Child Fatality Report Release of Information to the Public

Person ID: 104049758

County of Child's Residence: WEBB

Gender: Male

Age: 1 Year(s) 7 Month(s)

Date of Death: 07/23/2022

On the date of the fatality, the child was not in DFPS conservatorship and was living with the child's parent, a managing conservator, a legal guardian or other person entititled to the child's possession.

Child's Name: Esquivel,Angel

Current Report(s) of Abuse/Neglect:

Intake Date(s): 07/22/2022

Summary of Allegation(s)/Investigation:

The Department received a report that indicated the maternal grandmother found the one-year-old deceased child unresponsive and not breathing. The deceased child was taken to the hospital by ambulance. The deceased child was observed to have petechiae covering his face. No information could be provided as to what occurred. The deceased child was intubated and placed in pediatric intensive care unit. A week prior, the mother and maternal grandmother had taken the deceased child to the hospital for a seizure.

During the investigation the Department was notified the deceased child passed on 7/23/2022. It was also determined the child had been left under the care of the deceased child's mother. As per law enforcement, the mother admitted to shaking the child twice the night of 7/21/2022. The maternal aunt of the child had custody of the child and admitted to allowing the mother to provide unsupervised care of the child. The maternal aunt admitted she was informed that the mother of the child had been seen throwing the child on the bed and failed to remove the child from the mother's care. It was confirmed there had been several emergency calls due to medical emergencies involving the deceased child, prior to the deceased child's death. The maternal aunt and maternal grandmother of the deceased child lied to the Department and allowed the deceased child's mother to provide unsupervised care to the deceased child.

Law Enforcement conducted an investigation and the mother was arrested and charged with injury to a child.

The medical examiner completed an autopsy. Results were pending at time of case closure.

Investigation Findings:

The Department confirmed the mother committed physical abuse of the deceased child and that this abuse led to the child's death.

The Department confirmed the maternal Aunt and the maternal Grandmother committed physical abuse of the deceased child.

The Department confirmed the mother, the maternal Aunt, and the maternal Grandmother committed neglectful supervision of the deceased child.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 07/22/2022: Safety Assessment - Initial: Safe with plan

Risk Assessment Final Risk Level: High

Case Action:

Family Preservation

Services and Referrals Provided to the Family:

Counseling and Evaluation

Other Services:

Other Actions Taken to Mitigate Risk:

A safety plan was implemented for the deceased child's maternal aunt to be supervised when having contact with her own biological children. In addition, the younger sibling of the deceased child is under the care of the sibling's biological father. The father to the younger sibling is protective and not allowing mother to have any contact with the child.

If one or more children were previously removed from the home, for each conservatorship episode, summarize dates of conservatorship and type of placement at the end of conservatorship:

On 04/19/2021, the deceased child was removed from the mother. During the conservatorship stage, the deceased child was placed with maternal aunt and uncle. On 10/19/2021, maternal aunt and uncle were granted permanent managing conservatorship of the deceased child.

Previous Report of Abuse/Neglect:

Intake Date(s): 09/30/2021

Summary of Previous Allegation(s)/Investigation:

The Department received a report of sexual abuse of the deceased child by maternal grandfather. The 13 year old maternal aunt of the deceased child made an outcry of being inappropriately touched by the maternal grandfather.

The Department determined the deceased child had never had any contact with the maternal grandfather as he was not in the home where the mother resided and has not had any contact since the placed . Maria stated Angel has never met the maternal grandfather.

Investigation Findings:

The Department did not confirm the maternal grandfather committed sexual abuse of the deceased child.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 10/03/2021: Safety Assessment - Initial: Safe

Risk Assessment Final Risk Level: Moderate

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

The deceased child continued to be under kinship placement with the maternal aunt. Mother was receiving services through CVS.

Previous Report of Abuse/Neglect:

Intake Date(s): 06/12/2022

Summary of Previous Allegation(s)/Investigation:

The Department received a report due to concerns with the 5 month old sibling to the deceased child. The report indicated the sibling to the deceased child was taken to the hospital via ambulance due to shortness of breath. The sibling was dehydrated but the mother never indicated the child was sick. The sibling to the deceased child has been taken to the hospital seven times, for the same reasons.

