

Report Identification Number: NY-15-005

Prepared by: New York City Regional Office

Issue Date: 6/12/2015

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.

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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	MN-Medical Neglect	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

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Report Type: Child Deceased
Age: 16 year(s)

Jurisdiction: Bronx
Gender: Male

Date of Death: 01/15/2015
Initial Date OCFS Notified: 01/20/2015

Presenting Information

The mother has a history of failing to properly supervise the sixteen-year-old child. The child takes off for days at a time and the mother does not make attempts to locate him. As a result, the child has an ongoing history of excessive absenteeism from school. On 1/15/15, the sixteen-year-old child was not being properly supervised by the mother. He went to meet an unknown individual that he met on Facebook. The individual lured him into a building in the Bronx where he was stabbed. He died as a result of his injuries.

Executive Summary

The sixteen-year-old teen resided with his BM in an apartment they shared with two adult sisters and their children. The BM and the sixteen-year-old were known to ACS in five reports of EdN dated 2/7/12, 3/5/13, 10/15/13, 5/6/14, and 1/7/15. The last report was open at the time of the fatality.

Following the receipt of the 1/7/15 report, ACS made contact with the family and was initially informed the BM had returned to Mexico, and the teen was staying with friends. It was later revealed that the siblings lied in an attempt to get the ACS case closed. The Specialist contacted the BF, who resided in Mexico and he reported he was aware of the teen's truancy; but not his whereabouts. The BF reported the BM may have returned to Mexico; however, he was not privy to her exact location.

On 1/20/15, ACS received a call from the school staff stating that the sixteen-year-old was killed. A report was registered by the SCR on 1/20/15 with allegations of LS, EdN, IG of the teen by the mother.

ACS initiated the investigation that revealed the teen reportedly met a seventeen-year-female on Facebook. They scheduled to meet at an apartment building in the Bronx on 1/16/15. When the teen showed up, the female who was actually twenty-five years old was not there; however, two males were present. They ambushed the teen, hit him over the head with a bottle and stabbed him in his chest. They robbed him of his wallet and cell phone. The teen stumbled onto the street where a passerby called 911. The teen was taken to St. Barnabas Hospital where he was pronounced DOA at 7:26 P.M. on 1/16/15.

The investigation also revealed that the mother was not in Mexico; she was actually at a friend's home in NY. One of the adult siblings reported she last saw the teen on 1/14/15, and as usual, he did not say where he was going. The mother and siblings reported the teen stated emphatically that he was not interested in attending school. The BM reported the teen was disrespectful, defiant, and at times very angry.

The autopsy report listed the cause of death of the teen as a stab wound of chest with penetration of heart; and the manner of death was homicide (stabbed by another).

The ADA reported the case was heard in the Bronx County Supreme Court on 5/19/15. There are four defendants. One was charged with Murder in the First Degree; two were charged with Murder in the Second Degree, and the fourth was charged with Conspiracy to Commit Robbery.

On 3/27/15, ACS unsubstantiated the allegation of DOA/Fatality of the teen by the BM. ACS documented that there was no credible evidence to support the substantiation of the allegation as the mother did not know the child was going out to meet someone on the day of his death.

On 3/27/15, ACS substantiated the allegation of IG of the teen by the BM. ACS determined the BM left the home and failed to ensure the teen's daily needs for food, clothing, education, and health care were met.

On 3/27/15, ACS substantiated the allegation of LS of the teen by the BM. ACS determined the BM failed to provide the teen with supervision of education, computer usage and his whereabouts during school hours.

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? 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:

ACS appropriately supported the family by providing necessary referrals.

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:

The mother's child died. The family returned to Mexico to bury the child. No services were accepted by the family.

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: 01/15/2015

Time of Death: 07:26 PM

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County where fatality incident occurred: BRONX
Was 911 or local emergency number called? Yes
Time of Call: Unknown
Did EMS to respond to the scene? Yes
At time of incident leading to death, had child used alcohol or drugs? Yes

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 |
| <input checked="" type="checkbox"/> Other: Socializing | | |

Did child have supervision at time of incident leading to death? Yes
Is the caretaker listed in the Household Composition? Yes - Caregiver

1
At time of incident supervisor was: Not impaired.

Total number of deaths at incident event:
Children ages 0-18: 1

Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Male	16 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	38 Year(s)
Other Household 1	Adult Sibling	No Role	Female	22 Year(s)
Other Household 1	Other Child	No Role	Female	3 Year(s)
Other Household 1	Other Child	No Role	Male	004 Year(s)
Other Household 1	Other Child	No Role	Male	001 Year(s)
Other Household 2	Adult Sibling	No Role	Female	21 Year(s)
Other Household 2	Other Child	No Role	Male	004 Year(s)

LDSS Response

ACS initiated the investigation that revealed the teen reportedly met a seventeen-year-female on Facebook. They scheduled to meet at an apartment building in the Bronx on 1/16/15. When the teen showed up, the female who was actually twenty-five-years old was not there; however, two males were present. They ambushed the teen, hit him over the head with a bottle and stabbed him in his chest. They robbed him of his wallet and cell phone. The teen stumbled onto the street where a passerby called 911. The teen was taken to St. Barnabas Hospital where he was pronounced DOA at 7:26 P.M. on 1/16/15.

