Jefferson
Gender: Male

Date of Death: 07/19/2020
Initial Date OCFS Notified: 07/19/2020

Presenting Information

Three SCR reports were received that alleged on 7/19/20, the mother woke up around 6:20 AM and found the one-month-old old infant unresponsive in his bassinet. Nothing else was found in the infant's crib but his sheets were soaked with an unknown fluid. The father attempted CPR and the mother called 911. The infant was transported to the hospital where he was pronounced deceased at 7:16 AM. The cause of death was unknown. The infant had no visible injuries and there was dried blood on his nostril. The infant was otherwise healthy and the parents had no explanation for his death. The parents were recovering drug addicts and the father tested positive for THC and admitted to using meth 4 days prior. The mother denied using drugs and refused to take a drug test. Both parents were in a Suboxone program. There were additional concerns that the parents left the infant inside the apartment unsupervised and that they engaged in physical altercations in the presence of the infant.

Executive Summary

On 7/19/20, the Jefferson County Department of Social Services (JCDSS) received an SCR report regarding the death of the one-month-old male infant. At the time of the infant's death, JCDSS had open CPS investigations, which were received on 7/6/20 and 7/17/20, with allegations that the mother and father were using and selling drugs. The infant resided with his mother and father and the mother had no other children. The father had two additional children, ages 7 and 8, that resided with their mother and the father had not had contact with them since 2018.

JCDSS conducted a joint investigation with law enforcement and learned that on the night of 7/18/20, the infant was sleeping in a bassinet in the parents' bedroom. When the mother woke up and checked on the infant around 6:00 AM, she discovered that there was blood coming out of the infant's nose and he was not breathing. The father woke up and he performed CPR while the mother called 911. EMS arrived and transported the infant to the hospital via ambulance. Life-saving measures were unsuccessful, and the infant was pronounced deceased at 7:16 AM.

An autopsy was performed, and the medical examiner reported that the infant's height, weight and head circumference were normal. The x-rays and toxicology results were negative and the infant's stomach contents were consistent with being fed at 3:30 AM. The manner of death was determined to be natural and the cause of death was sudden unexpected infant death. The law enforcement investigation was closed with no criminal charged filed.

Both parents were drug tested after receipt of the initial investigation, and after the infant's death. JCDSS substantiated the allegations of Inadequate Guardianship and Parent's Drug/Alcohol Misuse against both parents due to the parents testing positive for illicit substances. The investigation conclusion narrative stated that the allegations of DOA/Fatality and Lack of Supervision were unsubstantiated against both parents as the death certificate stated that the infant's death was due to natural causes and there was no evidence the parents failed to provide adequate care and supervision or that they contributed to the infant's death. Contradictory to the investigation conclusion narrative, the allegation of Lack of Supervision was substantiated against the father in the allegation screen.

JCDSS contacted numerous collaterals and they offered the parents funeral assistance and grief counseling services. JCDSS closed the case since the parents had no children in their care.

Findings Related to the CPS Investigation of the Fatality



Safety Assessment:

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

Determination:

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

Explain:

The case was appropriately indicated and closed.

Was the decision to close the case appropriate? Yes

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

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

Explain:

Casework activity was commensurate with best casework practice.

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: 07/19/2020

Time of Death: 07:16 AM

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

County where fatality incident occurred: Jefferson

Was 911 or local emergency number called? Yes



Time of Call: 06:20 AM
Did EMS respond to the scene? Yes
At time of incident leading to death, had child used alcohol or drugs? N/A

Child's activity at time of incident:

- Sleeping Working Driving / Vehicle occupant
 Playing Eating Unknown
 Other

Did child have supervision at time of incident leading to death? Yes
How long before incident was the child last seen by caretaker? 3 Hours
At time of incident supervisor was: Unknown if they were impaired.

Total number of deaths at incident event:

Children ages 0-18: 1
Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Male	1 Month(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	30 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	25 Year(s)

LDSS Response

JCDSS began their investigation into the infant's death upon receipt of the SCR report on 7/19/20. They spoke to the source of the report, searched SCR history and notified OCFS of the infant's death. Throughout the investigation, JCDSS spoke to numerous collaterals, including law enforcement, the medical examiner, EMS, the parents' substance abuse treatment counselors, the pediatrician's office, a neighbor, family members, the parents, and the mother of the 7 and 8-year-old siblings.

Through interviews with the parents, it was learned that both parents were on suboxone due to a history of drug addiction. The 7 and 8-year-old siblings resided with their mother and the father had not had contact with them due to his history of drug use. The parents were aware of safe sleep recommendations and they said the infant always slept in a bassinet. The infant was healthy, and the parents reported that he seemed fine on the night of 7/18/20.

