

Report Identification Number: SY-23-031

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

Issue Date: Dec 06, 2023

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 had an open investigation or a CPS monitored services 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	DA-District Attorney	
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	SXTF-Sex Trafficking
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: 25 day(s)

Jurisdiction: Broome
Gender: Female

Date of Death: 06/26/2023
Initial Date OCFS Notified: 06/26/2023

Presenting Information

An SCR report was received and alleged that on the morning of 6/26/23, the father shot a crossbow at the mother while she was holding the 25-day-old subject child. The arrow struck the child in the arm, and the child bled to death as a result.

Executive Summary

On 6/26/23, the Broome County Department of Social Services (BCDSS) received an SCR report regarding the death of the 25-day-old female subject child. The report alleged DOA/Fatality, Internal Injuries and Inadequate Guardianship against the father. The child resided with her mother and father. There were no surviving siblings or other children residing in the home.

Through a joint investigation with law enforcement, it was learned that on the morning of 6/26/23, the mother, father, and child were at their home. The mother woke up, made a bottle, and got situated in her bed to feed the child. The father became frustrated because the child was crying, and he and the mother began to argue. The father tried to intimidate the mother by threatening to shoot her with a crossbow. The father left the bedroom, got the crossbow, and the argument continued. During the argument, the father pointed the weapon at the mother and child, released the safety, and shot at the mother while she was holding the child in her arms. The arrow struck the child's arm and hit the mother in the chest. The mother went to grab her phone to call 911 but the father took it from her because he did not want to get in trouble. The father walked up to the mother and child, pulled the arrow out, and left the home. The mother got her phone and called 911. The mother was transported to the hospital due to an injury and the child was pronounced deceased at the scene.

An autopsy was performed but the record did not indicate the final report was received at the time the investigation was closed. Law enforcement investigated the death and the father was charged with murder, attempted murder, and criminal contempt. The father was incarcerated at the time the CPS investigation was closed.

BCDSS substantiated the allegations of Inadequate Guardianship, Internal Injuries, and DOA/Fatality against the father. It was determined through interviews with the father, mother, and law enforcement that the father shot a crossbow at the mother while she held the subject child in her arms. The child was struck and died as a result. BCDSS added and substantiated the allegation of Inadequate Guardianship against the mother. BCDSS determined that despite her years of knowledge of the father's violence and his escalating behavior directly related to the child's crying, the mother persisted in her decision to reside with the father thereby exposing the child to significant risk of harm. The mother was provided with domestic violence services and was offered grief counseling services. The father remained incarcerated and BCDSS suggested the father seek out services through the jail. The investigation was indicated and closed on 10/12/23.

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 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:

There were no surviving siblings or children in the home; therefore, the completion of the safety assessment tools was not required. BCDSS supported their determination with the evidence gathered during the investigation.

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:

Casework activity was commensurate with case circumstances.

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: 06/26/2023

Time of Death: Unknown

Time of fatal incident, if different than time of death: 05:40 AM

County where fatality incident occurred: Broome

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 and/or ingested alcohol or drugs? N/A

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: In the mother's arms | | |

Total number of deaths at incident event:
Children ages 0-18: 1
Adults: 0
Household Composition at time of Fatality

Household	Relationship	Role	Gender	Age
Deceased Child's Household	Deceased Child	Alleged Victim	Female	25 Day(s)
Deceased Child's Household	Father	Alleged Perpetrator	Male	26 Year(s)
Deceased Child's Household	Mother	Alleged Perpetrator	Female	31 Year(s)

LDSS Response

Upon receipt of the SCR report on 6/26/23, BCDSS coordinated efforts with law enforcement, requested the autopsy from the Medical Examiner, discussed the case with the district attorney's office, interviewed the family, and gathered information from medical collaterals.

BCDSS interviewed the mother while she was hospitalized due to her injury from the fatal incident. The mother reported she and the father had been married since 2018, and their relationship had been on and off. The father had a history of physically aggressive acts towards the mother, including an incident where the father put the mother's head through a wall. The mother reported the father had a short fuse. After the child was born, the father became irritated with the child's crying and it would immediately set him off. The father would yell, throw things, and had broken the bedroom door. The mother reported the father was not physically aggressive toward the child but would yell at the child and tell her to shut up in response to her crying. The mother did not trust the father with the child and did not leave her in his care. On the morning of the incident, the mother woke up to use the bathroom and feed the child. The mother placed the child in her crib and went to get the bottle. When the bottle was ready, the mother picked the child up, got situated in bed, and fed the child. The mother and father began arguing. The father was sitting on the end of the bed and he got up and left the room. The father returned with a crossbow and was pointing it at the mother as she was holding the child in her arms. The father told the mother that the crossbow was loaded and threatened to shoot her. The mother told the father he was not going to shoot her and the next thing she remembered was hearing the trigger. The mother looked down and saw the child's arm was hanging down. The father prevented the mother from calling 911. The father walked up to the mother, pulled the arrow out, and left the home. The mother got her phone and was able to call 911.

