



**Report Identification Number: NY-20-067**

**Prepared by: New York City Regional Office**

**Issue Date: Dec 31, 2020**

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

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

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

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

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

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

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

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



## Abbreviations

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



## Case Information

**Report Type:** Child Deceased  
**Age:** 15 year(s)

**Jurisdiction:** Queens  
**Gender:** Male

**Date of Death:** 07/14/2020  
**Initial Date OCFS Notified:** 07/16/2020

## Presenting Information

According to the OCFS-7065, the child was fatally wounded during an altercation with a male adult. The child was transported to the hospital where he was pronounced dead on 7/14/20.

## Executive Summary

The 15-year-old male child died on 7/14/20. According to the ACS case record, the ME listed the cause of death as a gunshot wound to the torso and listed the manner as homicide.

At the time of the child's death, the family had an open preventive services case. ACS opened the case on 12/20/19 following a CPS investigation that revealed the BM did not address the child's behavior and education needs. The Family Services Progress Notes showed the family was not engaged in services as the BM did not comply with Family Court orders.

ACS reviewed the circumstances surrounding the fatality by obtaining information from LE and the ME's office. The ACS findings showed on 7/14/20, at approximately 2:00 PM, the child had an argument with the BM's male paramour in the home. The BM was reportedly in the bathroom when the argument began but she witnessed the physical altercation that occurred between the child and paramour. The BM informed LE that, during the argument, the child went outside the home, returned with a silver gun and fired into the kitchen at the paramour. The paramour exited the kitchen, charged at the child and struggled with him to retrieve the gun. The paramour was shot four times about his body and during the struggle for the gun, the child was shot one time in the torso. The BM called 911 for assistance, LE responded to the home and the child was transported to the hospital where he was pronounced dead. The paramour was killed during the altercation and LE closed the case as a homicide.

ACS submitted the OCFS-7065 Agency Reporting Form for Serious Injuries, Accidents or Deaths of Children in Foster Care and Deaths of Children in Open child Protective or Preventive Services Cases. The information regarding the child's death was reported to OCFS under Chapter 485 of the Laws of 2006.

The child resided with the BM. The BF was no longer involved with the family and his whereabouts were listed as unknown. There were no surviving siblings and no other children in the BM's household. The paramour (deceased) resided at a different location but he visited the BM's home.

ACS attempted to interview the BM in the home. The BM did not allow ACS to enter her home. ACS contacted her by telephone and she said she planned to cremate the child's body. She did not respond to interview questions about the incident and she threatened to harm ACS personnel.

ACS obtained information from LE and verified the case was ruled a homicide as the child and paramour appeared to have struggled over the firearm, both individuals were shot, and the child sustained a gunshot wound to the torso. On 10/1/20, ACS received information from the ME confirming the cause and manner of death.

Prior to closing the case on 10/2/10, ACS mailed a letter to the BM providing the family with information for counseling and bereavement.



## Findings Related to the CPS Investigation of the Fatality

### Safety Assessment:

- Was sufficient information gathered to make the decision recorded on the:
  - Safety assessment due at the time of determination? N/A

### Determination:

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

### Explain:

N/A

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:

There were no surviving children in the BM's household.

## Required Actions Related to the Fatality

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

## Fatality-Related Information and Investigative Activities

### Incident Information

Date of Death: 07/14/2020

Time of Death: 02:00 PM (Approximate)

County where fatality incident occurred: Queens

Was 911 or local emergency number called? Yes

Time of Call: Unknown

Did EMS respond to the scene? Yes

At time of incident leading to death, had child used alcohol or drugs? Unknown

### Child's activity at time of incident:

- |                                   |                                  |   |
|-----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Sleeping | <input type="checkbox"/> Working | <input type="checkbox"/> Driving / Vehicle occupant |
| <input type="checkbox"/> Playing  | <input type="checkbox"/> Eating  | <input type="checkbox"/> Unknown                    |



Other: The child was involved in an altercation.