The parents were interviewed on 7/19/20 at the police barracks. The father reported that he smoked marijuana outside around 8:30 PM. The mother fed the infant a bottle around 12:00 AM, then they placed him to sleep in the bassinet. The father said he woke up around 6:00 AM to the mother yelling that the infant was not breathing, and he accidentally dumped the infant's bottle in the bassinet. He performed CPR while the mother called 911. The father completed a drug test and he was positive for THC and Methamphetamine. He admitted to using meth 3-4 days prior.

The mother reported the infant was sleeping on his left side in the bassinet. She said the bassinet had a fitted sheet, a receiving blanket under the infant, and a "horseshoe shaped co-sleeper". She woke up to feed the infant at 12:15 AM and 3:30 AM. At 3:30 AM, the infant only drank an ounce of formula and then he fell back to sleep. The mother woke up around 6:00 AM to feed the infant and the infant was still laying on his left side and he had blood coming out of his nose.



The mother denied using drugs and she declined to complete a drug test. The parents would not allow JCDSS to have access to their apartment. The parents stayed with relatives following the incident, and they later moved into a new apartment.

The parents' substance abuse counselors confirmed that both parents were engaged in treatment and taking their medication as prescribed. The mother completed a drug test on 7/21/20, which was positive for amphetamines, methamphetamine and alcohol.

The mother of the 7 and 8-year-old siblings reported that the father had not had contact with the siblings since 2018 due to an order of protection that was issued as a result of a domestic violence incident and due to the father's drug use. She said she was not going to allow the father to have contact with the siblings. The siblings were assessed to be safe in their mother's care.

JCDSS spoke to a neighbor who reported that the parents often yelled at each other and they frequently looked high while caring for the infant. The neighbor stated that the mother told her the infant slept with them in their bed and he did not sleep in the basinet. Law enforcement confirmed that they were called to the parents' apartment on several occasions due to yelling and fighting, although the infant was picked up by the maternal grandparents prior to their arrival.

First responders reported there were no marks or bruises on the infant's body. EMS reported the infant was cool to the touch, naked and blue when they arrived. Lividity was observed on the infant's upper back and upper left shoulder, and it was estimated the infant had been deceased for at least an hour. Resuscitative measures were taken at the home and in the ambulance on the way to the hospital. EMS reported the mother appeared to be under the influence when they arrived at the home. The pediatrician's office reported the infant was seen for three appointments since birth and he was healthy.

Official Manner and Cause of Death

Official Manner: Natural

Primary Cause of Death: From a medical cause

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Was the fatality reviewed by an OCFS approved Child Fatality Review Team? Yes

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
055921 - Deceased Child, Male, 1 Mons	055922 - Mother, Female, 25 Year(s)	Inadequate Guardianship	Substantiated
055921 - Deceased Child, Male, 1 Mons	055922 - Mother, Female, 25 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
055921 - Deceased Child, Male, 1 Mons	055923 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated
055921 - Deceased Child, Male, 1 Mons	055923 - Father, Male, 30 Year(s)	Parents Drug / Alcohol Misuse	Substantiated



Child Fatality Report

055921 - Deceased Child, Male, 1 Mons	055922 - Mother, Female, 25 Year(s)	DOA / Fatality	Unsubstantiated
055921 - Deceased Child, Male, 1 Mons	055923 - Father, Male, 30 Year(s)	DOA / Fatality	Unsubstantiated
055921 - Deceased Child, Male, 1 Mons	055922 - Mother, Female, 25 Year(s)	Lack of Supervision	Unsubstantiated
055921 - Deceased Child, Male, 1 Mons	055923 - Father, Male, 30 Year(s)	Lack of Supervision	Substantiated

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 7 and 8-year-old siblings' safety was assessed through speaking to their mother.

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



Child Fatality Report

Are there any safety issues that need to be referred back to the local district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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When safety factors were present that placed the surviving siblings/other children in the household in impending or immediate danger of serious harm, were the safety interventions, including parent/caretaker actions adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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:
 JCDSS assessed risk for the 7 and 8-year-old siblings and they offered the necessary services to the father.

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"/>

Legal Activity Related to the Fatality

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

Have any Orders of Protection been issued? No

Services Provided to the Family in Response to the Fatality



Child Fatality Report

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Explain:

The parents engaged in grief counseling.

