



Report Identification Number: SY-15-010

Prepared by: Syracuse Regional Office

Issue Date: 1/29/2016

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

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

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

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

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

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

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

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



Abbreviations

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

Case Information



Report Type: Child Deceased

Jurisdiction: Onondaga

Date of Death: 01/24/2015, Date of Death estimated

Age: 8 day(s)

Gender: Unknown

Initial Date OCFS Notified: 01/28/2015

Presenting Information

Sometime in the past week, the mother (age 23, name unknown), left the SC in the care of the MA. When the MA went to feed the SC, the SC was not breathing. The SC passed away as a result. The SC had no preexisting medical condition, and his death is suspicious in nature. The MA has severe mental health issues and was not considered an adequate caregiver for the SC. It is unknown how long the SC was left in the care of the MA. It is unknown the duration of time that had passed before the MA checked on the SC. The MU, an unrelated home member and MA's children, age 6 years, age 5 years, and age 3 years have unknown roles.

Source informed the Statewide Central Registry (SCR) that this story may be fabricated but source felt as a mandated reporter that the SCR should be contacted.

Executive Summary

On January 28, 2015 a report was registered by the SCR that involved the death of an approximate eight day old male child who passed away while in the care and presence of the MA. The report alleged DOA/Fatality and IG against the SM and the MA.

The Onondaga County Department of Children and Family Services (OCDCFS) conducted an investigation into the allegations and on March 6, 2015 appropriately unfounded the allegations of DOA/Fatality and IG against the MA and SM. OCDCFS had taken all necessary steps and gathered sufficient information to determine that the SC and his SM were fictitious and did not exist. Therefore there was no child death in regards to this case.

During the course of the investigation the MA and her children were receiving PPRS through OCDCFS. From September 16, 2013 through June 2014 the family received preventive voluntary services and from June 2014 through present the family received preventive mandated services. During that time an Article 10 petition was filed for preventive mandated services due to the MA's lack of progress and engagement with voluntary preventive services. During the preventive services cases the SCR received several reports regarding the MA and her children, and there was no indication that the MA had siblings or that any individual allowed the MA to care for an infant. OCDCFS also learned through contact with relatives that the MA did not have any siblings, nieces, or nephews.

OCFS reviewed the case record and found that OCDCFS appropriately assessed the safety and risk of the other children in the home. OCDCFS obtained adequate information to determine the report through interviews and relevant contacts to determine that the fatality never occurred. The family continues to receive preventive mandated services and safety and risk factors are appropriately monitored.

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 casework activity was commensurate with the case circumstances.

Was the decision to close the case appropriate? Yes

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

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

Explain:

OCDCFS conducted a thorough investigation and the decision to unsubstantiate the allegations and unfound the report were appropriate as no SC or SM existed, therefore no death occurred. OCDCFS continues to provide the family with preventive services.

Required Actions Related to the Fatality

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

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 01/24/2015 Date Estimated

Time of Death: Unknown

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

County where fatality incident occurred: ONONDAGA

Was 911 or local emergency number called? No

Did EMS to respond to the scene? No

At time of incident leading to death, had child used alcohol or drugs? N/A

Child's activity at time of incident:



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- Sleeping
- Working
- Driving / Vehicle occupant
- Playing
- Eating
- Unknown
- Other: SC did not exist

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

Total number of deaths at incident event:

Children ages 0-18: Unknown

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Aunt/Uncle	No Role	Male	30 Year(s)
Deceased Child's Household	Aunt/Uncle	Alleged Perpetrator	Female	25 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Unknown	8 Day(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	23 Year(s)
Deceased Child's Household	Other Child	No Role	Female	3 Year(s)
Deceased Child's Household	Other Child	No Role	Male	7 Year(s)
Deceased Child's Household	Other Child	No Role	Female	6 Year(s)
Deceased Child's Household	Unrelated Home Member	No Role	Male	22 Year(s)

LDSS Response

On 1/28/2015 Onondaga County Department of Children and Family Services (OCDCFS) received a report with the allegations of DOA/Fatality and IG involving the alleged death of an eight day old male child and named the MA and the SM as the alleged subjects, and the SC as alleged abused. The narrative stated that the SC passed away while the MA was caring for him. The MA went to feed the infant child and found the infant child not breathing and his death was suspicious in nature.

OCDCFS conducted a thorough and adequate investigation into the allegations. OCDCFS ensured the safety of the MA's children in the home within 24 hours of receipt of the report. Relevant collateral contacts were made with law enforcement, the medical examiner's office, schools, service providers and relatives. The MA is an only child and does not have nieces or nephews. The MA admitted to fabricating a story about a nephew passing away in her arms. The source of the report confirmed there was concern the MA had fabricated a story about a nephew passing away. OCDCFS determined that the SC did not exist nor did the SM.

OCDCFS was providing the MA with preventive services prior to and post the fatality report. On 3/6/2015 OCDCFS appropriately unsubstantiated the allegations of DOA/Fatality and IG against the MA and the SM. The SM was not identified as she does not exist.