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

**At time of incident supervisor was:** Not impaired.

**Total number of deaths at incident event:**

**Children ages 0-18:** 1

**Adults:** 1

### Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	No Role	Male	15 Year(s)
Deceased Child's Household	Mother	No Role	Female	34 Year(s)

### LDSS Response

Following the child's death, on 7/16/20 ACS requested information about the 911 call that pertained to the child's death. ACS reviewed the case history which reflected the family had an open case in Queens County Family Court, the BM did not appear in court and was uncooperative with ACS, and the child had excessive school absences and often came home late at nights.

On 7/16/20, ACS visited the local precinct and interviewed LE about the child's death. During the interview, ACS learned on 7/14/20, at approximately 2:00 PM the BM contacted 911 and requested medical assistance. Upon LE's response to the home, the BM informed LE that she was in the bathroom when the child and the BM's male paramour, who was visiting the home, had an argument. The BM explained that the child left the home, returned holding his stomach, apparently concealing a gun, and continued to argue with the paramour. The BM said the child fired a shot from a silver gun aimed at the paramour, the paramour then charged at the child, resulting in the paramour being shot four times and the child one time. LE informed ACS six shots were fired, the child was shot one time, the paramour four times and one shot struck an area above the BM's door. LE explained that there was an apparent struggle between the child and paramour, only one gun relating to the incident, and there was no arrest as the paramour and child were killed at the scene of the incident.

Following the visit to the precinct, ACS attempted to visit the home but was unable to make a face-to-face contact with the BM. ACS established telephone contact with the BM and offered condolences. According to the Family Services Progress Notes, the BM said she did not want ACS to visit her home, asked ACS to discontinue contacting her, and made verbal threats to harm the ACS Specialist. ACS discussed burial expenses and the BM said she planned to cremate the child's body. ACS asked the BM to provide details about the incident the led to the child's death. However, the BM said she would only discuss funeral arrangement. On 7/17/20, the BM contacted ACS and said she was visiting an organization regarding the child's cremation. However, the ACS case record showed the BM did not make herself available for additional contact with ACS.

ACS interviewed a neighbor who was aware the ambulance responded to the home but did not have additional information about the incident. ACS interviewed another neighbor who reportedly overheard gun shots and screams coming from the home, and witnessed LE's response on 7/14/20. This neighbor did not have information about the family.

On 7/20/20, ACS obtained information that showed the Family Court withdrew the petition due to the child's death.



Between August and September of 2020, ACS continued the attempts to obtain details about the child's death. ACS obtained information from LE and the Medical Examiner's office and verified the child's death was listed as homicide and the manner listed as a gunshot wound to the torso.

On 10/2/20, ACS closed the case as there were no surviving children in the BM's household.

### Official Manner and Cause of Death

**Official Manner:** Homicide

**Primary Cause of Death:** From an injury - external cause

**Person Declaring Official Manner and Cause of Death:** Medical Examiner

### Multidisciplinary Investigation/Review

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

**Comments:** There is no OCFS approved Child Fatality Review Team in NYC.

### CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional information:**

There were no surviving children in the BM's care.

### Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<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.



## 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Economic support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funeral arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Housing assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mental health services	<input 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"/>
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"/>

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? N/A

**Explain:**

There were no surviving children in the BM's care.

Were services provided to parent(s) and other care givers to address any immediate needs related to the fatality? No

**Explain:**

The BM did not accept referral for burial assistance and bereavement.

## History Prior to the Fatality

### Child Information

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

Yes



Was the child ever placed outside of the home prior to the death? No  
 Were there any siblings ever placed outside of the home prior to this child's death? N/A  
 Was the child acutely ill during the two weeks before death? No

## CPS - Investigative History Three Years Prior to the Fatality

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
10/22/2019	Deceased Child, Male, 14 Years	Mother, Female, 34 Years	Educational Neglect	Substantiated	No
	Deceased Child, Male, 14 Years	Mother, Female, 34 Years	Inadequate Guardianship	Substantiated	
	Deceased Child, Male, 14 Years	Mother, Female, 34 Years	Lack of Medical Care	Substantiated	
	Deceased Child, Male, 14 Years	Father, Male, 34 Years	Educational Neglect	Unsubstantiated	
	Deceased Child, Male, 14 Years	Father, Male, 34 Years	Inadequate Guardianship	Unsubstantiated	

**Report Summary:**

The 10/22/19 report alleged the child had excessive school absences. He failed in school, and the BM and BF did not address the situation.

