



Report Identification Number: SY-16-035

Prepared by: Syracuse Regional Office

Issue Date: 2/14/2017

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

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

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

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

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

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

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

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



Abbreviations

Relationships

BM-Biological Mother	SM-Subject Mother	SC-Subject Child
BF-Biological Father	SF-Subject Father	OC-Other Child
MGM-Maternal Grand Mother	MGF-Maternal Grand Father	FF-Foster Father
PGM-Paternal Grand Mother	PGF-Paternal Grand Father	DCP-Day Care Provider
MGGM-Maternal Great Grand Mother	MGGF-Maternal Great Grand Father	PGGF-Paternal Great Grand Father
PGGM-Paternal Great Grand Mother	MA/MU-Maternal Aunt/Maternal Uncle	PA/PU-Paternal Aunt/Paternal Uncle
FM-Foster Mother	SS-Surviving Sibling	

Contacts

LE-Law Enforcement	CW-Case Worker	CP-Case Planner
Dr.-Doctor	ME-Medical Examiner	EMS-Emergency Medical Services
DC-Day Care	FD-Fire Department	BM-Biological Mother
CPR-Cardio-pulmonary Resuscitation		

Allegations

FX-Fractures	II-Internal Injuries	L/B/W-Lacerations/Bruises/Welts
S/D/S-Swelling/Dislocation/Sprains	C/T/S-Choking/Twisting/Shaking	B/S-Burns/Scalding
P/Nx-Poisoning/ Noxious Substance	XCP-Excessive Corporal Punishment	PD/AM-Parent's Drug Alcohol Misuse
CD/A-Child's Drug/Alcohol Use	LMC-Lack of Medical Care	EdN-Educational Neglect
EN-Emotional Neglect	SA-Sexual Abuse	M/FTTH-Malnutrition/Failure-to-thrive
IF/C/S-Inadequate Food/ Clothing/ Shelter	IG-Inadequate Guardianship	LS-Lack of Supervision
Ab-Abandonment	OTH/COI-Others	

Miscellaneous

IND-Indicated	UNF-Unfounded	SO-Sexual Offender
Sub-Substantiated	Unsub-Unsubstantiated	DV-Domestic Violence
LDSS-Local Department of Social Service	ACS-Administration for Children's Services	NYPD-New York City Police Department
PPRS-Purchased Preventive Rehabilitative Services	TANF-Temporary Assistance to Needy Families	FC-Foster Care
MH-Mental Health	ER-Emergency Room	



Case Information

Report Type: Child Deceased
Age: 3 year(s)

Jurisdiction: Lewis
Gender: Female

Date of Death: 07/12/2016
Initial Date OCFS Notified: 07/12/2016

Presenting Information

On 7/12/16, BM and BM's boyfriend took SC (3), sibling (2) and sibling (1 month old) swimming in a dangerous area that is unsafe for children to swim in. While there, BM and BM's boyfriend stated that there was an accident and SC fell. It was unknown exactly what happened, however BM and BM's boyfriend took all the children home and proceeded to give SC a "home remedy." It is unclear what the home remedy was. One of the adults contacted 911 twenty minutes later. Emergency services arrived to the home and proceeded to perform CPR on SC which was unsuccessful. SC was then taken to the hospital and pronounced dead at 7:05 P.M. It was noted that SC had bruises on her face, blood at the base of her skull and black matter coming from her mouth and nose. The role of the siblings was unknown at the time. The death is suspicious based on the lack of explanation and the circumstances, along with the various injuries.

Executive Summary

This review concerns the death of a three-year-old female child due to physical abuse that was inflicted by her biological mother's (BM's) boyfriend. The subject child (SC) resided with her BM, BM's boyfriend, a two-year-old half-sibling and one-month old sibling. Another sibling, age 4, resided outside of the home with the biological father (BF) at the time of the fatality. The autopsy listed the cause of death as homicide and the manner as blunt force trauma to the head. The autopsy report further detailed approximately 57 internal and external injuries on the SC caused by blunt force trauma of the head, neck, trunk and extremities over a period of at least two weeks. The injuries included multiple hematomas and contusions and a right tibia (leg) fracture.

On 7/12/16, Lewis County DSS (LCDSS) received the SCR report concerning the SC's death. Upon investigation, LCDSS discovered that earlier that day the adults had called 911 from their home as the SC was unresponsive and had stopped breathing. Law enforcement questioned both adults, who ultimately admitted that the BM's boyfriend had become angry with the SC and had hit her in the head repeatedly, as well as, stomped on her leg before leaving her in her bed. The caregivers then intentionally hid the injured child from a relative who visited the home after this incident occurred.

