



Report Identification Number: BU-21-025

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

Issue Date: Jan 24, 2022

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

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

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

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

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

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

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

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



Abbreviations

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



Case Information

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

Jurisdiction: Wyoming
Gender: Male

Date of Death: 07/30/2021
Initial Date OCFS Notified: 07/30/2021

Presenting Information

Wyoming County Department of Social Services (WCDSS) received a report from the SCR alleging the 2-month-old subject child was found deceased by the father. The father did not have an explanation for the child's death. There were additional concerns that the home was in a deplorable condition and posed a safety hazard for the surviving siblings, ages 6, 5, 3, and 2 years old.

Executive Summary

This fatality report concerns the death of the 2-month-old male subject child that occurred on 7/30/21. A report was made to the SCR on the same date with concerns the father was home with the subject child when he was found unresponsive, and he did not have an explanation for the child's death. The child resided at home with his mother, father, and siblings ages 6, 5, 3, and 2 years old.

Through a joint investigation with law enforcement, it was learned the mother came home from work shortly after 6AM. When the mother arrived home, she found the subject child unresponsive in his pack 'n play. The record did not reflect what time the father placed the child in the pack 'n play or what time the child was checked on by the father. The mother reported to law enforcement that the family was staying in a home owned by the paternal grandfather; the grandfather did not reside in the home. The mother admitted it was not a safe home to reside in. The parents were planning to fix up the home. There was no running water, electric, or heat in the home. The siblings all shared a bed while the subject child slept in a pack 'n play.

WCDSS interviewed family members and pertinent collateral sources. It was learned that the mother returned home from her overnight shift at work. The father had been home caring for the subject child and siblings overnight while the mother worked. The mother went to take the subject child out of the pack 'n play where he was sleeping and found him to be cold and turning purple and blue in color. The mother attempted to call 911 while the father performed CPR on the subject child. The mother became frustrated with the 911 operator and handed the phone over to the father. First responders arrived and transported the child to the hospital where he was pronounced deceased.

Due to the conditions of the home, an immediate safety plan was deemed necessary for the siblings. WCDSS coordinated efforts with the family and relatives in order to devise a plan for a safe living arrangement for the siblings. The siblings were placed in the care of a paternal aunt while contact with both parents was supervised by WCDSS.

An autopsy was completed; however, the final report had not yet been issued at the time of this writing, and the cause and manner of death remained pending. Law enforcement kept their criminal investigation open, pending the final autopsy report. WCDSS substantiated the allegations of Inadequate Guardianship and Inadequate Food, Clothing, and Shelter against the mother and father regarding the subject child and siblings. The home was in a deplorable state at the time of the subject child's death. A safety plan was made for the siblings to stay with alternate caregivers until the home could be cleaned and deemed safe. WCDSS determined there was not sufficient evidence to indicate DOA/Fatality against the father as the final autopsy report was still pending. The initial autopsy showed no signs of trauma to the subject child. It was reported that the subject child had fluid in his lungs which could possibly be a result of pneumonia. Law enforcement explained there were toxins in the home that could have contributed to the subject child's passing. WCDSS filed an Article 10 Neglect Petition against the parents for the siblings as a result of the condition of the home. Preventive Services were in place at the time of this writing and the siblings remained with alternative caregivers.



PIP Requirement

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

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 siblings were assessed to be safe in the care of their family members. The case was indicated and remained open for Preventive Services.

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 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

Issue:	A 24-hour Fatality Report is required to be completed in CONNECTIONS within 24 hours of receipt of a report alleging the death of a child as a result of abuse or maltreatment.
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Summary:	A 24-hour Fatality Report was not documented and approved in Connections within 24 hours of receipt of the report alleging the death of a child as a result of abuse or maltreatment. The 24-hour Fatality Report was entered into Connections on 8/3/21.
Legal Reference:	CPS Program Manual, Chapter 6, K-1
Action:	WCDSS must document and approve a 24-Hour Fatality Report within 24 hours of receipt of a report alleging the death of a child resulting from abuse or maltreatment. The template for this report is available in CONNECTIONS for all reports containing an allegation of a child fatality.

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 07/30/2021

Time of Death: Unknown

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

Unknown

County where fatality incident occurred:

Wyoming

Was 911 or local emergency number called?