Official Manner and Cause of Death

Official Manner: Unknown



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Primary Cause of Death: Unknown

Person Declaring Official Manner and Cause of Death: SC did not exist; noted as unknown/ other as no ch

Multidisciplinary Investigation/Review

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

Comments: OCDCFS contacted the medical examiner's office and law enforcement and learned there were no 911 calls to the MA's home, and the medical examiner did not have any persons matching the description of the SC. The district attorney's office was also contacted regarding the SCR report.

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

Comments: The SC and SM did not exist, therefore there was not a fatality to review.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
020981 - Deceased Child, UNK, 8 Days	021081 - Mother, Female, 23 Year(s)	Inadequate Guardianship	Unsubstantiated
020981 - Deceased Child, UNK, 8 Days	021081 - Mother, Female, 23 Year(s)	DOA / Fatality	Unsubstantiated
020981 - Deceased Child, UNK, 8 Days	021082 - Aunt/Uncle, Female, 25 Year(s)	DOA / Fatality	Unsubstantiated
020981 - Deceased Child, UNK, 8 Days	021082 - Aunt/Uncle, Female, 25 Year(s)	Inadequate Guardianship	Unsubstantiated

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Fatality Risk Assessment / Risk Assessment Profile

	Yes	No	N/A	Unable to Determine
Was the risk assessment/RAP adequate in this case?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
During the course of the investigation, was sufficient information gathered to assess risk to all surviving siblings/other children in the household?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there an adequate assessment of the family's need for services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the protective factors in this case require the LDSS to file a petition in Family Court at any time during or after the investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were appropriate/needed services offered in this case	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 and placed in foster care at any time during this fatality investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were there surviving siblings/other children in the household removed as a result of this fatality report/investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Legal Activity Related to the Fatality

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

Have any Orders of Protection been issued? No

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Foster care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Health care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homemaking Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parenting Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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Alcohol/Substance abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Child Care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intensive case management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Family or others as safety resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Additional information, if necessary:

The alleged SC did not exist.

History Prior to the Fatality

Child Information

- Did the child have a history of alleged child abuse/maltreatment? No
- 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? N/A
- 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 neither of the issues listed noted in case record
- With fetal alcohol effects or syndrome

CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
01/23/2012	5433 - Other Child - cousin, Male, 4 Years	5432 - Aunt/Uncle, Male, 26 Years	Inadequate Guardianship	Unfounded	No
	5433 - Other Child - cousin,	5432 - Aunt/Uncle, Male, 26	Lack of	Unfounded	



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Male, 4 Years	Years	Supervision	
5433 - Other Child - cousin, Male, 4 Years	5432 - Aunt/Uncle, Male, 26 Years	Sexual Abuse	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5432 - Aunt/Uncle, Male, 26 Years	Inadequate Guardianship	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5432 - Aunt/Uncle, Male, 26 Years	Lack of Supervision	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5432 - Aunt/Uncle, Male, 26 Years	Sexual Abuse	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Inadequate Guardianship	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Lack of Supervision	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Sexual Abuse	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Inadequate Guardianship	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5431 - Grandparent, Female, 56 Years	Lack of Supervision	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5431 - Grandparent, Female, 56 Years	Inadequate Guardianship	Unfounded
5433 - Other Child - cousin, Male, 4 Years	5431 - Grandparent, Female, 56 Years	Sexual Abuse	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5431 - Grandparent, Female, 56 Years	Inadequate Guardianship	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5431 - Grandparent, Female, 56 Years	Lack of Supervision	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Sexual Abuse	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5436 - Aunt/Uncle - cousin, Female, 22 Years	Lack of Supervision	Unfounded
5434 - Other Child - cousin, Female, 2 Years	5431 - Grandparent, Female, 56 Years	Sexual Abuse	Unfounded

Report Summary:

Oswego County LDSS (OCDSS) received an SCR report that alleged that the MA, MU, and MGM were not supervising the MA's two children appropriately and pornography was accessible to the children; the children sexually acted out on each other; and that the MU was a level one sex offender. The report named the MA, MU, and MGM as the AS with allegations of IG, LS, SA, IG of the two children.

Determination: Unfounded

Date of Determination: 03/23/2012

Basis for Determination:

OCDSS found no credible evidence that the children were not supervised, that pornography was accessible to the children, or that the children sexually acted out. OCDSS appropriately unsubstantiated the allegations of SA, LS, and IG as the MU did not have unsupervised contact with his children. Collaterals were contacted, all of whom had no concerns for the family. Family was receiving in home services for the children.



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OCFS Review Results:

OCDSS conducted a thorough and adequate investigation. Sufficient information was gathered to assess safety and risk throughout the life of the case.

