Child Fatality Report Release of Information to the Public

Person ID: 108029301

County of Child's Residence: WHARTON

Gender: Male

Age: 3 Year(s) 9 Month(s)

Date of Death: 06/13/2022

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: Garcia,Kanon W

Current Report(s) of Abuse/Neglect:

Intake Date(s): 06/12/2022

Summary of Allegation(s)/Investigation:

The Department received a report notifying it of a fatal event after emergency services responded to an unresponsive child found in the pool. The father and his paramour were having an engagement party and there was a pool in the back yard. The father found the unresponsive child at the bottom of the pool, jumped in and pulled the child out. It was unknown how long the child had been underwater. Life saving measures were attempted but the deceased child did not survive.

The Department's investigation determined that the deceased child and sibling reside with their mother and have standard visitation with their father. The two children attended the father's engagement party at another residence with a pool. The father recalled how he had dressed the child in swim trunks, but did not put on the floaties. The father did not give the child any instructions when he left the child alone in the living room while he prepared himself an alcoholic drink. The father went outside and was standing by the pool when he was asked about the child's whereabouts. The father did not see the child when he walked back towards the home and then discovered the child at the bottom of the pool. The father did not designate any other caregivers to supervise the young child when he left him alone inside the home and there were no safety measures/ precautions taken to prevent the young child from accessing the pool. The child was not wearing any life-saving device and did not know how to swim. The father's paramour was in the pool taking care of her own children and she could not account for the child's whereabouts. The

other adults in the home confirmed that they were engaged in other activities and were not responsible for the supervision of the father's children. The unresponsive child was transported to the local hospital by emergency medical services, but the child did not recover and passed away at the hospital.

The law enforcement investigation was pending at the time the Department's investigation closed.

The medical examiner conducted an autopsy but the final results were not available when the Department completed it's investigation.

Investigation Findings:

The Department confirmed allegations that the deceased child's father committed Neglectful Supervision of the deceased child, which led to the child's death. The child drowned in a pool while in the care of his father. The child did not know how to swim and did not have previous swimming lessons. The other adults confirmed they were engaged in other activities and were not responsible for the deceased child's supervision. The father did not take the necessary safety precautions to prevent the young child from accessing the pool and did not designate any other caregivers to supervise the child in his absence. The father failed to provide the needed supervision and was not protective.

06/12/2022 Safety Assessment -- Initial -- Safe with Plan.
09/03/2022 Safety Assessment -- Case Closure -- Safe.
06/13/2022 Risk Assessment -- Moderate.

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Counseling and Evaluation

Other Services:

The parents were provided with grief counseling resources.

Other Actions Taken to Mitigate Risk:

The father and mother's homes do not have any pools. The surviving sibling resides with the mother.

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:

Other Previous Report of Abuse/Neglect:

Intake Date(s):

Summary of Previous Allegation(s)/Investigation:

Investigation Findings:

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

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.