Yes

Time of Call:

Unknown

Did EMS 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
- Playing
- Other

- Working
- Eating

- Driving / Vehicle occupant
- Unknown

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

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

At time of incident supervisor was:

- Distracted
- Asleep

- Absent
- Other:

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	2 Month(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	30 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	27 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	2 Year(s)



Deceased Child's Household	Sibling	Alleged Victim	Female	6 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	5 Year(s)
Deceased Child's Household	Sibling	Alleged Victim	Male	3 Year(s)

LDSS Response

On 7/30/21, WCDSS received the SCR fatality report regarding the subject child. Upon receipt of the fatality report, WCDSS initiated their investigation within 24 hours and coordinated efforts with their MDT. The safety of the surviving siblings was assessed, and a safety plan was deemed necessary as the home posed a health and safety hazard to the siblings. Upon initial assessment, the siblings were placed informally with a relative.

WCDSS collaborated with law enforcement and interviewed the parents once in receipt of the report on 7/30/21. The mother reported she came home from her overnight shift at work and removed the subject child from the pack ‘n play, which was located next to the parents’ bed. Upon picking up the subject child, the mother found he was not breathing and had turned a shade of purple/blue. The mother called 911 while the father attempted CPR. Paramedics arrived, took over resuscitation efforts, and transported the subject child to the hospital where he was pronounced dead. The parents initially informed law enforcement that they were not residing in the paternal grandfather’s home as they were worried the conditions of the home would warrant the siblings’ removal. The parents later confirmed with law enforcement and WCDSS that they were residing in the paternal grandfather’s home and were aware of the multiple safety hazards in the home. On 8/3/21, Wyoming County Building Codes Department inspected and condemned the home.

WCDSS filed an Article 10 Neglect Petition in family court against the mother and father. The family had a lengthy history of CPS involvement related to deplorable housing, domestic violence, and concerns for lack of supervision. On 8/9/21, the siblings were placed with the paternal aunt via an Article 10 placement with a relative. The family court judge granted the parents supervised visitation with the siblings. WCDSS initially supervised all visitation between the family, but a relative was approved to supervise additional weekend visitation.

The siblings were assessed throughout the investigation and deemed safe with relatives. The siblings reported ongoing discord between their parents, stating it occasionally became physical. The 6-year-old sibling reported knowledge of the subject child’s death. The sibling reported he passed away because her “dad did not know how to take care of him.” The 6-year-old sibling reported she often helped in the care of the subject child and reported taking responsibility for the child’s death, stating she should have checked on her brother during the night. An aunt confirmed the sibling took on a parenting role for the younger siblings and subject child. During supervised visitations between the parents and siblings, the parents were observed to place caretaking responsibilities on the 6-year-old sibling such as, cleaning up after her younger siblings and providing them with snacks. WCDSS addressed concerns with the parents, but the parents denied the concerns. WCDSS referred the parents to counseling services to address their unrealistic expectations for the siblings. The sibling reported the subject child was able to roll over and she had witnessed him roll off furniture and believed that is what happened on the night of his passing. The parents verified the subject child’s developmental milestones reporting he could roll over.

At the time of this writing, the parents were engaged in mental health counseling and parenting skills classes. The mother was engaged in domestic violence services through a community-based agency due to the long history of physical domestic violence between the parents as well as continued discord during the CPS investigation. There were historical cases of the father acting as the aggressor and hitting the mother. The father was engaged in anger management classes and was in the process of undergoing a substance abuse evaluation. The parents were on a waiting list for section 8 housing and were utilizing additional assistance through WCDSS. The siblings were engaged in mental health counseling and continued to reside with the paternal aunt. The parents were consistently engaged in supervised visitation with the siblings



and were working towards reunification and completion of their order of supervision. The investigation was indicated and remained open for services.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Pending

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Comments: WCDSS adhered to previously approved protocols for joint investigations by coordinating efforts with law enforcement and notifying the DA's office of the death.

Was the fatality referred to an OCFS approved Child Fatality Review Team? No

Comments: There is no OCFS Child Fatality Review Team in Wyoming County.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
059106 - Deceased Child, Male, 2 Mons	059108 - Father, Male, 30 Year(s)	DOA / Fatality	Unsubstantiated
059106 - Deceased Child, Male, 2 Mons	059107 - Mother, Female, 27 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059106 - Deceased Child, Male, 2 Mons	059108 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated
059106 - Deceased Child, Male, 2 Mons	059107 - Mother, Female, 27 Year(s)	Inadequate Guardianship	Substantiated
059106 - Deceased Child, Male, 2 Mons	059108 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059109 - Sibling, Male, 5 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated
059109 - Sibling, Male, 5 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059109 - Sibling, Male, 5 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Guardianship	Substantiated
059109 - Sibling, Male, 5 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059110 - Sibling, Male, 3 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059110 - Sibling, Male, 3 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Guardianship	Substantiated
059110 - Sibling, Male, 3 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated



059110 - Sibling, Male, 3 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059111 - Sibling, Male, 2 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated
059111 - Sibling, Male, 2 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059111 - Sibling, Male, 2 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Guardianship	Substantiated
059111 - Sibling, Male, 2 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059112 - Sibling, Female, 6 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Guardianship	Substantiated
059112 - Sibling, Female, 6 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Guardianship	Substantiated
059112 - Sibling, Female, 6 Year(s)	059107 - Mother, Female, 27 Year(s)	Inadequate Food / Clothing / Shelter	Substantiated
059112 - Sibling, Female, 6 Year(s)	059108 - Father, Male, 30 Year(s)	Inadequate Food / Clothing / Shelter	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 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"/>

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"/>
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"/>
Were appropriate/needed services offered in this case	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Explain:
 WCDSS provided the family with referrals for bereavement and mental health counseling. WCDSS provided ongoing Preventive Services to the parents and siblings. At the time of this writing, the family was engaged in services mandated by the court.

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 children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<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 four surviving siblings were placed in Article 10 custody with a relative.

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:
08/05/2021	There was not a fact finding	Order of Supervision
Respondent:	059107 Mother Female 27 Year(s)	
Comments:	At the time of this writing, the Neglect Petition was pending in Family Court. WCDSS filed Neglect due to the deplorable and unsafe conditions of the home. An Order of Supervision was granted and the judge ordered the siblings be placed in Article 10 custody with an aunt.	

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
08/05/2021	There was not a fact finding	Order of Supervision
Respondent:	059108 Father Male 30 Year(s)	
Comments:	At the time of this writing, the Neglect Petition was pending in Family Court. WCDSS filed Neglect due to the deplorable and unsafe conditions of the home. An Order of Supervision was granted and the judge ordered the siblings be placed in Article 10 custody with an aunt.	

Services Provided to the Family in Response to the Fatality

Services	Provided After Death	Offered, but Refused	Offered, Unknown if Used	Not Offered	Needed but Unavailable	N/A	CDR Lead to Referral
Bereavement counseling	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Parenting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other, specify: Preventive Services

Additional information, if necessary:
 WCDSS provided the family with a number of community-based services. Preventive Services were provided in order to give the family additional support following the death. The parents collaborated with WCDSS in order to come up with a safety plan for the children, including the assistance of relative resources. On 8/9/21, family court judge ordered the children be placed in Article 10 custody.

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

Explain:
 Services were provided to the siblings following the death and a long-term Preventive Services case was opened to continue providing support to the children.

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

Explain:
 Services related to grief and mental health counseling were provided to the parents following the death and a long-term Preventive Services case was opened to continue providing support to the family.

History Prior to the Fatality

Child Information

- Did the child have a history of alleged child abuse/maltreatment? No
- Was the child ever placed outside of the home prior to the death? No
- Were there any siblings ever placed outside of the home prior to this child's death? 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
- Misused over-the-counter or prescription drugs
- Experienced domestic violence
- Was not noted in the case record to have any of the issues listed
- Had heavy alcohol use
- Smoked tobacco
- Used illicit drugs



Infant was born:

Drug exposed

With fetal alcohol effects or syndrome

With neither of the issues listed noted in case record

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)
09/02/2020	Sibling, Female, 5 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	No
	Sibling, Female, 5 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 4 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 2 Years	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 2 Years	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 8 Months	Mother, Female, 26 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 8 Months	Mother, Female, 26 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 5 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 5 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 4 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 4 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 2 Years	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 2 Years	Father, Male, 29 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 8 Months	Father, Male, 29 Years	Inadequate Food / Clothing / Shelter	Substantiated	
Sibling, Male, 8 Months	Father, Male, 29 Years	Inadequate Guardianship	Substantiated		
Sibling, Female, 5 Years	Father, Male, 29 Years	Lacerations / Bruises / Welts	Unsubstantiated		

Report Summary:

Allegany County Department of Social Services (ACDSS) received a report from the SCR alleging the father failed to



ensure the 5, 4, 2, and 8-month-old siblings were adequately fed. The mother and father were unable to provide stable housing and moved from home to home. The father hit the 5-year-old sibling in the past causing bruises.