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)
04/25/2012	5444 - Other Child - cousin, Male, 4 Years	5441 - Unrelated Home Member, Female, 23 Years	Excessive Corporal Punishment	Unfounded	No
	5444 - Other Child - cousin, Male, 4 Years	5441 - Unrelated Home Member, Female, 23 Years	Inadequate Guardianship	Unfounded	
	5444 - Other Child - cousin, Male, 4 Years	5442 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Unfounded	
	5444 - Other Child - cousin, Male, 4 Years	5441 - Unrelated Home Member, Female, 23 Years	Lacerations / Bruises / Welts	Unfounded	
	5445 - Other Child - cousin, Female, 3 Years	5441 - Unrelated Home Member, Female, 23 Years	Lacerations / Bruises / Welts	Unfounded	
	5444 - Other Child - cousin, Male, 4 Years	5443 - Aunt/Uncle, Male, 26 Years	Inadequate Guardianship	Unfounded	
	5445 - Other Child - cousin, Female, 3 Years	5442 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Unfounded	
	5445 - Other Child - cousin, Female, 3 Years	5447 - Grandparent, Female, 56 Years	Inadequate Guardianship	Unfounded	
	5448 - Other Child - cousin, Female, 2 Months	5447 - Grandparent, Female, 56 Years	Inadequate Guardianship	Unfounded	
	5445 - Other Child - cousin, Female, 3 Years	5441 - Unrelated Home Member, Female, 23 Years	Excessive Corporal Punishment	Unfounded	
	5445 - Other Child - cousin, Female, 3 Years	5441 - Unrelated Home Member, Female, 23 Years	Inadequate Guardianship	Unfounded	
	5444 - Other Child - cousin, Male, 4 Years	5447 - Grandparent, Female, 56 Years	Inadequate Guardianship	Unfounded	
	5448 - Other Child - cousin, Female, 2 Months	5442 - Aunt/Uncle, Female, 22 Years	Emotional Neglect	Unfounded	
	5448 - Other Child - cousin, Female, 2 Months	5442 - Aunt/Uncle, Female, 22 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5448 - Other Child - cousin, Female, 2 Months	5442 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Unfounded	
5448 - Other Child - cousin, Female, 2 Months	5442 - Aunt/Uncle, Female, 22 Years	Malnutrition / Failure to Thrive	Unfounded		

Report Summary:

Oswego County LDSS (OCDSS) received an SCR report that alleged the MA's child was violent towards other children; the conditions of the home were not adequate; and the MA and MGM yelled at each other. A subsequent report received on 5/12/2012 alleged the MA's infant was not fed appropriately and the MA had minimal interaction with the infant. On 6/13/2012 another subsequent report was received alleged the MA left the children with inappropriate caretakers and the



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children had physical injuries. The MA, an unrelated home member, and MGM were named as AS. Both subsequent reports were appropriately merged into the initial.

Determination: Unfounded

Date of Determination: 06/18/2012

Basis for Determination:

OCDSS found no credible evidence to substantiate the allegations of XCP, L/B/W, IG, EN, IF/C/S, and M/FTTH. The home was found adequate and free from safety hazards. OCDSS found no evidence that any of the children had suspicious or inflicted injuries or that they were left with an inappropriate caretakers. OCDSS found no evidence that the MA and MGM yelled at one another to the extent it negatively impacted the MA's children.

OCFS Review Results:

OCDSS conducted a thorough and adequate investigation. Sufficient information was gathered to assess safety and risk throughout the life of the course.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/11/2013	5424 - Other Child - cousin, Male, 5 Years	5422 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Far-Closed	No
	5424 - Other Child - cousin, Male, 5 Years	5422 - Aunt/Uncle, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	5425 - Other Child - cousin, Female, 4 Years	5422 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Far-Closed	
	5425 - Other Child - cousin, Female, 4 Years	5422 - Aunt/Uncle, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	
	5426 - Other Child - cousin, Female, 17 Months	5422 - Aunt/Uncle, Female, 22 Years	Inadequate Guardianship	Far-Closed	
	5426 - Other Child - cousin, Female, 17 Months	5422 - Aunt/Uncle, Female, 22 Years	Parents Drug / Alcohol Misuse	Far-Closed	

Report Summary:

Onondaga County Department of Children and Family Services (OCDFCS) received an SCR report that was appropriately screened for and classified as Family Assessment Response (FAR) per OCDSS established criteria. The concerns were the MA consumed alcohol and allowed minor children to engage in sexual activity. During the FAR case the MA was arrested for Aggravated Harassment; while incarcerated the MA made an appropriate plan for her three children. OCDFCS offered preventive services and the MA accepted them. OCDFCS registered the children in day care and in school. OCDFCS met with the family and addressed the concerns and immediate service needs were appropriately addressed.

OCFS Review Results:

OCDFCS followed FAR principles and made appropriate family assessment to determine strengths and needs. OCDFCS contacted sufficient collaterals during the FAR process and connected/ referred to service providers prior to closing the case.

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)
10/31/2013	5457 - Other Child -	5454 - Aunt/Uncle,	Inadequate	Unfounded	Yes



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cousin, Male, 5 Years	Female, 23 Years	Guardianship	
5461 - Other Child - cousin, Female, 1 Years	5454 - Aunt/Uncle, Female, 23 Years	Inadequate Food / Clothing / Shelter	Unfounded
5461 - Other Child - cousin, Female, 1 Years	5454 - Aunt/Uncle, Female, 23 Years	Inadequate Guardianship	Unfounded
5457 - Other Child - cousin, Male, 5 Years	5454 - Aunt/Uncle, Female, 23 Years	Inadequate Food / Clothing / Shelter	Unfounded
5457 - Other Child - cousin, Male, 5 Years	5454 - Aunt/Uncle, Female, 23 Years	Parents Drug / Alcohol Misuse	Unfounded
5459 - Other Child - cousin, Female, 4 Years	5454 - Aunt/Uncle, Female, 23 Years	Inadequate Food / Clothing / Shelter	Unfounded
5461 - Other Child - cousin, Female, 1 Years	5454 - Aunt/Uncle, Female, 23 Years	Parents Drug / Alcohol Misuse	Unfounded
5459 - Other Child - cousin, Female, 4 Years	5454 - Aunt/Uncle, Female, 23 Years	Inadequate Guardianship	Unfounded
5459 - Other Child - cousin, Female, 4 Years	5454 - Aunt/Uncle, Female, 23 Years	Parents Drug / Alcohol Misuse	Unfounded