Some time later, the boyfriend and BM heard the SC making odd noises in the bedroom and went in to find her in a "fit" - grinding her teeth and unable to verbally communicate. They put her into a cold bath as they had done when she had been in "fits" previously, as this had brought her out of them in the past. When this was unsuccessful, BM attempted to perform CPR on the SC, despite the SC still breathing. BM's boyfriend reported that over time the SC's breathing became more difficult with there being longer gaps between breaths.

BM's boyfriend reported that at some point he told BM to call 911 after the SC further deteriorated, but reported that BM wanted to wait longer and try other things to restore the SC. It was reported by that BM did not want to call 911 and expressed fear of her children being taken away from her. The BM's boyfriend stated that when BM finally agreed to call, another approximate 20 minutes had gone by. Prior to EMS arriving, the adults changed the SC into her bathing suit bottoms and then reported to EMS that the SC had been injured in a swimming accident (though they gave conflicting details, which raised suspicion). The SC was transported to the hospital and was pronounced dead at 7:05 pm.

Further investigation revealed that there had been multiple prior incidents of the BM's boyfriend physically abusing



the SC, including an incident approximately one week prior to her death when the boyfriend threw the SC into a car out of anger, causing a cut to her head. The autopsy report noted an old subdural hematoma that was believed to have occurred during this incident. The BM was aware of all of these incidents and failed to intervene at any point, stating that she was afraid of her boyfriend. However, the BM worked outside of the home, had access to a cellphone and transportation, and was capable of seeking help had she chosen to do so. Neither adult ever sought medical treatment for the child's "fits" (believed to have been caused by brain trauma), the cut on her head from the car accident or any other incident of abuse, until the day she became unresponsive. In that case, they only sought medical treatment after a substantial delay in time.

Both parents were arrested on multiple criminal charges. LCDSS filed severe abuse petitions against both adults and removed the surviving children. The CPS report was indicated and the case was opened for ongoing services. The LCDSS investigation was thorough and appropriate.

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:

Casework activities were thorough and commensurate with case circumstances.

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

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

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

Explain:

Casework activities were thorough and commensurate with case circumstances.

Required Actions Related to the Fatality

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

Fatality-Related Information and Investigative Activities



NYS Office of Children and Family Services - Child Fatality Report

Incident Information

Date of Death: 07/12/2016

Time of Death: 07:05 PM

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

County where fatality incident occurred:

LEWIS

Was 911 or local emergency number called?

Yes

Time of Call:

Unknown

Did EMS to respond to the scene?

Yes

At time of incident leading to death, had child used alcohol or drugs? No

Child's activity at time of incident:

Sleeping

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

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

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

2

At time of incident supervisor was: Unknown if they were impaired.

Total number of deaths at incident event:

Children ages 0-18: 1

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	3 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	23 Year(s)
Deceased Child's Household	Mother's Partner	Alleged Perpetrator	Male	21 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	2 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Female	1 Month(s)
Other Household 1	Aunt/Uncle	No Role	Female	42 Year(s)
Other Household 1	Father	Alleged Perpetrator	Male	24 Year(s)
Other Household 1	Sibling	Alleged Victim	Female	4 Year(s)
Other Household 2	Other Adult	Alleged Perpetrator	Female	22 Year(s)

LDSS Response



LCDSS initiated their investigation immediately upon receipt of the SCR report and appropriately assessed 24 hour safety of surviving siblings. LCDSS coordinated their investigation with law enforcement and both alleged subjects were interviewed. The surviving infant and two-year-old sibling were placed into a foster home that night while the four-year-old sibling remained with her biological father in another county at that time. The 7-Day safety assessment was thorough and included contact with all appropriate parties. LCDSS took safety planning action to include the initiation of Family Court intervention to protect the surviving children. Sufficient information was gathered from medical personnel, law enforcement, family members and other collaterals to appropriately determine all of the allegations in the investigation. Severe Abuse petitions were filed against both BM and BM's boyfriend and the surviving children were removed from their care. On the night of 7/12/16, both adults consented to placing the two youngest into respite care. The BM then consented to foster care for the infant on 7/15/16. However, the infant was placed in Article 10 custody of her great aunt on 11/23/16. The four-year-old sibling was placed in Article 10 custody of the same aunt on 8/31/16. The two-year-old child was placed in foster care by consent of her mother on 7/14/16. She was subsequently placed with her mother on trial discharge on 11/23/16. Both adults were ordered to have no contact with their respective children and remained incarcerated as of this review. The LCDSS is seeking a no reasonable efforts determination and termination of their parental rights for their respective children. A services case remains open and ongoing as of this review.