Report Determination: Indicated

Date of Determination: 11/24/2020

Basis for Determination:

ACDSS determined there was credible evidence to support the allegations. The family was residing in deplorable conditions. The children had attendance issues and would often attend school unkempt and smelling. The mother had mental health issues and was not taking her prescribed medications. ACDSS recommended Preventive Services but the family declined.

OCFS Review Results:

ACDSS assessed the safety of the children and began their investigation into the allegations within 24 hours of receiving the report. ACDSS completed case objectives within the required timeframes and notified all casework contacts of the hotline report. ACDSS indicated and closed the investigation once objectives were met and the family had cleaned up their home so it was safe for the children. ACDSS referred the family to Preventive Services but the family refused.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
07/30/2019	Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated	No
	Sibling, Male, 3 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 1 Years	Father, Male, 28 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 4 Years	Mother, Female, 25 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 3 Years	Mother, Female, 25 Years	Inadequate Guardianship	Substantiated	
	Sibling, Male, 1 Years	Mother, Female, 25 Years	Inadequate Guardianship	Substantiated	
	Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 4 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 3 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 3 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Male, 1 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 1 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 1 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	



Sibling, Female, 4 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 3 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 3 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 1 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated

Report Summary:

Allegany County Department of Social Services (ACDSS) received a report from the SCR alleging the mother and father did not maintain the safety of their home. There were health hazards for the 4, 3, and 1-year-old siblings. The residence smelled strongly of animal urine and feces. The animals were urinating and defecating throughout the home. The parents had a history of failing to supervise the siblings. There were concerns the father was physically aggressive towards the mother.

Report Determination: Indicated

Date of Determination: 11/04/2019

Basis for Determination:

ACDSS determined there was credible evidence to support the Inadequate Guardianship allegations against both parents regarding the siblings. ACDSS determined there were concerns related to the domestic violence between the mother and father. The father acted as the aggressor, hitting and causing injury to the mother. The family was working with Preventive Services and other community-based agencies in order to maintain a safe and stable environment for the siblings, thus the allegations of Inadequate Food, Clothing, and Shelter were unfounded.

OCFS Review Results:

ACDSS assessed safety continuously throughout the investigation. ACDSS provided referrals to the family and education with regard to parenting skills. ACDSS completed case objectives within the required timeframes and closed their investigation once case objectives were met. The family was working with Preventive Services at the time of case closure and continued engaging with service providers.

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)
05/16/2019	Sibling, Male, 2 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Substantiated	No
	Sibling, Female, 4 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 1 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 2 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 1 Years	Father, Male, 28 Years	Inadequate Food / Clothing / Shelter	Substantiated	
	Sibling, Male, 2 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 4 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	



Sibling, Male, 1 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 2 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 1 Years	Father, Male, 28 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 1 Years	Mother, Female, 25 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 2 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated
Sibling, Female, 4 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 1 Years	Father, Male, 28 Years	Lack of Supervision	Unsubstantiated
Sibling, Male, 2 Years	Mother, Female, 25 Years	Lacerations / Bruises / Welts	Substantiated
Sibling, Male, 2 Years	Father, Male, 28 Years	Lacerations / Bruises / Welts	Substantiated

Report Summary:

Allegany County Department of Social Services (ACDSS) received the report from the SCR alleging the home was filled with garbage. There were 10 cats and 3 dogs urinating and defecating in the home. The children were dirty and the parents had not bathed them. There was no hot water or gas in the home. The children were left unattended upstairs for an unknown length of time and the 2-year-old sibling had a bruise on his head from pulling a dresser over while unsupervised.

Report Determination: Indicated

Date of Determination: 06/06/2019

Basis for Determination:

ACDSS determined there was credible evidence to support the allegations. The family was residing in deplorable conditions. ACDSS developed a safety plan for the siblings to stay with a family member due to the unsanitary and unsafe condition of the home. A bruise was observed on the 2-year-old sibling but it was unknown where the bruise came from. The allegations were substantiated against the parents for inadequate food, clothing, and shelter for all the siblings and lacerations, bruises, and welts regarding the 2-year-old sibling.

OCFS Review Results:

ACDSS developed a safety plan in coordination with the parents and relatives. ACDSS coordinated efforts with WCDSS due to the siblings staying with family members in Wyoming County. ACDSS completed case objectives within the required time frames and opened the case for Preventive Services. Additionally, Early Intervention and mental health referrals were made in an effort to reduce safety and risk.