**Report Determination:** Indicated

**Date of Determination:** 12/20/2019

**Basis for Determination:**

ACS substantiated the allegations of EdN, IG and LMC of the child by the BM on the basis of credible evidence. The child had a history of excessive absences, and as of the 2019 to 2020 school year, the child no longer attended school. The BM did not address the child's excessive school absences and his medical needs.

ACS unsubstantiated the allegations of EdN and IG of the child by the BF. In the CPS Investigation Summary, ACS did not provide an explanation regarding the BF.

**OCFS Review Results:**

During interviews with ACS, the BM said she was overwhelmed as the child left the home without her consent. Per the BM's account, the child was afraid to attend school due to threats from individuals, she contacted LE, and also sought a school safety transfer for the child. The child informed ACS he was afraid to attend school and he said he went out of the home with groups for his protection.

ACS contacted the school and completed the safety transfer. The progress notes reflected the BM did not follow up with the child's school and medical needs, and the BF's whereabouts were unknown. ACS visited the home and found the child had no marks/bruises and the family had adequate provisions.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome	Compliance Issue(s)
06/12/2019	Deceased Child, Male, 14 Years	Mother, Female, 34 Years	Educational Neglect	Unsubstantiated	Yes



Deceased Child, Male, 14 Years	Mother, Female, 34 Years	Inadequate Guardianship	Unsubstantiated
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**Report Summary:**

The child had excessive school absences and failed as a result. The BM was aware but did not adequately address the situation. The role of the BF was unknown.

**Report Determination:** Unfounded**Date of Determination:** 08/09/2019**Basis for Determination:**

ACS unfounded the report. However, in the Investigation Conclusion Narrative, ACS provided statements that supported substantiation of the allegations of IG and EdN. ACS explained that the BM did not make efforts to address the child's excessive school absences, unsatisfactory academic performance, academic failure, marijuana use and problematic behavior in the community.

**OCFS Review Results:**

The ACS findings showed the BM was unable to manage the child's behavior and she asked ACS to place the child in foster care. The BM and child had verbal altercations, and when the child threatened to use a knife to harm himself, ACS obtained LE intervention, the child received an evaluation in hospital but was not admitted for care.

On 6/28/19, ACS interviewed hospital personnel who said the child was stable, medically cleared and released to the BM with recommendation for out-patient therapy. ACS obtained mental health and domestic violence consultations that resulted in a recommendation for PPRS. The ACS case record showed the BM and child did not make themselves available for PPRS.

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

Timely/Adequate Case Recording/Progress Notes

**Summary:**

The case recording was not adequate as ACS did not provide a clear explanation regarding the determination of the report. ACS unfounded the report. However, in the Investigation Progress Notes and Investigation Conclusion Narrative, ACS provided statements that stated the agency substantiated the allegations on the basis of credible evidence.

**Legal Reference:**

18 NYCRR 428.5

**Action:**

ACS must submit a PIP within 45 days that identifies the action the agency has taken or will take to address the citations 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 attended and what was discussed.

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

Between 2011 and 2017, there were three CPS investigations that involved the child's household.

The allegation of the 12/9/11 report was IF/C/S of the child by the BM. ACS substantiated the allegation as the findings reflected the family's living conditions were hazardous. The family received support and monitoring at the shelter residence.

The allegation of the 10/12/15 report was IG of the child by a parent substitute. ACS unsubstantiated the allegation on the basis of no credible evidence. The family received a referral to community-based services to address domestic violence.