Report Summary:

Onondaga County Department of Children and Family Services (OCDCFS) received an SCR report that was screened as Family Assessment Response (FAR) with concerns the MA abused drugs, the home was dirty, and domestic violence occurred in the home. On 11/2/2013 OCDSS received a subsequent report that alleged the MA was intoxicated and could not care for her three children. On 11/22/2013 and 11/23/2013 subsequent reports were received and alleged the MA was arrested for Endangering the Welfare of a Child and Larceny; use of physical discipline on the children, and lack of food in the home. OCDCFS appropriately merged the subsequent reports into the initial report. OCDCFS appropriately converted the case from FAR to an investigation.

Determination: Unfounded**Date of Determination:** 12/09/2013**Basis for Determination:**

OCDCFS found some credible evidence to substantiate the allegations of IG, IF/C/S, and PD/AM. The MA admitted to OCDCFS that domestic violence occurred in the home while the children were in another room in the home. The MA also admitted to OCDCFS that she frequently used marijuana, and admitted she had an alcohol problem. However OCDCFS did not gather sufficient information and OCDCFS unsubstantiated the allegations of IG, IF/C/S, PD/AM and the MA agreed to work with voluntary preventive services.

OCFS Review Results:

OCDCFS did not gather sufficient information to make appropriate safety and risk decisions. OCDCFS made one request for police reports but the case record did not reflect if the report was ever received in order to provide more information regarding the possible domestic violence in the home. OCDCFS also did not make sufficient collateral contacts to the children's schools to determine if there was any negative impact on the children. The MA made disclosures and admissions domestic violence, yet allegations were unfounded. OCFS does agree with converting case to an investigation but does not agree with the decision to unsubstantiate the allegations.

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

Issue:

Appropriateness of allegation determination

Summary:

The allegation of IG was not addressed with the subject MA. The MA was arrested and charged with Endangering the Welfare of a Child and the MA and children made an admission regarding on going domestic violence in the home. The



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MA admitted to drug use. An appropriate case determination would be substantiated/ indicated.

Legal Reference:

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

Action:

OCDCFS will develop a plan to ensure all allegations are addressed and information is gathered to make appropriate case determinations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
12/19/2013	5508 - Other Child - cousin, Female, 4 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated	Yes
	5508 - Other Child - cousin, Female, 4 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated	
	5508 - Other Child - cousin, Female, 4 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	
	5508 - Other Child - cousin, Female, 4 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded	
	5513 - Other Child - other, Female, 4 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated	
	5513 - Other Child - other, Female, 4 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated	
	5513 - Other Child - other, Female, 4 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	
	5513 - Other Child - other, Female, 4 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded	
	5509 - Other Child - cousin, Female, 1 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated	
	5509 - Other Child - cousin, Female, 1 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded	
	5514 - Other Child - other, Male, 1 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated	
	5508 - Other Child - cousin, Female, 4 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded	
	5510 - Other Child - other, Male, 13 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded	
	5511 - Other Child - other, Male, 11 Years	5505 - Other - other, Male, 40 Years	Educational Neglect	Indicated	
	5511 - Other Child - other, Male, 11 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	
	5507 - Other Child - cousin, Male, 6 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated	
	5513 - Other Child - other, Female, 4 Years	5504 - Mother, Female, 29 Years	Educational Neglect	Indicated	
	5513 - Other Child - other, Female, 4 Years	5505 - Other - other, Male, 40 Years	Inadequate	Indicated	

Female, 4 Years	Male, 40 Years	Guardianship	
5509 - Other Child - cousin, Female, 1 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated
5509 - Other Child - cousin, Female, 1 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated
5514 - Other Child - other, Male, 1 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated
5514 - Other Child - other, Male, 1 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated
5514 - Other Child - other, Male, 1 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded
5510 - Other Child - other, Male, 13 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated
5510 - Other Child - other, Male, 13 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated
5507 - Other Child - cousin, Male, 6 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated
5513 - Other Child - other, Female, 4 Years	5505 - Other - other, Male, 40 Years	Educational Neglect	Indicated
5513 - Other Child - other, Female, 4 Years	5515 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated
5513 - Other Child - other, Female, 4 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded
5510 - Other Child - other, Male, 13 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated
5511 - Other Child - other, Male, 11 Years	5504 - Mother, Female, 29 Years	Educational Neglect	Indicated
5511 - Other Child - other, Male, 11 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated
5511 - Other Child - other, Male, 11 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated
5511 - Other Child - other, Male, 11 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded
5507 - Other Child - cousin, Male, 6 Years	5505 - Other - other, Male, 40 Years	Inadequate Guardianship	Indicated
5507 - Other Child - cousin, Male, 6 Years	5515 - Aunt/Uncle, Female, 24 Years	Educational Neglect	Indicated
5507 - Other Child - cousin, Male, 6 Years	5502 - Aunt/Uncle, Female, 51 Years	Inadequate Guardianship	Unfounded
5513 - Other Child - other, Female, 4 Years	5504 - Mother, Female, 29 Years	Inadequate Guardianship	Indicated
5510 - Other Child - other, Male, 13 Years	5505 - Other - other, Male, 40 Years	Educational Neglect	Indicated
5510 - Other Child - other, Male, 13 Years	5504 - Mother, Female, 29 Years	Educational	Indicated



