



Report Identification Number: NY-18-082

Prepared by: New York City Regional Office

Issue Date: Feb 01, 2019

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		



Case Information

Report Type: Child Deceased
Age: 6 month(s)

Jurisdiction: New York
Gender: Male

Date of Death: 08/05/2018
Initial Date OCFS Notified: 08/05/2018

Presenting Information

On 8/5/18, at approximately 4:00 PM, the unidentified SC (approximately eight-months-old) was found floating wearing only a diaper in the East River, near the Brooklyn Bridge. LE and EMS responded and the SC was pronounced dead at the scene. The SC's guardian was unknown and was nowhere to be found. LE initiated an investigation.

A second report was made on the following day with similar information. The second report included that there were no marks or injuries on the SC. The report stated the cause of death of the SC was unknown and the parents would be made the subjects of the report.

Executive Summary

On 8/5/18, the SCR registered a report regarding the death of an unidentified child, found floating in the East River, on the Manhattan side, near the Brooklyn Bridge. EMS responded and the SC was pronounced dead at the scene. The report alleged that the whereabouts of the child's guardian was unknown. ACS contacted LE who informed them that EMS transported the SC to New York Presbyterian Hospital (NYPH). On 8/6/18, the SCR registered another report with the same allegations.

Following the receipt of the report, ACS Manhattan Field Office contacted NYPH, EMS, LE, ME and the ADA to obtain information. ACS learned that the SC was male and he wore only a diaper. Also, a backpack was observed floating alongside him. The contents of the backpack were not disclosed. The Dr. and EMS reported the SC was found with a bruise near his forehead; however, they were unsure whether it was caused by the rocks near the shore line. The ADA and LE opened a criminal investigation and the SF was arrested and remains incarcerated.

ACS learned that on 8/6/18, the SM filed a missing person report because the SF did not return the SC to her or to the daycare as they agreed. On 8/7/18, the SM filed another report and LE assisted her in identifying the SC. The SM texted the SF and he responded that he was not in the country and LE located him in another country. LE contacted the country the SF was in and requested he be held by LE and extradited back to the United States. The SF was returned to New York City where he was arrested and charged with Concealment of a Human Corpse. The SF retained legal counsel and has never been interviewed by ACS and case documentation did not reflect ACS made diligent efforts to interview the SF.

ACS interviewed the SM and the family on 8/8/18 and their accounts were similar to each other. The SM was at work and she instructed the MGM to give the SC to the SF for visitation on 8/4/18 at 12:00 PM. The MGM reported that the SF appeared nervous and she felt uneasy when he took the SC. When the SF did not return the SC in the evening, the SM arranged for him to drop the SC at daycare the following day. On 8/5, the SM read about the child floating in the river and she became uneasy. The SF had stopped responding to her calls and on 8/6, she went to the local police station and filed a missing person report. On 8/7, she returned and filed another report; she was led to identify the child.

ACS visited the homes of the eleven and sixteen-year-old SSs and there were no documented safety concerns. The SSs abhorred the actions of the SC's father; in the past they viewed him as a caring person.

According to the SM, the SF had no other children and he told her that he did not want children; he was not involved with her or the SC after birth. He refused to sign the birth certificate. The SM stated the SF did not use drugs or alcohol and she



was not aware of mental illness. The SM reported the SF began to act “weird” when she filed for child support; he then filed for custody. On 7/31/18, the court ordered the SF to pay support and he was granted visitation. The SF’s former foster mother was at the first visit and it appeared the SF was bonding with the SC, the SM then allowed the second visit. The SF resided with the SM and her children in the past and she stated they shared good times and she did not expect this action.

ACS has maintained ongoing contact with the SM and all of the SS from the onset of the investigation through the completion of this report. ACS has made the appropriate collateral contacts with LE, the ME's office, medical and service providers and has monitored the family.

The SF's family declined to be interviewed by ACS and LE. ACS has not yet made a determination on this investigation.

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?** N/A
- **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?** The CPS report had not yet been determined at the time this Fatality report was issued.
- **Was the determination made by the district to unfound or indicate appropriate?** N/A

Explain:

ACS has not completed an investigation determination Safety Assessment because the case had not yet been determined to the date this report was issued.

- 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:

The case had not yet been determined to the date this report was issued.