LCDSS substantiated allegations of DOA/Fatality, IG, II, and LBW of the SC by the BM and BM's boyfriend, as well as, added and substantiated allegations of XCP, FX and LMC of the SC by BM's boyfriend and XCP and LMC of the SC by BM, IG of the 2 year old child by BM's boyfriend and BM, IG of the infant child by BM's boyfriend and BM.

LCDSS further substantiated allegations of IG, PD/AM of the SC and all surviving children by BM's boyfriend, as it was found that he frequently used marijuana while caring for the children, including while driving them in his car.

Allegations of IG, IFCS and PDRG of the BM's boyfriend's two-year-old child by her mother were substantiated due to her mother's drug use, housing instability, mental health concerns and overall inability to provide care for the child.

Allegations of IG and LMED of the 4-year-old sibling by BM and IG, LMED, IFCS, and PDRG by the BF were also added and substantiated due to the adults' extensive and ongoing failure to address the child's dental needs, which resulted in the child having 14 of her 20 teeth extracted and the remaining 6 crowned after she was removed from their custody.

Allegations of IG, and PDRG of the SC by the BF as well as IG, IFCS and PDRG of the infant child by the BF were substantiated due to his ongoing drug use and failure to seek treatment, mental health concerns, housing stability, and overall inability to provide care for his children.

OCFS review found that all allegation and case determinations were appropriate.

Official Manner and Cause of Death

Official Manner: Homicide

Primary Cause of Death: From an injury - external cause

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

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

Comments: Lewis County does not have a CFRT.



NYS Office of Children and Family Services - Child Fatality Report

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Lacerations / Bruises / Welts	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	DOA / Fatality	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Inadequate Guardianship	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033286 - Father, Male, 24 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	DOA / Fatality	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	Internal Injuries	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	Excessive Corporal Punishment	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Internal Injuries	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033286 - Father, Male, 24 Year(s)	Inadequate Guardianship	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Fractures	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Lack of Medical Care	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	Lacerations / Bruises / Welts	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033282 - Mother's Partner, Male, 21 Year(s)	Excessive Corporal Punishment	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	Lack of Medical Care	Substantiated
033061 - Deceased Child, Female, 3 Yrs	033281 - Mother, Female, 23 Year(s)	Inadequate Guardianship	Substantiated
033283 - Sibling, Female, 2 Year(s)	033287 - Other Adult - Half-Sibling's mother, Female, 22 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033283 - Sibling, Female, 2 Year(s)	033282 - Mother's Partner, Male, 21 Year(s)	Inadequate Guardianship	Substantiated
033283 - Sibling, Female, 2 Year(s)	033287 - Other Adult - Half-Sibling's mother, Female, 22 Year(s)	Inadequate Guardianship	Substantiated
033283 - Sibling, Female, 2 Year(s)	033282 - Mother's Partner, Male, 21 Year(s)	Parents Drug / Alcohol Misuse	Substantiated



NYS Office of Children and Family Services - Child Fatality Report

033283 - Sibling, Female, 2 Year(s)	033287 - Other Adult - Half-Sibling's mother, Female, 22 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
033284 - Sibling, Female, 1 Month(s)	033281 - Mother, Female, 23 Year(s)	Inadequate Guardianship	Substantiated
033284 - Sibling, Female, 1 Month(s)	033286 - Father, Male, 24 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033284 - Sibling, Female, 1 Month(s)	033286 - Father, Male, 24 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
033284 - Sibling, Female, 1 Month(s)	033282 - Mother's Partner, Male, 21 Year(s)	Inadequate Guardianship	Substantiated
033284 - Sibling, Female, 1 Month(s)	033282 - Mother's Partner, Male, 21 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033285 - Sibling, Female, 4 Year(s)	033286 - Father, Male, 24 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
033285 - Sibling, Female, 4 Year(s)	033286 - Father, Male, 24 Year(s)	Inadequate Guardianship	Substantiated
033285 - Sibling, Female, 4 Year(s)	033282 - Mother's Partner, Male, 21 Year(s)	Inadequate Guardianship	Substantiated
033285 - Sibling, Female, 4 Year(s)	033282 - Mother's Partner, Male, 21 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033285 - Sibling, Female, 4 Year(s)	033281 - Mother, Female, 23 Year(s)	Lack of Medical Care	Substantiated
033285 - Sibling, Female, 4 Year(s)	033281 - Mother, Female, 23 Year(s)	Inadequate Guardianship	Substantiated
033285 - Sibling, Female, 4 Year(s)	033286 - Father, Male, 24 Year(s)	Parents Drug / Alcohol Misuse	Substantiated
033285 - Sibling, Female, 4 Year(s)	033286 - Father, Male, 24 Year(s)	Lack of Medical Care	Substantiated

CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



NYS Office of Children and Family Services - Child Fatality Report

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

Fatality Safety Assessment Activities

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

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



NYS Office of Children and Family Services - Child Fatality Report

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

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

Explain as necessary:

The surviving children in the household were removed by LCDSS and severe abuse petitions were filed.

Legal Activity Related to the Fatality

Was there legal activity as a result of 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:
07/19/2016	There was not a fact finding	There was not a disposition
Respondent:	033282 Mother's Partner Male 21 Year(s)	
Comments:		

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
07/19/2016	There was not a fact finding	There was not a disposition
Respondent:	033287 Other Adult Female 22 Year(s)	
Comments:	Two-year old child's mother was listed as a Respondent on the initial petition due to lack of stable housing, drug use and no means of providing care for the child.	

Criminal Charge: Endangering the welfare of a child Degree: NA

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:



NYS Office of Children and Family Services - Child Fatality Report

09/09/2016	BM's boyfriend	Pending	Pending
Comments:	The BM's boyfriend's charges are all pending and he remains incarcerated at the time of this review.		

Criminal Charge: Murder Degree: 2			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM's boyfriend	Pending	Pending
Comments:	The BM's boyfriend's charges are all pending and he remains incarcerated at the time of this review.		

Criminal Charge: Manslaughter Degree: 1			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM's boyfriend	Pending	Pending
Comments:	The BM's boyfriend's charges are all pending and he remains incarcerated at the time of this review.		

Criminal Charge: Assault Degree: 1			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM's boyfriend	Pending	Pending
Comments:	The BM's boyfriend's charges are all pending and he remains incarcerated at the time of this review.		

Criminal Charge: Assault Degree: 2			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM's boyfriend	Pending	Pending
Comments:	The BM's boyfriend's charges are all pending and he remains incarcerated at the time of this review. The BM's boyfriend was charged with 2 counts of Assault 2nd.		

Criminal Charge: Endangering the welfare of a child Degree: NA			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM	Pending	Manslaughter Plea



NYS Office of Children and Family Services - Child Fatality Report

Comments: The BM was originally charged with Criminally Negligent Homicide and EWOC. The BM later pled to a charge of Manslaughter, which satisfied the original charges. As of this review the BM had not yet been sentenced.

Criminal Charge: Criminally negligent homicide **Degree:** NA

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM	Pending	Manslaughter Plea

Comments: The BM was originally charged with Criminally Negligent Homicide and Endangering the Welfare of a Child (EWOC). The BM later pled to a charge of Manslaughter, which satisfied the original charges. As of this review the BM had not yet been sentenced.

Criminal Charge: Manslaughter **Degree:** 2

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
09/09/2016	BM	Pending	Manslaughter Plea

Comments: The BM was originally charged with Criminally Negligent Homicide and EWOC. The BM later pled to a charge of Manslaughter, which satisfied the original charges. As of this review the BM had not yet been sentenced.

Have any Orders of Protection been issued? Yes

From: Unknown **To:** Unknown

Explain:
Orders of Protection were issued prohibiting BM and BM's boyfriend from having contact with the surviving children.