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Male, 13 Years	29 Years	Neglect	
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Report Summary:

Onondaga County Department of Children and Family Services (OCDCFS) received an SCR report that alleged two of the household members engaged in domestic violence (DV) in the presence of the MA and the other children who resided in the home; the MA's cousin's then 13 year old son was struck by the boyfriend while attempting to break up the fight; the MA engaged in DV with two other household members in the presence of the children, which involved a knife and the MA threatening to stab one of the household members; and the MA had untreated mental health issues which placed the children at risk of harm. LE was involved and took the MA to a hospital for a mental health evaluation. On 1/9/14, OCDCFS received a subsequent SCR report that alleged the MA and a household member engaged in DV in the presence of the MA's children, and the MA was injured and required emergency medical care. LE arrested the household member. OCDCFS appropriately merged the report with the initial report.

Determination: Indicated**Date of Determination:** 03/18/2014**Basis for Determination:**

OCDCFS appropriately substantiated the allegations as some credible evidence was found that the MA and three of the household members engaged in DV and the MA's then 6 year old son and three of the children of one of the other HH members had excessive absences from school. OCDCFS filed an Article 10 petition under the Family Court Act (FCA) against one of the HH members and the children were placed with a relative.

OCFS Review Results:

While OCDCFS made an appropriate decision to substantiate the allegations, OCDCFS did not make appropriate collateral contacts as the source of the subsequent report and LE were not contacted, and LE records were not requested. OCDCFS also learned during the course of the investigation that the MA was not progressing with preventive services and the agency provider found the home unsafe for workers to visit. Due to the incidents that led to the SCR reports, as well as the MA's non-compliance/lack of progress in services and an unsafe environment for agency providers, OCFS determined that a legal consultation should have occurred to consider court intervention of the MA's family. In addition, OCDCFS did not add the MU (birth father of the MA's children) or the BF of some of the other children who resided in the home; to the SCR report therefore they did not receive notice of the existence of the report.

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

Failure to provide notice of report

Summary:

Onondaga County Department of Children and Family Services (OCDCFS) did not add the biological fathers to the report and did not provide them notice of the existence of the report.

Legal Reference:

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

Action:

OCDCFS will develop a plan to ensure that appropriate parties are added to reports.

Issue:

Contact/Information From Reporting/Collateral Source

Summary:

Onondaga County Department of Children and Family Services (OCDCFS) failed to document the source of the subsequent report was contacted. OCDCFS failed to document if law enforcement was contacted as a collateral contact and the report had allegations that domestic violence occurred in the home and that law enforcement had been in the home.

Legal Reference:

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



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Action:

OCDCFS will develop a plan to ensure that the sources of reports are contacted. OCDCFS will develop a plan to ensure appropriate collateral contacts are made.

Issue:

Assessment as to need for Family Court Action

Summary:

OCDCFS did not gather sufficient information to determine if legal action through Family Court was necessary. Police reports are not sufficiently documented and the allegations were there was domestic violence occurring in the home; children disclosed there was domestic violence in the home. School staff voiced concern that a child was not attending school consistently. Information was provided to OCDCFS that MA was failing to progress with services provided by OCDCFS.

Legal Reference:

18 NYCRR 432.2(b)(3)(vi)

Action:

OCDCFS will develop a plan to gather sufficient information for legal consultations.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
04/15/2014	5523 - Other Child - cousin, Male, 6 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	Yes
	5523 - Other Child - cousin, Male, 6 Years	5521 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Indicated	
	5524 - Other Child - cousin, Female, 5 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	5524 - Other Child - cousin, Female, 5 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	
	5524 - Other Child - cousin, Female, 5 Years	5521 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Indicated	
	5524 - Other Child - cousin, Female, 5 Years	5521 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Indicated	
	5525 - Other Child - cousin, Female, 2 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Indicated	
	5525 - Other Child - cousin, Female, 2 Years	5521 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Indicated	
	5523 - Other Child - cousin, Male, 6 Years	5521 - Aunt/Uncle, Female, 24 Years	Educational Neglect	Indicated	
	5525 - Other Child - cousin, Female, 2 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	5523 - Other Child - cousin, Male, 6 Years	5521 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Indicated	
	5523 - Other Child - cousin, Male, 6 Years	5521 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Indicated	
	5524 - Other Child - cousin, Female, 5 Years	5521 - Aunt/Uncle, Female, 24 Years	Educational Neglect	Indicated	