History Prior to the Fatality

Child Information

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

Infants Under One Year Old

During pregnancy, mother:

Had medical complications / infections

Had heavy alcohol use



- Misused over-the-counter or prescription drugs
- Experienced domestic violence
- Was not noted in the case record to have any of the issues listed

- 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)
07/06/2020	Deceased Child, Male, 20 Days	Mother, Female, 25 Years	Inadequate Guardianship	Substantiated	No
	Deceased Child, Male, 20 Days	Mother, Female, 25 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Deceased Child, Male, 20 Days	Father, Male, 30 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Male, 20 Days	Father, Male, 30 Years	Parents Drug / Alcohol Misuse	Substantiated	
	Deceased Child, Male, 20 Days	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated	
	Deceased Child, Male, 20 Days	Father, Male, 30 Years	Lack of Supervision	Unsubstantiated	

Report Summary:

An SCR report alleged that on 7/5/20, the mother passed out as a result of using suboxone while out in the community with the infant. The mother was acting as the sole caretaker of the infant and was unable to provide adequate care to the infant. A subsequent report was received on 7/17/20, which alleged the parents were selling and using drugs.

Report Determination: Indicated

Date of Determination: 10/26/2020

Basis for Determination:

The mother denied being passed out on the side of the road and said she stopped to feed the infant a bottle. The parent's substance abuse counselors had no concerns for the parents misusing drugs and the infant appeared to be well-cared for. The parents appeared sober at all contacts and there were no drugs or paraphernalia observed in the home. After the infant's death, the father was positive for methamphetamine and THC and the mother was positive for methamphetamine and amphetamines and alcohol. Due to the parents testing positive for drugs during the course of this investigation and them being the sole caretakers of the infant, the allegation of PDAM was substantiated.

OCFS Review Results:

Upon receipt of the report, JCDSS had the infant evaluated at the hospital and initiated a temporary safety plan. Safe sleep recommendations were discussed with the parents and a safe sleep environment was observed. The parents' substance abuse counselors and the maternal grandparents had no concerns and the infant appeared to be well-cared for. A second home visit was conducted on 7/17/20, and both parents appeared sober and they denied using or selling drugs. JCDSS adequately assessed the safety of infant throughout the case and casework was commensurate with best casework practice. JCDSS appropriately determined the allegations.

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)
10/22/2019	Sibling, Female, 8 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Female, 7 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated	
	Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 8 Years	Other Adult - Sibling's Mother , Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 7 Years	Other Adult - Sibling's Mother , Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Mother , Female, 26 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

Report Summary:

An SCR report alleged on 10/18/19, the sibling's mother engaged in a physical altercation with another adult in the presence of the siblings and the other child. The sibling's mother drank alcohol to the point of impairment, speeds and drives erratically with the children unrestrained in the vehicle.

Report Determination: Indicated**Date of Determination:** 01/30/2020**Basis for Determination:**

The allegation of Inadequate Guardianship was substantiated as the sibling's mother engaged in a physical altercation with another adult in the presence of the three children. The siblings reported that the adults were hitting each other and pulling each other's hair causing the children to cry. The sibling's mother agreed not to engage in any further altercations. The allegation of Parent's Drug/Alcohol Misuse was unsubstantiated as the sibling's mother denied using drugs or alcohol and a drug test that was performed was negative for all substances. The sibling's mother's probation officer reported the mother was compliant with all terms of her probation.

OCFS Review Results:

The home was assessed for safety and the mother and siblings were interviewed. Safety Assessments and the RAP were completed timely and accurately. JCDSS contacted collaterals and assessed that the family had no additional service needs.

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)
10/22/2019	Sibling, Female, 8 Years	Other Adult - Other Adult , Female, 31 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Female, 7 Years	Other Adult - Other Adult , Female, 31 Years	Inadequate Guardianship	Substantiated	
	Other Child - Other Child , Male, 2 Years	Other Adult - Other Adult , Female, 31 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 8 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 7 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated	



Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Other Adult , Female, 31 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child , Male, 7 Years	Other Adult - Other Adult , Female, 31 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child , Male, 7 Years	Other Adult - Sibling's Mother , Female, 26 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Other Child , Male, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 8 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Other Child , Male, 7 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Other Child , Male, 7 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Sibling, Female, 7 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 7 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated
Other Child - Other Child , Female, 2 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Inadequate Guardianship	Unsubstantiated
Other Child - Other Child , Female, 2 Years	Other Adult - Sibling's Grandparent , Male, 56 Years	Parents Drug / Alcohol Misuse	Unsubstantiated

Report Summary:

An SCR report alleged that on 10/18/19, while under the influence of alcohol, the sibling's maternal grandfather engaged in a physical altercation with their maternal grandmother in the presence of the siblings and five other children that they babysat. On an ongoing basis, the sibling's grandfather became physically and verbally aggressive with their grandmother and those around him. Their grandfather threw objects and tables in the home and he had a history of using alcohol to the point of impairment while being the sole caretaker for the siblings. The sibling's mother was aware that the grandfather was an inadequate caregiver and continued to leave the children in his care.