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Needed but not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



NYS Office of Children and Family Services - Child Fatality Report

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

History Prior to the Fatality

Child Information

- Did the child have a history of alleged child abuse/maltreatment? Yes
- Was there an open CPS case with this child at the time of death? 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? No
- Was the child acutely ill during the two weeks before death? Yes

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
06/13/2016	13849 - Sibling, Female, 4 Years	13848 - Father, Male, 24 Years	Parents Drug / Alcohol Misuse	Pending	No
	13849 - Sibling, Female, 4 Years	13848 - Father, Male, 24 Years	Inadequate Guardianship	Pending	

Report Summary:

Report alleged that BF and another adult in the home were both aware that their children (4-year-old sibling and an unrelated child) required a higher level of supervision due to sexualized behaviors, however failed to notify a babysitter of this. The children were placed at imminent risk although it was unknown if they acted out sexually while in the care of



NYS Office of Children and Family Services - Child Fatality Report

the babysitter.

BF and his girlfriend were shooting up drugs on a daily basis. On more than once occasion, the adults were impaired while they were the sole caretakers for the 4-year-old sibling.

Determination: Undetermined

OCFS Review Results:

OCFS review found that casework activities had been conducted appropriately as of the date of the review.

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)
04/27/2016	13476 - Other Child - Other Child, Female, 1 Years	13472 - Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Unfounded	No
	13476 - Other Child - Other Child, Female, 1 Years	13475 - Other Adult - Other Child's Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13474 - Sibling, Female, 4 Years	13473 - Mother's Partner, Male, 21 Years	Inadequate Guardianship	Unfounded	
	13471 - Deceased Child, Female, 3 Years	13472 - Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13471 - Deceased Child, Female, 3 Years	13473 - Mother's Partner, Male, 21 Years	Inadequate Guardianship	Unfounded	
	13476 - Other Child - Other Child, Female, 1 Years	13472 - Mother, Female, 22 Years	Inadequate Guardianship	Unfounded	
	13476 - Other Child - Other Child, Female, 1 Years	13475 - Other Adult - Other Child's Mother, Female, 22 Years	Inadequate Guardianship	Unfounded	
	13474 - Sibling, Female, 4 Years	13472 - Mother, Female, 22 Years	Inadequate Guardianship	Unfounded	
	13474 - Sibling, Female, 4 Years	13472 - Mother, Female, 22 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13471 - Deceased Child, Female, 3 Years	13472 - Mother, Female, 22 Years	Inadequate Guardianship	Unfounded	
	13476 - Other Child - Other Child, Female, 1 Years	13473 - Mother's Partner, Male, 21 Years	Inadequate Guardianship	Unfounded	
	13476 - Other Child - Other Child, Female, 1 Years	13473 - Mother's Partner, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	
	13474 - Sibling, Female, 4 Years	13473 - Mother's Partner, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	
13471 - Deceased Child,	13473 - Mother's Partner, Male,	Fractures	Unfounded		



NYS Office of Children and Family Services - Child Fatality Report

Female, 3 Years	21 Years		
13471 - Deceased Child, Female, 3 Years	13473 - Mother's Partner, Male, 21 Years	Lacerations / Bruises / Welts	Unfounded
13471 - Deceased Child, Female, 3 Years	13473 - Mother's Partner, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded

Report Summary:

Report alleged that on 4/27/16 the SC (3) presented at the hospital with bruises on the left side of her face and a right spiral femur fracture. The child was in the care of the BM's boyfriend when she was injured. The explanation for the injuries was not consistent with the injuries, making them suspicious.

A subsequent report dated 5/2/16 further alleged that BM and BM's boyfriend used drugs while caring for the children, and that the BM's boyfriend had been known to slap the children. It was also alleged that the boyfriend's child's mother was using drugs while caring for her child and was aware of boyfriend's actions and continued to leave the child in his care.

Determination: Unfounded

Date of Determination: 06/24/2016

Basis for Determination:

LCDSS contacted collateral medical sources who reported that the boyfriend's explanation that the SC's foot got caught in between stairs and that she fell and hit her face was plausible. The CW observed the stairs and documented that it did appear plausible that this accident could have occurred. A bone scan did not reveal any other injuries to SC. The SC was interviewed made no disclosure of abuse or maltreatment. Her story was consistent with the boyfriend's account of SC falling on steps.

LCDSS found no credible evidence that any adult's drug use was negatively impacting the children. The boyfriend admitted to smoking marijuana but stated he did not do so while caring for the children.

OCFS Review Results:

OCFS review found that the LDSS investigation was thorough. Safety and risk were assessed in a timely manner and ongoing basis. No credible evidence was found to support the allegations made in the report.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
09/10/2015	13442 - Deceased Child, Female, 2 Years	13441 - Father, Male, 24 Years	Inadequate Guardianship	Indicated	No

Report Summary:

Report alleged that on 9/10/15, the BF had a crack pipe and hypodermic needle in a vehicle accessible to the SC (then 2).