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5525 - Other Child - cousin, Female, 2 Years	5521 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Indicated
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Report Summary:

Onondaga County Department of Children and Family Services (OCDCFS) received an SCR report that alleged the MA left her three children home alone after she was arrested, and that the MA had mental health issues which caused her to become irrational and scream at the children. OCDCFS learned that the MA left the children with an adult caregiver; however, the MA did not ensure the caregiver had critical medical information for the children. OCDCFS had to provide food as the caregiver did not have adequate food for the children. In addition, the preventive services case was at risk of being closed due to the MA's non-compliance; safety concerns in the home; and the MA's needs being beyond the scope of what the provider agency could service. OCDCFS also learned the children were still not attending school regularly; there was a DV incident in the home; and that the MA was ordered through the criminal justice system to attend a drug/alcohol treatment program. In May 2014 OCDCFS filed an Article 10 Neglect petition against the MA.

Determination: Indicated	Date of Determination: 06/05/2014
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Basis for Determination:

OCDCFS found some credible evidence that the MA's children had excessive school absences, the MA was not cooperating/progressing with voluntary preventive services and the MA had untreated mental health issues. OCDCFS appropriately substantiated the MA for the allegations of IG, IF/C/S, PD/AM, LS and EN of her children. OCDCFS gathered sufficient evidence to assess safety and risk and appropriately filed an Article 10 neglect petition. OCDCFS continued to provide the MA with preventive services.

OCFS Review Results:

OCDCFS did not gather sufficient information in the case record. The case record did not include the family's child welfare history and OCDCFS did not obtain law enforcement records regarding the MA. In addition OCDCFS did not gather information regarding the circumstances of the MA's bail revocation and what criminal charges were pending at that court date. In addition, OCDCFS did not offer the MA mental health services. However the information gathered was sufficient to file an Article 10 neglect petition and allowed the children to remain in the home

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

Issue:

Failure to Offer Services

Summary:

OCDCFS did not offer the MA mental health services after the MA admitted to having untreated mental health issues.

Legal Reference:

SSL 424(10); NYCRR 428.6

Action:

OCDCFS will develop a plan to ensure appropriate services are offered to families.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
05/18/2014	5528 - Other Child - cousin, Male, 6 Years	5526 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded	Yes
	5529 - Other Child - cousin, Female, 5 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5528 - Other Child - cousin, Male, 6 Years	5526 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded	
	5529 - Other Child - cousin, Female, 5 Years	5526 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded	



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5529 - Other Child - cousin, Female, 5 Years	5526 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded
5530 - Other Child - cousin, Female, 2 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded
5528 - Other Child - cousin, Male, 6 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded
5528 - Other Child - cousin, Male, 6 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded
5529 - Other Child - cousin, Female, 5 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded
5530 - Other Child - cousin, Female, 2 Years	5526 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded
5530 - Other Child - cousin, Female, 2 Years	5526 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded
5530 - Other Child - cousin, Female, 2 Years	5526 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded

Report Summary:

At the time the SCR report was received, a neglect petition had already been filed. Onondaga County Department of Children and Family Services (OCDCFS) learned that LE had been to the home on the date of the incident due to allegations of intoxication; the MA was observed to have two bruised eyes which were allegedly the result of playing with a friend; the then 6 year old brought a knife to school, and was also subsequently found playing with a BB gun; that a 19 year old resided in the home who had a gun that he did not secure properly and who also allegedly hit the then 6 year old repeatedly with a belt; and the children were still not attending school on a regular basis. OCDCFS found that although the MA had minimal food, it was sufficient. On 6/5/14, Family Court issued an order of protection for the children to attend school and prohibited domestic violence in the presence of the children. The family continued to receive PPRS.

Determination: Unfounded**Date of Determination:** 06/05/2014**Basis for Determination:**

OCDCFS unsubstantiated all of the allegations and Unfounded the report. The basis for their rationale to unsubstantiate the allegations was that the report was a “duplicate” report to the initial report; too much time had passed to merge the subsequent report into the initial report; and the allegations were investigated in the initial report.

OCFS Review Results:

OCFS determined that the allegations were new allegations from the allegations contained in the initial report therefore OCFS found the determination inappropriate. OCFS also found that OCDCFS did not gather sufficient information to assess ongoing safety and risk, or to determine the subsequent report. The children, although interviewed, were not asked about the MA’s alleged intoxication and the alleged lack of supervision and unfit clothing for the weather as a result; potential domestic violence in the home; physical discipline; if other people resided in the home; or the adequacy of food provided to them on a regular basis. OCDCFS also did not ensure that all potential weapons were properly secured and inaccessible to the children. In addition, OCDCFS did not identify or determine whether or not a 19 year old male resided in the home. In addition, OCDCFS did not gather information from LE regarding their visit to the home specifically regarding the MA’s alleged intoxication.

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

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

Summary:



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The SC were interviewed but the interview did not include all of the allegations; the SC were not interviewed about the MA's alleged intoxication, the alleged lack of supervision and wearing adult clothing outside, domestic violence in the home, physical discipline, if other people resided in the home or if there was adequate food in the home.