Required Actions Related to the Fatality



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

Issue:	Face-to-Face Interview (Subject/Family)
Summary:	ACS attempted to contact the SF on 8/8/18, and no further attempts were documented. There is no documentation of any diligent effort by ACS to interview the SF.
Legal Reference:	18 NYCRR 432.2(b)(3)(ii)(a)
Action:	ACS must submit a performance improvement plan within 45 days that identifies what action it has, or will take, to address the citation(s) identified in the fatality report. ACS must meet with the staff involved with this fatality investigation and inform NYCRO of the date of the meeting, who will attend and what was discussed.

Fatality-Related Information and Investigative Activities

Incident Information

Date of Death: 08/05/2018

Time of Death: 04:53 PM

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

04:00 PM

County where fatality incident occurred:

New York

Was 911 or local emergency number called?

Yes

Time of Call:

04:00 PM

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

Working

Driving / Vehicle occupant

Playing

Eating

Unknown

Other

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

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

Total number of deaths at incident event:

Children ages 0-18: 1

Adults: 0

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Adult Sibling	No Role	Male	18 Year(s)
Deceased Child's Household	Deceased Child	Alleged Victim	Male	7 Month(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	36 Year(s)
Deceased Child's Household	Sibling	No Role	Male	15 Year(s)
Other Household 1	Father	Alleged Perpetrator	Male	38 Year(s)



Other Household 2	Sibling	No Role	Female	11 Year(s)
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LDSS Response

On 8/5/18, ACS responded to the report registered by the SCR regarding the death of an unidentified male (SC) by contacting the ME investigator to obtain information. The investigator reported that a bystander pulled a child out of the water in Manhattan, near the Brooklyn Bridge. CPR was initiated and 911 was called. LE responded and continued CPR until EMS arrived. According to the ME investigator, the SC was cold and in cardiac arrest. There was no rigor mortis and the length of time the SC was in the water was unknown. The emergency medical technician transported the SC to New York Presbyterian Hospital where he was pronounced dead at 4:53 PM.

ACS contacted the ME and learned the SC was found with a black and blue mark on the right side of his face, near his forehead and it was stated the mark could have been post mortem, possibly from the rocks at the shore. There were no fractures, bleeding or brain injuries. The ME obtained information from the attending Dr. at the hospital that the SC expelled water from his lungs during resuscitation; however, it could not be stated the SC drowned. The autopsy was pending.

On 8/6/18, ACS contacted LE who reported the SC appeared to be approximately eight months of age, healthy and well-nourished. He was found approximately fifteen to twenty feet from the shoreline. ACS contacted the ADA and was informed that the incident was being investigated as a criminal act.

On 8/6/18, ACS interviewed the bystander who reported his wife saw the baby floating and brought it to his attention. He used a stick to pull the SC to shore and initiated CPR (he was certified) and water expelled from the SC's mouth.

On 8/8/18, ACS reviewed five 911 calls and documented that the information reported in each call was similar. The ME informed ACS that the SC had been identified and his parents were located. The SF was seen leaving the SM's apartment with the SC on 8/4/18 at approximately 12:00 PM. He carried the SC in a front of him, covered with a blanket and a back-pack. On 8/5/18, at approximately 2:30 PM, the SF was seen on video carrying no blanket and what appeared to be two backpacks. The SF dumped the backpacks into the water by the South Street, near trees. At 4:06 PM, he was seen with no baby or back-pack. LE reported that on 8/7/18, the SF was observed on a flight to Bangkok and he was sent back to NY. On 8/13/18, the SF was charged with concealment of a human corpse and he invoked his right to an attorney. The SF had two domestic violence incidences within his past relationships.

On 8/8/18, ACS documented that the SM has three other children and the family was known to ACS. The SF had no other children. ACS interviewed the SM and learned that the SF picked up the SC from her home on 8/4/18, while she was at work. The MGM dressed the SC, packed his bag and gave him to the SF. The SC was to return home the following day and when he didn't, the SM arranged with the SF to take the SC to the daycare and he did not. The SM stated she read a newspaper article about a baby found floating in the river and she had a "gut feeling." The SM filed a missing person report on 8/6 and on 8/7. LE assisted her as she identified the SC and the father. The SF texted the SM stating she would never see her son again and he was not in the USA.

The SM reported that the SF was not involved with the SC or with her during the pregnancy because he did not want children. She stated to her knowledge he did not use drugs or alcohol and although he was acting "weird" in the past week, she allowed him to take the SC because the first visit was successful. On 7/31/18, the court ordered child support paid by the SF and he received visitation; this was his second visit. The SSs stated, based on their relationship with the SF for the past five years, they did not expect this behavior. The SF was not the biological father of the SSs.