Miscellaneous info stated that during a traffic stop the source found a crack pipe laying on the floor of the vehicle near the SC. BF was arrested as a result of this incident.

St. Lawrence Co. DSS investigated this report due to the whereabouts of the BF and SC at the time of the incident.

Determination: Indicated

Date of Determination: 11/23/2015

Basis for Determination:

SLDSS found credible evidence of maltreatment of the SC by the BF. During a traffic stop, law enforcement located a crack pipe and hypodermic needle in the BF's vehicle near the SC, placing the SC at risk of harm. BM moved out of the home with the SC due to her concerns with the SC's well-being and safety.

OCFS Review Results:



NYS Office of Children and Family Services - Child Fatality Report

OCFS review found that casework activities and case determination were appropriate.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/06/2015	13845 - Sibling, Female, 3 Years	13846 - Mother, Female, 21 Years	Lack of Medical Care	Far-Closed	Yes
	13845 - Sibling, Female, 3 Years	13846 - Mother, Female, 21 Years	Inadequate Guardianship	Far-Closed	
	13845 - Sibling, Female, 3 Years	13847 - Father, Male, 23 Years	Lack of Medical Care	Far-Closed	
	13845 - Sibling, Female, 3 Years	13847 - Father, Male, 23 Years	Inadequate Guardianship	Far-Closed	

Report Summary:
 Report alleged that for the past several months, the 3-year-old sibling had rotten upper teeth to the point where they were black and broken off at the gum line. The sibling was in considerable pain and struggled to chew food on a daily basis. The parents were aware of the issue but refused to seek the necessary dental treatment for the child.

 This report was handled by St. Lawrence Co. DSS due to the residence address of the sibling.

OCFS Review Results:
 OCFS review found that there were no formal collateral contacts made to assess for the child's dental needs or to determine the immediacy of care needed. There was further no follow through to insure that the child was brought to the dentist, in spite of the fact that the child's upper teeth were documented as appearing rotten and worn down to the gums. The grandfather of the child reported that the child had still not received necessary dental surgery that had originally been scheduled for 7/2014. The dental issues had been ongoing since the 2014 report.

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

Issue:
 Overall Completeness and Adequacy of Investigation

Summary:
 There was no follow through to insure that the child was brought to the dentist and there were insufficient collateral contacts made, in spite of the fact that child was previously documented to be in need of dental surgery. The child's teeth were documented as appearing rotten and worn down to the gums.

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

Action:
 SLCDSS will develop a plan which addresses the need for an appropriate assessment of and response to identified safety concerns, to include sufficient contact with collateral sources.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/11/2014	13431 - Other Child - Other Child, Female, 2 Months	13432 - Other Adult - Other Child's Mother, Female, 20 Years	Inadequate Guardianship	Unfounded	No



NYS Office of Children and Family Services - Child Fatality Report

13431 - Other Child - Other Child, Female, 2 Months	13433 - Other Adult - Other Adult , Male, 21 Years	Inadequate Guardianship	Unfounded
13431 - Other Child - Other Child, Female, 2 Months	13434 - Other Adult - Other Child's Father, Male, 19 Years	Lack of Supervision	Unfounded
13431 - Other Child - Other Child, Female, 2 Months	13434 - Other Adult - Other Child's Father, Male, 19 Years	Parents Drug / Alcohol Misuse	Unfounded
13431 - Other Child - Other Child, Female, 2 Months	13434 - Other Adult - Other Child's Father, Male, 19 Years	Inadequate Guardianship	Unfounded
13431 - Other Child - Other Child, Female, 2 Months	13432 - Other Adult - Other Child's Mother, Female, 20 Years	Parents Drug / Alcohol Misuse	Unfounded

Report Summary:

Report alleged that on Monday, 8/11/14, the boyfriend of the two-year-old child's mother shoved the mother to the ground while she was holding the child (then three-months-old). The boyfriend was arrested for endangering the welfare of a child.

A subsequent consolidated report received on 8/19/14 further alleged PD/AM, LS, and IG against the mother and father (alleged subject in fatality report) of the other child.

This report was investigated by Jefferson County DSS due to the residence location of the other child at the time of the incident.