Legal Reference:

432.1 (o)

Action:

OCDCFS will develop a plan to ensure alleged SC are interviewed regarding all allegations in the SCR report.

Issue:

Appropriateness of allegation determination

Summary:

The allegations were not appropriately determined as there was not sufficient information gathered during the investigation to make an allegation determination.

Legal Reference:

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

Action:

OCDCFS will develop a plan to ensure sufficient information is gathered to make appropriate allegation determination.

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
08/25/2014	5535 - Other Child - Cousin, Male, 6 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded	Yes
	5535 - Other Child - Cousin, Male, 6 Years	5533 - Other - Parent Sub, Male, 21 Years	Lack of Supervision	Unfounded	
	5535 - Other Child - Cousin, Male, 6 Years	5532 - Grandparent, Female, 59 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5531 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5533 - Other - Parent Sub, Male, 21 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5533 - Other - Parent Sub, Male, 21 Years	Inadequate Guardianship	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5533 - Other - Parent Sub, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	
	5536 - Other Child - cousin, Female, 5 Years	5532 - Grandparent, Female, 59 Years	Inadequate Guardianship	Unfounded	
	5537 - Other Child - Cousin, Female, 2 Years	5532 - Grandparent, Female, 59 Years	Inadequate Food / Clothing / Shelter	Unfounded	
	5535 - Other Child - Cousin, Male, 6 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded	
	5535 - Other Child - Cousin, Male, 6 Years	5533 - Other - Parent Sub, Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded	



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5536 - Other Child - cousin, Female, 5 Years	5532 - Grandparent, Female, 59 Years	Inadequate Food / Clothing / Shelter	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5531 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5533 - Other - Parent Sub , Male, 21 Years	Inadequate Food / Clothing / Shelter	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5533 - Other - Parent Sub , Male, 21 Years	Parents Drug / Alcohol Misuse	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5533 - Other - Parent Sub , Male, 21 Years	Lack of Supervision	Unfounded
5535 - Other Child - Cousin, Male, 6 Years	5531 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded
5535 - Other Child - Cousin, Male, 6 Years	5531 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded
5535 - Other Child - Cousin, Male, 6 Years	5533 - Other - Parent Sub , Male, 21 Years	Inadequate Food / Clothing / Shelter	Unfounded
5535 - Other Child - Cousin, Male, 6 Years	5533 - Other - Parent Sub , Male, 21 Years	Inadequate Guardianship	Unfounded
5535 - Other Child - Cousin, Male, 6 Years	5532 - Grandparent, Female, 59 Years	Inadequate Guardianship	Unfounded
5536 - Other Child - cousin, Female, 5 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Guardianship	Unfounded
5536 - Other Child - cousin, Female, 5 Years	5531 - Aunt/Uncle, Female, 24 Years	Lack of Supervision	Unfounded
5536 - Other Child - cousin, Female, 5 Years	5533 - Other - Parent Sub , Male, 21 Years	Lack of Supervision	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5531 - Aunt/Uncle, Female, 24 Years	Inadequate Food / Clothing / Shelter	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5531 - Aunt/Uncle, Female, 24 Years	Parents Drug / Alcohol Misuse	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5533 - Other - Parent Sub , Male, 21 Years	Inadequate Guardianship	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5533 - Other - Parent Sub , Male, 21 Years	Lack of Supervision	Unfounded
5537 - Other Child - Cousin, Female, 2 Years	5532 - Grandparent, Female, 59 Years	Inadequate Guardianship	Unfounded

Report Summary:

Onondaga County Department of Children and Family Services (OCDCFS) received an SCR report that alleged the MA was intoxicated while caring for the children, her paramour used physical discipline, and weapons were in the home. On 8/28/14 OCDSS received a duplicate report. On 9/27/14 a subsequent report alleged the MA, the MA's paramour, and the MGM did not have any electricity and the home was condemned. On 11/19/2014 a subsequent report was received that the home was filthy, there was no food, and MA abused drugs. The subsequent reports were appropriately merged into



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the initial report with allegations of IF/C/S, LS, PD/AM, and the MA, MGM, and paramour were AS's of the MA's children and the other children in the home.

Determination: Unfounded

Date of Determination: 03/11/2015

Basis for Determination:

OCDCFS found no credible evidence that the MA was too intoxicated to care for the children, that the paramour used physical discipline, or that there were weapons in the home. OCDCFS appropriately unsubstantiated the allegations of IF/C/S, PD/AM, LS, and IG.

OCFS Review Results:

OCDCFS gathered sufficient information to assess safety and risk, and appropriately unsubstantiated all of the allegations and unfounded the report.

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

Issue:

Timeliness of Determination

Summary:

The investigation was open for 206 days, exceeding the 60 day maximum for investigations.

Legal Reference:

SSL 424(7);18 NYCRR 432.2(b)(3)(iv)

Action:

OCDCFS will develop a plan to ensure investigations are closed within legally established time frames.