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)
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01/25/2019	Sibling, Male, 9 Months	Mother, Female, 24 Years	Inadequate Guardianship	Far-Closed	Yes
	Sibling, Male, 9 Months	Mother, Female, 24 Years	Lack of Supervision	Far-Closed	
	Sibling, Female, 3 Years	Mother, Female, 24 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Female, 3 Years	Mother, Female, 24 Years	Lack of Supervision	Far-Closed	
	Sibling, Male, 2 Years	Mother, Female, 24 Years	Inadequate Guardianship	Far-Closed	
	Sibling, Male, 2 Years	Mother, Female, 24 Years	Lack of Supervision	Far-Closed	

Report Summary:

Allegany County Department of Social Services (ACDSS) received a report from the SCR alleging the parents were working overnight and sleeping during the day. While asleep, the parents locked the siblings (3, 2, and 9-months) in their rooms. The siblings were left for many hours at a time. On one day, the 3 and 2 year old siblings got out of the home and were outside unattended. The mother bought adult laxatives for the 9-month-old child.

OCFS Review Results:

The initial safety assessment was not completed until 25 days after receipt of the hotline report. ACDSS worked in partnership with the family and included family members in discussions. The FLAG was completed and collateral information was gathered. ACDSS determined there was no credible evidence that the alleged concerns were happening and appropriately tracked the case FAR.

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

Issue:

FAR-Timely/Adequate 7-Day Assessment

Summary:

The 7-Day Safety Assessment was completed untimely, 25 days after receipt of the report.

Legal Reference:

18 NYCRR 432.13 (d)(2)(i) and (ii); 18 NYCRR 432.13(d)(3)

Action:

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/11/2018	Sibling, Female, 3 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	No
	Sibling, Female, 3 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 2 Years	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 2 Years	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Male, 8 Months	Mother, Female, 25 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Male, 8 Months	Mother, Female, 25 Years	Inadequate Guardianship	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 8 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated	
	Sibling, Female, 3 Years	Father, Male, 8 Years	Inadequate Guardianship	Unsubstantiated	



Sibling, Male, 2 Years	Father, Male, 8 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 2 Years	Father, Male, 8 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 8 Months	Father, Male, 8 Years	Inadequate Food / Clothing / Shelter	Unsubstantiated
Sibling, Male, 8 Months	Father, Male, 8 Years	Inadequate Guardianship	Unsubstantiated
Sibling, Male, 8 Months	Mother, Female, 25 Years	Lack of Medical Care	Unsubstantiated
Sibling, Male, 8 Months	Father, Male, 8 Years	Lack of Medical Care	Unsubstantiated

Report Summary:

Allegany County Department of Social Services (ACDSS) received a report from the SCR alleging on 10/11/18, the mother and father engaged in a verbal argument which escalated in the presence of the siblings (ages 3, 2, and 8 months). The father was in the process of getting the children out of the car when the mother ran him over with the vehicle while the children remained in the vehicle. Three weeks prior to that, the father choked the mother and smashed her cell phone in the presence of the children. The home was littered with garbage and animal feces. The siblings were sick and the parents did not seek medical attention for them.

Report Determination: Unfounded**Date of Determination:** 01/03/2019**Basis for Determination:**

ACDSS did not find credible evidence to substantiate the allegations. ACDSS found the parents had engaged in verbal arguments. The parents had not engaged in physical disputes in the presence of the siblings. The pediatrician denied concerns for the siblings and reported seeing them when they were sick.

OCFS Review Results:

ACDSS completed case objectives within the required time frames. ACDSS assessed the safety of the siblings throughout the investigation. Relevant collateral sources were contacted and the investigation was closed once case objectives were met.

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

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

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

Known CPS History Outside of NYS

There is no known history outside of New York State.

Preventive Services History

A Family Services Stage was opened from 6/7/19 through 2/5/20 due to the family's deplorable living conditions and ongoing concern for the siblings' risk of placement in foster care. There were multiple community-based services in place related to the parents' mental health needs and assistance in managing the children's behaviors. The parents engaged with service providers, kept their home clean and free from safety hazards, and utilized the parenting skills education they received from providers. The Preventive Services case was closed once the parents showed that they were able to maintain a safe and stable home for the children.



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

Additional Local District Comments

WCDSS acknowledges the 24 hour fatality report was not completed within the guidelines stated. WCDSS will work on this issue to ensure compliance with this guideline.

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