Report Determination: Indicated

Date of Determination: 04/01/2020

**Basis for Determination:**

There was a lack of credible evidence to support the allegations against the sibling's grandfather. Allegations of Inadequate guardianship were added and substantiated against the mother of the siblings and another adult due to an altercation that took place on 10/18/19, in which the adults hit each other and pulled each other's hair in the presence of the siblings and other children.

OCFS Review Results:

The home was assessed for safety and the mother and siblings were interviewed. Safety Assessments and the RAP were completed timely and accurately. JCDSS contacted collaterals and assessed that the family had no additional service needs.

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)
04/11/2019	Sibling, Female, 7 Years	Other Adult - Sibling's Mother , Female, 25 Years	Inadequate Guardianship	Unsubstantiated	No
	Sibling, Female, 7 Years	Other Adult - Sibling's Mother , Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Sibling, Female, 6 Years	Other Adult - Sibling's Mother , Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 6 Years	Other Adult - Sibling's Mother , Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	
	Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Mother , Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Other Child - Other Child , Male, 2 Years	Other Adult - Sibling's Mother , Female, 25 Years	Parents Drug / Alcohol Misuse	Unsubstantiated	

Report Summary:

An SCR report alleged on 4/10/19, the sibling's mother was intoxicated and impaired by an illicit drug. The sibling's mother was swaying, shaking, and acting in a slow manner. She could hardly hold the other child in a steady manner. The siblings were present in the home and their mother was incapable of providing a minimum degree of care.

Report Determination: Unfounded

Date of Determination: 05/31/2019

Basis for Determination:

The allegations were unsubstantiated as the sibling's mother denied all allegations. The sibling's mother was observed throughout the case to appear sober and there was no indication of drug use. She agreed to complete a drug test and she tested negative for all substances. The children appeared to be well-cared for. The home was observed to have no safety hazards or drug paraphernalia. The siblings reported no concerns.

OCFS Review Results:

JCDSS assessed the home for safety and interviewed the siblings and their mother. Safety Assessments and the RAP were completed timely and accurately. Collateral contacts were made and it was verified that the sibling's mother was engaged in the required court ordered services.

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)
06/19/2018	Sibling, Female, 5 Years	Other Adult - Sibling's Mother, Female, 24 Years	Inadequate Guardianship	Substantiated	No

Sibling, Female, 5 Years	Other Adult - Sibling's Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated
Sibling, Female, 5 Years	Other Adult - Sibling's Mother, Female, 24 Years	Other	Substantiated
Sibling, Female, 5 Years	Other Adult - Sibling's Mother, Female, 24 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 5 Years	Father, Male, 28 Years	Other	Substantiated
Sibling, Female, 5 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 6 Years	Other Adult - Sibling's Mother, Female, 24 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 6 Years	Other Adult - Sibling's Mother, Female, 24 Years	Other	Substantiated
Sibling, Female, 6 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Sibling, Female, 6 Years	Father, Male, 28 Years	Other	Substantiated
Sibling, Female, 6 Years	Other Adult - Sibling's Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated
Other Child - Other Child, Male, 1 Years	Other Adult - Sibling's Mother, Female, 24 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child, Male, 1 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated
Other Child - Other Child, Male, 1 Years	Other Adult - Sibling's Mother, Female, 24 Years	Lack of Supervision	Unsubstantiated
Other Child - Other Child, Male, 1 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated
Other Child - Other Child, Male, 1 Years	Other Adult - Sibling's Mother, Female, 24 Years	Parents Drug / Alcohol Misuse	Substantiated
Other Child - Other Child, Male, 1 Years	Other Adult - Sibling's Mother, Female, 24 Years	Other	Substantiated
Other Child - Other Child, Male, 1 Years	Father, Male, 28 Years	Other	Substantiated

Report Summary:

An SCR report alleged the mother of the now 7 and 8-year-old siblings had a history of abusing alcohol to the point of intoxication while caring for the siblings and the other child. On 6/18/18, the mother of the siblings drove while intoxicated with the siblings in the car and hit another car. In the past, the father physically assaulted the sibling's mother in the presence of the three children.