ACS made contact with the adult siblings who resided in the home. One sibling reported she last saw the teen on 1/14/15, and as usual, he did not say where he was going. The teen did not abide by house rules. The mother and siblings reported

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that the teen stated emphatically, he was not interested in attending school. The BM reported the teen was disrespectful, defiant, and at times very angry.

On 1/20/15 and 1/21/15 the Investigative Consultant interviewed the NYPD detective who was assigned to investigate the criminal elements pertaining to the child's death and was informed the teen was ambushed and stabbed to death by two males. One was apprehended a short time later and the others remained at large. The detectives also reported that the female whom the child had been going to meet was actually an adult; she was not charged with any crime at the time. Later in the investigation, ACS learned from the District Attorney's office that on 5/19/15 the case was heard in the Bronx County Supreme Court. There are four defendants. One was charged with Murder in the First Degree. Two of the defendants were charged with Murder in the Second Degree, and the fourth was charged with Conspiracy to Commit Robbery.

The family was offered Crime Victims Counseling at the District Attorney's Office.

On 3/27/15, ACS unsubstantiated the allegation of DOA/ Fatality of the teen by the BM. ACS found no credible evidence to support the substantiation of the allegation.

On 3/27/15, ACS substantiated the allegation of IG of the teen by the BM. ACS determined the BM left the home and failed to ensure the teen's daily needs for food, clothing, education, and health care were met.

On 3/27/15, ACS substantiated the allegation of LS of the teen by the BM. ACS determined the BM failed to provide the teen with supervision of education, computer usage, and his whereabouts during school hours.

Official Manner and Cause of Death

Official Manner: Homicide

Primary Cause of Death: From an injury - external cause

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Comments: The ACS investigation adhered to previously approved protocols for joint investigation.

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

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

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
017401 - Deceased Child, Male, 16 Yrs	017402 - Mother, Female, 38 Year(s)	Inadequate Guardianship	Substantiated
017401 - Deceased Child, Male, 16 Yrs	017402 - Mother, Female, 38 Year(s)	Lack of Supervision	Substantiated

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017401 - Deceased Child, Male, 16 Yrs	017402 - Mother, Female, 38 Year(s)	DOA / Fatality	Unsubstantiated
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CPS Fatality Casework/Investigative Activities

	Yes	No	N/A	Unable to Determine
All children observed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
When appropriate, children were interviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alleged subject(s) interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All 'other persons named' interviewed face-to-face?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contact with source?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All appropriate Collaterals contacted?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was a death-scene investigation performed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there discussion with all parties (youth, other household members, and staff) who were present that day (if nonverbal, observation and comments in case notes)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 sixteen-year-old teen died as a result of a stabbing that occurred on the street.

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?

- Family Court
 Criminal Court
 Order of Protection

Criminal Charge: Murder **Degree:** 2

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Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
Unknown	Stranger	Unknown	Unknown
Comments: The ADA reported the case was heard in the Bronx County Supreme Court on 5/19/15. There are four defendants who were strangers to the teen. One defendant was charged with Murder in the First Degree; two were charged with Murder in the Second Degree, and yet another was charged with Conspiracy to Commit Robbery.			

Criminal Charge: Murder Degree: 1			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
Unknown	Stranger	Unknown	Unknown
Comments: The ADA reported the case was heard in the Bronx County Supreme Court on 5/19/15. There are four defendants who were strangers to the teen. One defendant was charged with Murder in the First Degree; two were charged with Murder in the Second Degree, and yet another was charged with Conspiracy to Commit Robbery.			

Criminal Charge: Murder Degree: 2			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
Unknown	Stranger	Unknown	Unknown
Comments: The ADA reported the case was heard in the Bronx County Supreme Court on 5/19/15. There are four defendants who were strangers to the teen. One defendant was charged with Murder in the First Degree; two were charged with Murder in the Second Degree, and yet another was charged with Conspiracy to Commit Robbery.			