ACS has not yet determined the allegations to the time this report was issued.



Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Unknown

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

Was the fatality investigation conducted by a Multidisciplinary Team (MDT)?No

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

Comments: There is no OCFS approved Child Fatality Review Team in the New York City region.

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
048887 - Deceased Child, Male, 7 Mons	049024 - Mother, Female, 36 Year(s)	DOA / Fatality	Pending
048887 - Deceased Child, Male, 7 Mons	049024 - Mother, Female, 36 Year(s)	Inadequate Guardianship	Pending
048887 - Deceased Child, Male, 7 Mons	048891 - Father, Male, 38 Year(s)	DOA / Fatality	Pending
048887 - Deceased Child, Male, 7 Mons	048891 - Father, Male, 38 Year(s)	Inadequate Guardianship	Pending

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daycare Provider	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>



Did the investigation adhere to established protocols for a joint investigation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional information:

The case documentation does not reflect that ACS made diligent efforts to interview the SF while he has been imprisoned. The daycare provider and the SF's family declined to be interviewed by ACS.

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

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

Explain:

The family received crisis intervention and counseling.



Child Fatality Report

Placement Activities in Response to the Fatality Investigation

	Yes	No	N/A	Unable to Determine
Did the safety factors in the case show the need for the surviving siblings/other children in the household be removed or placed in foster care at any time during this fatality investigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Were there surviving children in the household that were removed either as a result of this fatality report / investigation or for reasons unrelated to this fatality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explain as necessary: ACS deemed the SSs to be safe with their respective parents.				

Legal Activity Related to the Fatality

Was there legal activity as a result of the fatality investigation?

Family Court Criminal Court Order of Protection

Criminal Charge: Other - Criminal possession of a human corpse **Degree:** NA

Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
08/13/2018	The SF	Unknown	Unknown
Comments:	The SF is being detained at the Anna M. Kross Correctional Facility on Riker's Island.		

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



Domestic Violence Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Early Intervention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alcohol/Substance abuse	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other, specify: Crisis intervention counseling.

Additional information, if necessary:

The SM and SS are engaged in crisis intervention counseling and therapy.

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:

The eleven-year-old SS was already receiving services from the New York Psychotherapy clinic. The BM and both SSs received crisis intervention and therapy under the auspices of Safe Horizon.

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

Explain:

The BM and both SSs are engaged in crisis intervention and therapy.

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? Yes
- 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

There is no CPS investigative history in NYS within three years prior to the fatality.

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

The SM was known to the SCR and ACS in a report dated 11/9/2004. The report alleged the SM and her children's then parent substitute misused drugs and were unable to provide adequate care to the children. The allegation was PD/AM of the then one and four-year-old children (now the fifteen-year-old SS and adult sibling).

There were two additional reports registered that were consolidated with the 11/9/2004 report. The allegation was substantiated solely based on the parent's positive marijuana test results. Throughout the investigation, the documentation reflected the children were adequately cared for and the parents were not observed under the influence. The report was substantiated and the parents declined services.

On 10/26/09, the SCR registered a report that alleged EdN of the then seven and nine-year-old children. On 10/28 and 10/31/09, two additional reports were registered and the allegations PD/AM and IG were added. During the investigation, ACS discovered the SM also had a two-year-old daughter. The SM admitted to drug use and the inability to adequately provide for the children. On 11/10/09, ACS filed an Article 10 Neglect Petition in Brooklyn Family Court against the SM, on behalf of the children. The two-year-old was placed with her biological father and the seven and nine-year-old male children were placed with their maternal aunt. ACS substantiated the EdN, IG and PD/AM allegations and unsubstantiated the IF/C/S allegation of the SM for all children.

Known CPS History Outside of NYS

At the time there was no known CPS History outside of NYS.

Foster Care Placement History

On 11/10/09, ACS filed an Article 10 Neglect Petition in Brooklyn Family Court against the SM on behalf of the children. The children were remanded to kinship foster care. The two-year-old was placed with her biological father and the seven and nine-year-old males were placed with their maternal aunt. ACS substantiated the EdN, IG and PD/AM allegations and unsubstantiated the IFCS allegation of the SM for all children.

In May of 2010, the two older children returned to the SM's care and the youngest child remained in the custody of her father with the SM given unsupervised visitation.

Legal History Within Three Years Prior to the Fatality

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

Recommended Action(s)

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

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