Report Determination: Indicated

Date of Determination: 08/23/2018

Basis for Determination:

The allegations were substantiated as the mother of the siblings became intoxicated and she struck another vehicle with the siblings in the car. She later became unresponsive from drugs and alcohol and was taken to the hospital. The father was released from prison and he had a history of opiate addiction. The father physically assaulted the sibling's mother on 7/11/18 while the three children were present. The father tested positive for drugs and a safety plan was initiated. An Article 10 Neglect Petition was filed and an order of protection was issued barring the father from contact with the siblings. The case was opened for ongoing CPS services.



OCFS Review Results:

JCDSS assessed the home for safety and interviewed all family members. Safety Assessments and the RAP were completed timely and accurately. JCDSS contacted collaterals and appropriately filed an Article 10 Neglect Petition against the father and the sibling's mother. The family was referred for the necessary services.

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)
08/08/2017	Other Child - Other Child , Male, 6 Years	Other Adult - Sibling's Grandparent , Female, 50 Years	Lack of Supervision	Far-Closed	No
	Other Child - Other Child , Male, 5 Years	Other Adult - Sibling's Grandparent , Female, 50 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 4 Years	Other Adult - Sibling's Grandparent , Female, 50 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 5 Years	Other Adult - Sibling's Grandparent , Female, 50 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Female, 8 Months	Other Adult - Sibling's Grandparent , Female, 50 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Male, 6 Years	Other Adult - Sibling's Grandparent , Male, 54 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Male, 5 Years	Other Adult - Sibling's Grandparent , Male, 54 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 4 Years	Other Adult - Sibling's Grandparent , Male, 54 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 5 Years	Other Adult - Sibling's Grandparent , Male, 54 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Female, 8 Months	Other Adult - Sibling's Grandparent , Male, 54 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Male, 6 Years	Other Adult - Sibling's Aunt , Female, 28 Years	Lack of Supervision	Far-Closed	
	Other Child - Other Child , Male, 5 Years	Other Adult - Sibling's Aunt , Female, 28 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 4 Years	Other Adult - Sibling's Aunt , Female, 28 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 5 Years	Other Adult - Sibling's Aunt , Female, 28 Years	Lack of Supervision	Far-Closed	
Other Child - Other Child , Female, 8 Months	Other Adult - Sibling's Aunt , Female, 28 Years	Lack of Supervision	Far-Closed		

Report Summary:

An SCR report dated 8/8/17 was tracked FAR alleging the mother and maternal grandparents of the now 7 and 8-year-old siblings were failing to provide adequate supervision of the siblings and other children. The children played outside for most of the day without any adults around. The children ran up and down the street and cars had to slow down and stop to avoid hitting the children. The children played in their above ground pool while the adults were inside and they could not see the children.

**OCFS Review Results:**

JCDSS appropriately tracked the case FAR. JCDSS assessed the case address and the home of the father's children for safety, met with all household members, searched SCR history and contacted collaterals. The Safety Assessment and Flag were completed timely and accurately. Notice of receipt and closing of the FAR case were provided to the required adults. The family did not identify any service needs and the case was closed.

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

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

An SCR report dated 1/18/17 was substantiated against the father on 3/22/17 for the allegations of Inadequate Guardianship and Parent's Drug/Alcohol Misuse regarding the 7 and 8-year-old siblings and another child.

Known CPS History Outside of NYS

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

Preventive Services History

An ongoing CPS Services case was opened from 7/16/18-5/15/19 regarding the father, sibling's mother and the 7 and 8-year-old siblings. A CPS report was indicated and a neglect Petition was filed due to concerns for both parent's drug and alcohol misuse and physical altercations perpetrated towards the sibling's mother. The sibling's mother engaged in parenting skills, domestic violence counseling, substance abuse treatment and mental health treatment. There was an order of protection in place barring the father from contact with the siblings and their mother and the siblings were assessed to be safe in the care of their mother at the time the case closed.

Legal History Within Three Years Prior to the Fatality

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

Family Court Criminal Court Order of Protection

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
08/03/2018	Adjudicated Neglected	Order of Supervision
Respondent:	055923 Father Male 30 Year(s)	
Comments:	An Article 10 Neglect Petition was filed against the father regarding the 7 and 8-year-old siblings and there was a finding of Neglect on 1/28/19.	

Have any Orders of Protection been issued? Yes

From: 01/28/2019 **To:** 03/20/2020

Explain:
An order of protection was issued barring the father from contact with the 7 and 8-year-old siblings and their mother until March 2020.



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