Criminal Charge: Assault Degree: NA			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
Unknown	Stranger	Unknown	Unknown
Comments: The ADA reported the case was heard in the Bronx County Supreme Court on 5/19/15. There are four defendants who were strangers to the teen. One defendant was charged with Murder in the First Degree; two were charged with Murder in the Second Degree, and yet another was charged with Conspiracy to Commit Robbery.			

Services Provided to the Family in Response to the Fatality

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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 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 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"/>
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? Yes

Explain:

The family is involved with Crime Victims Counseling at the District Attorney's Office.

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

Explain:

The family was referred to bereavement counseling, and for legal and educational resources.

History Prior to the Fatality

Child Information

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Did the child have a history of alleged child abuse/maltreatment? Yes
Was there an open CPS case with this child at the time of death? 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? No
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)	Status/Outcome	Compliance Issue(s)
02/07/2012	3221 - Deceased Child, Male, 16 Years	3222 - Mother, Female, 38 Years	Educational Neglect	Indicated	No

Report Summary:

The 2/7/12 report alleged that the fourteen-year-old teen has been absent from school twenty-one days and tardy thirty-eight times this school year. As a result the teen's promotion is in doubt.

Determination: Indicated

Date of Determination: 03/26/2012

Basis for Determination:

ACS based their decision on the results of their investigation that the BM used the teen to babysit the younger children in the home(his nephews). The teen admitted he accompanied his BM to her appointments because she did not know how to travel. The BM

OCFS Review Results:

The determination was appropriate.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
03/05/2013	3223 - Deceased Child, Male, 16 Years	3224 - Mother, Female, 38 Years	Educational Neglect	Indicated	No

Report Summary:

The report alleged that the BM was aware thatthe teen was excessively absent from school and his promotion to a higher grade was in doubt; however, the BM failed to intervene.

The BM stated she was aware that the teen was not attending school. She reported the teen had a girlfriend who had a negative influence on him and at times he sleeps at the girlfriend's home. The BM reportedly did not send the teen to summer school to avoid influence with the girlfriend. The BM's cooperation with the services was sporadic.

Therapy was recommended for the teen; however, his participation was, like the mother's, sporadic.

Determination: Indicated

Date of Determination: 04/30/2013

Basis for Determination:

The thirteen-year-old report card indicated that he missed over 38 days. Despite child welfare involvement, the teen continued to have excessive lateness and absences. The BM admitted that she received phone calls and home visits from school staff; however, she was not able to contact the school due to her work schedule. According to ACS, the BM

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finished work at 10:00 A.M. and was able to contact the school, but failed to do so.

ACS concluded that as a result of BM's failure to comply with the service plan and the school, the teen would be repeating the 7th grade for the second time.

ACS wrote that there was enough evidence to substantiate the case against the BM.

OCFS Review Results:

ACS based their decision on the effect the absences had on the teen's school progress; the teen would be repeating the 7th grade for the second time. Also the family had been non-compliant with the services. The report was appropriately determined.

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)
10/15/2013	3225 - Deceased Child, Male, 16 Years	3226 - Mother, Female, 38 Years	Educational Neglect	Indicated	No

Report Summary:

The report alleged the teen had been absent 18 days and late 7 times for this school year. The report further alleged that the teen did not want to attend school and his BM could not make him go. As a result of the absences, the teen was failing classes. The teen was excessively absent last school year as well and the situation was on-going.

Determination: Indicated

Date of Determination: 11/13/2013

Basis for Determination:

ACS staff documented that the teen had been excessively absent from school and was failin. Additionally, the teen admitted that he refused to get out of bed when his mother and adult siblings try to wake him for school. ACS added that the mother began the process to have the teen clinically evaluated.

OCFS Review Results:

ACS' case determination narrative did not support the indicated report. While ACS substantiated the allegation of Educational Neglect, the determination narrative reflected that the allegation was unsubstantiated.

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)
05/06/2014	3227 - Deceased Child, Male, 16 Years	3228 - Mother, Female, 38 Years	Educational Neglect	Indicated	No
	3227 - Deceased Child, Male, 16 Years	3228 - Mother, Female, 38 Years	Inadequate Guardianship	Indicated	
	3227 - Deceased Child, Male, 16 Years	3228 - Mother, Female, 38 Years	Lack of Supervision	Unfounded	
	3227 - Deceased Child, Male, 16 Years	3229 - Adult Sibling, Female, 22 Years	Educational Neglect	Unfounded	
	3227 - Deceased Child, Male, 16 Years	3229 - Adult Sibling, Female, 22 Years	Inadequate Guardianship	Unfounded	
	3227 - Deceased Child, Male, 16 Years	3229 - Adult Sibling, Female, 22 Years	Lack of Supervision	Unfounded	
	3227 - Deceased Child,	3230 - Adult Sibling,	Educational	Unfounded	