BCDSS interviewed the father while he was incarcerated. The father reported the incident was a big mistake. On the morning of the death, the father said he and the mother were arguing over the child crying and finances. The father reported the mother dared him to shoot her with the crossbow during the argument, so he went and got it and aimed it above the mother's head for approximately an hour as the argument continued. The father stated the mother continued to dare him to shoot so he shot at the mother and the arrow struck the child. The father admitted to a history of domestic violence perpetrated against the mother and that there was an Order of Protection against him at the time of the death. The father reported the child cried a lot and sometimes he slept in his truck to get away from it. The father reported having issues with his anger.

A relative was interviewed and reported the father moved to the county without the mother, and the mother continued to reach out until the father agreed to allow her to move in with him. The parents were living together on family property. The father reportedly had another Order of Protection with another relative due to threats of harm. The relative expressed

concerns about drug use by the parents, the father's learning disabilities, and the parents' relationship.

Law enforcement records were requested and revealed that there were multiple domestic disturbance reports, including one for aggregated harassment. The father had an active stay-away Order of Protection at the time of the death. The father had been charged in the past for violating the court order.

Official Manner and Cause of Death

Official Manner: Pending

Primary Cause of Death: Pending

Person Declaring Official Manner and Cause of Death: Medical Examiner

Multidisciplinary Investigation/Review

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

Was the fatality referred to an OCFS approved Child Fatality Review Team? Yes

SCR Fatality Report Summary

Alleged Victim(s)	Alleged Perpetrator(s)	Allegation(s)	Allegation Outcome
065168 - Deceased Child, Female, 25 Day(s)	065169 - Mother, Female, 31 Year(s)	Inadequate Guardianship	Substantiated
065168 - Deceased Child, Female, 25 Day(s)	065170 - Father, Male, 26 Year(s)	DOA / Fatality	Substantiated
065168 - Deceased Child, Female, 25 Day(s)	065170 - Father, Male, 26 Year(s)	Inadequate Guardianship	Substantiated
065168 - Deceased Child, Female, 25 Day(s)	065170 - Father, Male, 26 Year(s)	Internal Injuries	Substantiated

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"/>
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 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Child Fatality Report

Coordination of investigation with law enforcement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Was there timely entry of progress notes and other required documentation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fatality Safety Assessment Activities

	Yes	No	N/A	Unable to Determine
Were there any surviving siblings or other children in the household?	<input 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: NA			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
06/26/2023	Father	Pending	Unknown
Comments:	The father was charged as a result of the incident which caused the child's death and injured the mother.		

Criminal Charge: Other - Attempted Murder Degree: NA			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
06/26/2023	Father	Pending	Unknown
Comments:	The father was charged as a result of the incident which caused the child's death and injured the mother.		

Criminal Charge: Other - Criminal Contempt Degree: 1			
Date Charges Filed:	Against Whom?	Date of Disposition:	Disposition:
06/26/2023	Father	Pending	Unknown
Comments:	The father was charged as a result of the incident which caused the child's death and injured the mother.		

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

Additional information, if necessary:
 BCDSS reported the family was not eligible for burial assistance. The mother was provided with domestic violence and crime victim services and given information on grief counseling services. The father was recommended to obtain services through the jail.

History Prior to the Fatality

Child Information

Did the child have a history of alleged child abuse/maltreatment? No
 Was the child acutely ill during the two weeks before death? No

Infants Under One Year Old

During pregnancy, mother:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Had medical complications / infections | <input type="checkbox"/> Had heavy alcohol use |
| <input type="checkbox"/> Misused over-the-counter or prescription drugs | <input type="checkbox"/> Smoked tobacco |
| <input type="checkbox"/> Experienced domestic violence | <input type="checkbox"/> Used illicit drugs |

- Had a positive toxicology at the time of delivery
- Used prescription drugs
- Used marijuana
- Was not noted in the case record to have any of the issues listed

Infant was born:

- With a positive toxicology
- With fetal alcohol effects or syndrome
- Exhibiting withdrawal symptoms
- With none of the issues listed noted in case record

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

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

Known CPS History Outside of NYS

There was no known CPS history outside of NYS.

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

Broome County Department of Social Services agrees with OCFS's findings that BCDSS supported their determination with the evidence gathered during the investigation, and that casework activity was commensurate with the case circumstances.

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