Child Fatality Report Release of Information to the Public

Person ID: 109634082

County of Child's Residence: ORANGE

Gender: Male

Age: 0 Year(s) 1 Month(s)

Date of Death: 12/20/2022

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: Wilkerson,Xayden

Current Report(s) of Abuse/Neglect:

Intake Date(s): 12/20/2022; 12/21/2022

Summary of Allegation(s)/Investigation:

The Department received a report the deceased child was found unresponsive in the bed with the deceased child's father and the deceased child's 11-month-old sibling. The deceased child's father started CPR and when the Emergency Medical Services personnel arrived they continued life saving measures. The child was transported to a local hospital, but the child died. A second report was received the following day alleging domestic violence and substance use in the home.

The Department's investigation determined the deceased child was found non-responsive while co-sleeping with the father and the 11-month-old sibling. The 11-month-old sibling was found lying on top of the child. The deceased child had been to the emergency room with breathing issues and diagnosed with influenza. Medical personnel told the parents to follow-up with the pediatrician, but they did not follow-up. The deceased child's mother, father and grandmother smoke marijuana in the home with the child and siblings present. The parents also smoke methamphetamine in the back part of the residence and in the bedroom where the deceased child was found. The father was positive for marijuana, methamphetamine and cocaine The father stated several times he planned to continue to use marijuana. An older sibling demonstrated knowledge of how to use a a marijuana pipe. The 11-month-old sibling was tested and found to be positive for methamphetamines and marijuana.

The medical examiner conducted an autopsy, but the final cause and manner of death were not available when the Department's investigation closed. The preliminary results show the cause and manner of death are pending lab results.

Law Enforcement's investigation is pending the child's final autopsy results.

Investigation Findings:

The Department confirmed the deceased child's father committed neglectful supervision of the child which led to the child's death. The father regularly exposed the deceased child to marijuana and methamphetamines. The deceased child was in a crowded and unsafe sleeping environment when he was found unresponsive.

The Department confirmed the deceased child's mother committed neglectful supervision of the child. The mother used marijuana and methamphetamines in the home and in the presence of the child.

The Department confirmed the deceased child's grandmother committed neglectful supervision of the child. The grandmother used marijuana in the home and in the presence of the child.

The Department confirmed the deceased child's mother and father committed medical neglect of the child. The parents were aware the child had been ill, but they did not follow-up with the pediatrician.

The Department confirmed the deceased child's mother and father committed neglectful supervision of the child's siblings. The parents used marijuana and methamphetamines in the home and in the presence of the siblings.

The Department confirmed the deceased child's grandmother committed neglectful supervision of the child's siblings. The grandmother used marijuana in the home and in the presence of the siblings.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 12/21/2022: Safety Assessment - Initial: Safe with plan
2.) 12/28/2022: Safety Assessment - Reassessment: Unsafe

Risk Assessment Final Risk Level: High

Case Action:

Removal/Subcare

Services and Referrals Provided to the Family:

Counseling and Evaluation,Parent/Caregiver Training

Other Services:

Substance use treatment was offered to the parents, but was not accepted by the parents.

Other Actions Taken to Mitigate Risk:

The deceased child's siblings were removed and placed in foster care on 12/29/2022. Services to the family include counseling and substance use treatment.

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:

Previous Report of Abuse/Neglect:

Intake Date(s): 04/04/2022

Summary of Previous Allegation(s)/Investigation:

The Department received a report the deceased child's parents are using marijuana, methamphetamines and benzodiazepines. The parents blow marijuana smoke into the faces of the deceased child's siblings.

The Department's investigation determined the deceased child's parents were positive for marijuana only. The children's needs appear to meet and there is no effect on the children.

Investigation Findings:

The Department did not confirm allegations the deceased child's parents committed neglectful supervision of the deceased child's siblings. The parents were positive for marijuana, but their use does not appear to place the children in danger.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 04/14/2022: Safety Assessment - Initial: Safe
2.) 09/06/2022: Safety Assessment - Case Closure: Safe

Risk Assessment Final Risk Level: High

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Items including a pac-n-play provided by the Rainbow Room which the family accepted.

Other Actions Taken to Mitigate Risk:

A Family Team Meeting was held and substance use treatment was discussed. Family monitors agreed to report any future concerns.

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 10/24/2023 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.