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

From 3/08-12/11, the MA was an AS in 14 cases with allegations of IG, IF/C/S, MN, PD/AM, EN,OTH, and L/B/W. The allegations of IF/C/S and IG were substantiated in 2009 by Oswego County DSS (OCDSS). The MA and MU were aware for two months they would be evicted and they failed to make a plan. The MA and MU safety plan was that the children remained with a relative until stable housing and income were established. OCDSS appropriately filed an Article 10 petition and children were placed with a paternal relative after parents failed to adhere to the safety plan. OCDSS verified the parents obtained and maintained adequate housing and the children were returned to the parents. The neglect petition was adjourned in contemplation of dismissal.

OCDSS provided preventive services to the MA and MU.

The allegations of MN PD/AM, EN, OTH, and L/B/W were unsubstantiated.

The MA was a confirmed maltreated child and confirmed abuse child.

Known CPS History Outside of NYS

None

Services Open at the Time of the Fatality

Was the deceased child(ren) involved in an open Child Protective Services case at the time of the fatality? Yes

Date the Child Protective Services case was opened: 08/29/2013

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



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	Yes	No	N/A	Unable to Determine
Was there information in the case record that indicated the existence of behaviors or conditions that placed the children in the case in danger or increased their risk of harm?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Family Assessment and Service Plan (FASP)

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

Closing

	Yes	No	N/A	Unable to Determine
Was the decision to close the Services case appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Required Action(s)

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

Yes No

Preventive Services History

In 4/2009 Oswego County Department of Social Services (OCDSS) appropriately filed an Article 10 neglect petition after the MA failed to adhere to a safety plan for her children. The children were placed with a relative and were returned after the MA obtained stable housing. The Article 10 petition was adjourned in contemplation of dismissal and the MA received services for 12 months during the ACD time period.

Onondaga County Department of Children and Family Services (OCDCFS) provided the MA with voluntary preventive services from 9/16/2013 through 6/2014. From 9/2013- 5/2014 the MA failed to make progress and was non-compliant and uncooperative with service providers. Efforts to assess for risk and safety were on-going and during 5/2014 OCDCFS filed an Article 10 petition and OCDCFS provided the family with preventive mandated services. The preventive mandated case continues as the MA agreed to an extension of the order of supervision. The MA's children were adjudicated neglected and the family continued to be monitored by OCDCFS. Although OCDCFS provided appropriate services and assessed risk and safety appropriately, there were missed contacts in 6/2014, 5/2015, and 6/2015.



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Required Action(s)

Are there Required Actions related to the compliance issues for provision of Foster Care Services?

Yes No

Foster Care Placement History

There is no record of foster care placement history provided to the deceased child, the deceased child's siblings, and/or the other children residing in the deceased child's household at the time of the fatality.

Legal History Within Three Years Prior to the Fatality

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

Family Court Criminal Court Order of Protection

Family Court Petition Type: FCA Article 10 - CPS

Date Filed:	Fact Finding Description:	Disposition Description:
05/29/2014	Adjudicated Neglected	Not LDSS Custody
Respondent:	021082 Aunt/Uncle Female 25 Year(s)	
Comments:	Subject MA was placed under on order of supervision for a period of twelve months, from August 14, 2014- August 14, 2015 and she was ordered to cooperate with and make progress with parenting classes, individual and or family counseling, parent aide services, and domestic violence services.	

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

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
11/21/2013	MA	Unknown	Probation
Comments:	The MA was charged with Endangering the Welfare of a Child and Petit Larceny. The MA was arrested for hiding stolen merchandise in her child's stroller.		

Criminal Charge: Reckless endangerment Degree: 2

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
03/29/2014	Unrelated home member	Unknown	unknown
Comments:	Unrelated home member was arrested and charged with reckless endangerment. This did not occur at the home address of the MA and the MA's children were not present.		



Have any Orders of Protection been issued? Yes	
From: 09/22/2015	To: 05/14/2016
Explain: Onondaga County Family Court issued an order of protection with the same provisions as the previous order of protection. The MA had to ensure her children attended school every day; abstain from domestic violence in the presence of her children; and the will under the influence of alcohol or illegal substances in the presence of her children.	
From: 08/14/2014	To: 08/14/2015
Explain: Onondaga County Family Court issued an order of protection that the MA had to ensure her children attend school every day; abstained from domestic violence in the presence of her children; and will not be under the influence of alcohol or illegal substances in the presence of her children.	
From: 06/20/2014	To: 12/05/2014
Explain: Onondaga County Family Court issued an Order of Protection that the MA had to ensure her children attend school; abstain from in domestic violence in the presence of her children; and not allow any other individuals to engage in domestic violence in the presence of her children.	
From: 01/10/2014	To: 07/10/2014
Explain: Onondaga County Family Court, as a result of the on-going domestic violence in the MA's home, issued an order of protection against the MA's friend and the MA's friend obtained an order of protection against the MA. The order of protection prohibited the individuals from having any contact with one another through July 10, 2014.	

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

Explain: Although CONNECTIONS reflected that Onondaga County Department of Children and Family Services (OCDCFS) reviewed the MA's child welfare history, there was no documentation in the CPS records of an assessment on how the child welfare history impacted the report under investigation. Considering the MA's extensive child welfare history, it is recommended that OCDCFS document the assessment of child welfare history and its potential impact on casework and decision making in an open SCR report.