The Department determined there were concerns with the mother's ability to provide care for the sibling as the sibling had been hospitalized twice, while under the mother's care. The biological father of the deceased child's sibling took the sibling under his care. The mother of the deceased child was arrested due to the concerns identified in the investigation of the death of the deceased child. The mother remained incarcerated at case closure.

Investigation Findings:

The Department confirmed the mother committed neglectful supervision of the sibling.

The Department did not confirm the mother committed physical neglect of the sibling.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 06/15/2022: Safety Assessment - Initial: Safe
2.) 07/01/2022: Safety Assessment - Reassessment: Safe with plan
3.) 07/23/2022: Safety Assessment - Reassessment: Safe with plan

Risk Assessment Final Risk Level: High

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Parenting and mental health services

Other Actions Taken to Mitigate Risk:

The family was referred to family based safety services. The case was closed due to mother's incarceration. The deceased child's sibling remained under the care of his biological father. The family was protective and indicated the mother would not have contact with the deceased child's sibling.

Previous Report of Abuse/Neglect:

Intake Date(s): 04/15/2021

Summary of Previous Allegation(s)/Investigation:

The Department received a report with concerns the mother of the deceased child was not able to comprehend the feeding times for the child. The child was admitted to the hospital for failure to thrive and mother needs assistance in providing care to the child. An older sibling to the deceased child had died due to SIDS and maternal family voiced suspicions that the mother contributed to the infant's death.

During the Department's investigation, it was found that the mother to the deceased child was not able to meet

the child's needs. The child had previously been seen at the hospital for similar concerns and the child had not gained any weight. The deceased child was removed and placed in kinship placement with maternal aunt.

Investigation Findings:

The Department confirmed the mother committed physical neglect of the deceased child.

The Department did not confirm the mother committed neglectful supervision of the deceased child.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 04/16/2021: Safety Assessment - Initial: Safe
2.) 04/19/2021: Safety Assessment - Reassessment: Unsafe

Risk Assessment Final Risk Level: High

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Parenting, counseling, and mental health services

Other Actions Taken to Mitigate Risk:

The deceased child was placed with maternal aunt and uncle throughout the Conservatorship case. The deceased child's mother failed to initiate services and was not able to provide a stable home for the deceased child. The maternal aunt and uncle were granted permanent managing conservatorship of the deceased child on 10/19/2021. Mother was to have supervised visitation with the deceased child.

Other Previous Report of Abuse/Neglect:

Intake Date(s): 04/16/2020

Summary of Previous Allegation(s)/Investigation:

The Department received a report involving the deceased child's older sibling. The sibling was 7 months old at the time of the report. The sibling was found unresponsive and transported to a local hospital. Two days prior, the sibling had been treated at the hospital and prescribed medication that included a nebulizer and released back home. The report indicated the mother may have a learning disability and has difficulty speaking.

Medical collaterals indicated a skeletal survey and MRI was completed on the sibling to the deceased child and there were no signs of injury or trauma, aside from low oxygen to the brain. The sibling passed while in the hospital the day after the report was received. The Medical examiner's office confirmed the Cause of Death to be medical complications, due to Viral illness and Manner of Death as Natural.

Investigation Findings:

The Department did not confirm the mother committed neglectful supervision of the sibling.

Safety and Risk Assessment Factors Identified:

Risk Assessment: 4/17/2020 - Initial Safety Assessment - Safe
6/2/2020 - Safety Reassessment - Safe
Risk Assessment Final Risk Level - High

Case Action:

Close

Services and Referrals Provided to the Family:

The mother to the deceased child was referred to community resources to address mental health and grief counseling. There were no other children under the mother's care at the time of case closure.

Other Services:

No Service Referrals and deceased child was an only child.

Other Actions Taken to Mitigate Risk:

Note: This report was prepared on 03/02/2023 and does not include corrections or updates, if any, that may be subsequently made to DFPS data on or after the date this report was prepared.