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Male, 16 Years	Female, 21 Years	Neglect	
3227 - Deceased Child, Male, 16 Years	3230 - Adult Sibling, Female, 21 Years	Inadequate Guardianship	Unfounded
3227 - Deceased Child, Male, 16 Years	3230 - Adult Sibling, Female, 21 Years	Lack of Supervision	Unfounded

Report Summary:

The fifteen-year-old has been absent 18 days and late 7 days so far this school year. The teen does not want to attend school and the mother cannot make him go. As a result of the absences, the teen is failing his classes. He was excessively late last school year. This is an ongoing situation.

Determination: Indicated

Date of Determination: 07/02/2014

Basis for Determination:

ACS substantiated the allegation of EdN and IG based on the fact that the BM was aware the teen had not been attending school due to bullying issues that has been on going for the past two years. The BM was initially in contact with the school regarding that issue; but she failed to follow through with ensuring that police reports were filed so that a school safety transfer can be completed. The BM allowed the teen to remain in the home throughout the school year. The BM's failure to address the teen's educational needs (evaluation for an IEP) in a timely manner placed the teen at risk of academic impairment (as school officials attempted for over a 4 month period).

OCFS Review Results:

ACS based their determination on the preventive worker's information that the BM failed to comply with advice. The BM was advised to get an IEP and to file a police report. At the time of the determination, she had not completed either. BM was afraid of police involvement due to her immigration status in addition to being afraid for the teen in the same school and the neighborhood. The mother decided not to send the teen to live with his father in Mexico stating he would not be able to return.

ACS extended support to the BM and teen without much cooperation. The decision was appropriate.

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

Date of SCR Report	Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Status/Outcome	Compliance Issue(s)
01/07/2015	3231 - Deceased Child, Male, 16 Years	3232 - Mother, Female, 38 Years	Educational Neglect	Unfounded	No
	3231 - Deceased Child, Male, 16 Years	3232 - Mother, Female, 38 Years	Inadequate Guardianship	Unfounded	

Report Summary:

The sixteen-year-old has not attended school this year and will not advance academically. The BM has been contacted on several occasions but fails to get the teen to school.

ACS investigated the report and during the investigation learned that the teen was stabbed to death. ACS further documented that the perpetrators were caught and arrested. A grand jury was convened to determine charges against these perpetrators. ACS also confirmed that the teen had not been attending school although the mother had been making diligent efforts to send him to school.

Determination: Unfounded

Date of Determination: 01/29/2015

Basis for Determination:

ACS wrote that the allegations were not confirmed. The case is before a grand jury. Three persons were arrested. It is expected that the grand jury will issue an indictment.

OCFS Review Results:

NYS Office of Children and Family Services - Child Fatality Report

ACS made diligent efforts to make contact with the teen to no avail. Until the death of the teen, the BM had not exhausted all efforts to ensure the teen attended school; although he had no desire to attend school.

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

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

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

Known CPS History Outside of NYS

There was no known CPS history outside of NYS.

Services Open at the Time of the Fatality

Required Action(s)

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

Yes No

Preventive Services History

The case documentation reflected there was a FSS stage opened on 3/27/12 when the case was referred for services to address past domestic violence that the BM had experienced and the teen witnessed, and to address the teen's failure to attend school. On 2/5/13, the teen was referred for individual therapy. The agency closed the preventive service case on 7/3/13 stating there was no significant achievement of the goals of the service plan. The BM asked for continued support services to address the teen's acting out behavior, and the fact that the teen had not returned to school.

In 2013, the family was again referred for preventive services to address past domestic violence the teen had witnessed, his truancy, and to support the recommendations of his IEP. Services began on (11/25/13) with Family Connections Program. The CP reported the BM became more involved and tried to contract with the teen; however, he continued to oppose her supervision. The special education evaluation was completed and the child was to be placed in a special high school for the coming school year. The BM and agency agreed to close the service on 7/23/14.

Casework Contacts

	Yes	No	N/A	Unable to Determine
Were face-to-face contacts with the child in the child's placement location made with the required frequency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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? There was no legal activity

Additional Local District Comments

There are no additional comments.

Recommended Action(s)

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

Action:	In the 10/15/13 report ACS substantiated the allegation of Educational Neglect; however, in the determination narrative ACS documented that the allegation was unsubstantiated. OCFS is recommending that ACS review with supervisory staff the need to closely review determination narratives for consistency and accuracy.
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Are there any recommended prevention activities resulting from the review? Yes No