The allegation of the 5/12/17 report was IG of the child by the BM. ACS substantiated the allegation on the basis the child



had excessive school absences and lateness, and failed classes in school. ACS explained that the BM did not provide a minimum degree of care regarding the child's education and supervision needs. ACS referred the family for PPRS.

### Known CPS History Outside of NYS

There was no known CPS History outside of NYS.

### Services Open at the Time of the Fatality

Was the deceased child(ren) involved in an open preventive services case at the time of the fatality? Yes

Date the preventive services case was opened: 12/20/2019

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: 12/20/2019

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

	Yes	No	N/A	Unable to Determine
Did the service provider(s) comply with the timeliness and content requirements for progress notes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did the services provided meet the service needs as outlined in the case record?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Did all service providers comply with mandated reporter requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Casework Contacts

	Yes	No	N/A	Unable to Determine
Did the service provider comply with case work contacts, including face-to-face contact as required by regulations pertaining to the program choice?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Services Provided

	Yes	No	N/A	Unable to Determine
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were services provided to parents as necessary to achieve safety, permanency, and well-being?	<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
<b>Was the most recent FASP approved on time?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>If not, how many days was it overdue?</b> The FASP was due on 3/19/20 but was not completed until 4/2/20.				
<b>Was there a current Risk Assessment Profile/Risk Assessment in the most recent FASP?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Was the FASP consistent with the case circumstances?</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Closing**

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

**Provider**

	Yes	No	N/A	Unable to Determine
<b>Were Services provided by a provider other than the Local Department of Social Services?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Additional information, if necessary:**  
The BM did not accept PPRS.

**Required Action(s)**

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

Yes  No

<b>Issue:</b>	Timeliness of completion of FASP
<b>Summary:</b>	The FASP was due on 3/19/20 but was not completed until 4/2/20.
<b>Legal Reference:</b>	18 NYCRR428.3(f)
<b>Action:</b>	ACS must submit a PIP within 45 days that identifies the action the agency has taken or will take to address the citations 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 attended and what was discussed.
<b>Issue:</b>	Adequacy of Risk Assessment Profile (RAP)
<b>Summary:</b>	ACS completed a Risk Assessment Profile and identified the BF as the Secondary Caretaker. However, the Family Services Progress Notes reflected the BF was no longer the child's caretaker.
<b>Legal Reference:</b>	18 NYCRR 432.2(d)
<b>Action:</b>	ACS must submit a PIP within 45 days that identifies the action the agency has taken or will take to address the citations 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 attended and what was discussed.



### Preventive Services History

ACS opened a preventive services case for the family on 6/15/17. ACS and the BM discussed case management to address the child's education needs and family's history of domestic violence. The BM said she enrolled the child in community-based services and she declined PPRS. ACS closed the case on 7/21/17.

ACS opened a preventive services case for the family to address the child's behavior and education needs on 6/20/19. ACS closed the case on 8/23/19 after the BM declined PPRS and agreed to follow up with community-based services.

ACS opened a preventive services case for the family on 12/20/19. ACS attempted to address the BM's concerns about her inability to manage the child's behavior. The child had excessive school absences, he left home without the BM's consent, was exposed to domestic violence in the home, and exhibited violent behavior towards the BM. ACS filed an Article Ten Neglect petition in Queens County Family Court that alleged EdN of the child by the BM. Between 1/2/20 and 5/27/20, the BM did not attend court hearings, make herself available for ACS or school contact, and asked ACS to discontinue attempts to contact her. On 6/19/20, she permitted ACS to observe the child through video conference and the child said he was well. On 7/16/20, ACS learned about the incident involving the child's death.

### 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

<b>Family Court Petition Type:</b> FCA Article 10 - CPS		
<b>Date Filed:</b>	<b>Fact Finding Description:</b>	<b>Disposition Description:</b>
01/02/2020	There was not a fact finding	Withdrawn
<b>Respondent:</b>	055950 Mother Female 34 Year(s)	
<b>Comments:</b>	A Family Services Progress Note showed Family Court withdrew the petition.	

### 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