Determination: Unfounded **Date of Determination:** 10/02/2014

Basis for Determination:

The report was unfounded as JCDSS determined that the alleged subject was not a boyfriend of the mother nor a PLR to the child. The mother and child stayed briefly in the alleged subject's home along with other unrelated adults. The mother and child moved out of the home prior to the closure of the investigation. JCDSS further found no credible evidence to substantiate any of the subsequent allegations. JCDSS found that the child's needs appeared to be met sufficiently and there was no harm/negative effect on the child.

OCFS Review Results:

OCFS review found that safety and risk were appropriately assessed. Casework activities were commensurate with case circumstances.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/06/2014	13842 - Sibling, Female, 2 Years	13843 - Mother, Female, 20 Years	Inadequate Guardianship	Far-Open	No
	13841 - Deceased Child, Female, 1 Years	13843 - Mother, Female, 20 Years	Inadequate Guardianship	Far-Open	
	13842 - Sibling, Female, 2 Years	13843 - Mother, Female, 20 Years	Lack of Medical Care	Far-Open	



NYS Office of Children and Family Services - Child Fatality Report

13842 - Sibling, Female, 2 Years	13843 - Mother, Female, 20 Years	Parents Drug / Alcohol Misuse	Far-Open
13841 - Deceased Child, Female, 1 Years	13843 - Mother, Female, 20 Years	Lack of Medical Care	Far-Open
13841 - Deceased Child, Female, 1 Years	13843 - Mother, Female, 20 Years	Parents Drug / Alcohol Misuse	Far-Open
13842 - Sibling, Female, 2 Years	13844 - Father, Male, 21 Years	Inadequate Guardianship	Far-Open
13841 - Deceased Child, Female, 1 Years	13844 - Father, Male, 21 Years	Inadequate Guardianship	Far-Open
13842 - Sibling, Female, 2 Years	13844 - Father, Male, 21 Years	Parents Drug / Alcohol Misuse	Far-Open
13841 - Deceased Child, Female, 1 Years	13844 - Father, Male, 21 Years	Lack of Medical Care	Far-Open
13841 - Deceased Child, Female, 1 Years	13844 - Father, Male, 21 Years	Parents Drug / Alcohol Misuse	Far-Open
13842 - Sibling, Female, 2 Years	13844 - Father, Male, 21 Years	Lack of Medical Care	Far-Open

Report Summary:

Report alleged that SC and sibling (2) lived with BM one week and BF the next. BM's boyfriend (not AS in fatality) had previously resided with BM. The BM's boyfriend was physically violent toward BM while the children were present. While in the BM's care, the sibling had a severe ear infection and the BM failed to seek medical attention in a timely manner.

During the course of the report, concerns also arose regarding the sibling having unmet dental needs that required surgery. A relative had scheduled the surgery to occur at a future point after case closure.

OCFS Review Results:

OCFS review found that casework activities were commensurate with case circumstances.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
11/04/2013	13411 - Deceased Child, Female, 9 Months	13412 - Mother, Female, 20 Years	Other	Unfounded	No
	13414 - Sibling, Female, 2 Years	13412 - Mother, Female, 20 Years	Other	Unfounded	
	13411 - Deceased Child, Female, 9 Months	13413 - Father, Male, 22 Years	Other	Unfounded	
	13414 - Sibling, Female, 2 Years	13413 - Father, Male, 22 Years	Other	Unfounded	

Report Summary:

St. Lawrence Family Court ordered a Court Ordered Investigation (COI) related to a custody case between BF and BM.

Determination: Unfounded

Date of Determination: 11/26/2013

Basis for Determination:



The 1034 investigation was ultimately dismissed as both parents withdrew their custody petitions. SLCDSS found that both parents' homes met minimum standards of safety. Parents denied that presence of safety factors.

OCFS Review Results:

OCFS review found that case determination was appropriate. Casework activities were commensurate with case circumstances.

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

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

There is no CPS history more than three years prior to the fatality.

Known CPS History Outside of NYS

There is no known CPS history outside of NYS.

Required Action(s)

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

Yes No

Preventive Services History

There is no record of Preventive Services History provided to the deceased child, the deceased child's siblings, and/or the other children residing in the deceased child's household at the time of the fatality.

Legal History Within Three Years Prior to the Fatality

Was there any legal activity within three years prior to the fatality investigation? There was no legal activity

Recommended Action(s)

Are there any recommended actions for local or state administrative or policy changes? Yes No

Are there any recommended prevention activities resulting from the review? Yes No