Child Fatality Report Release of Information to the Public

Person ID: 111447650

County of Child's Residence: POTTER

Gender: Female

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

Date of Death: 07/19/2023

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: Lewis,Zy'Kiya

Current Report(s) of Abuse/Neglect:

Intake Date(s): 07/19/2023

Summary of Allegation(s)/Investigation:

On 07/19/2023, the Department received a report after law enforcement received a call about an unresponsive female baby who had bleeding and swelling to her brain. Upon arrival to the hospital, it was learned the child had died from the injuries sustained.

The Department determined, in a joint investigation with law enforcement, the deceased child had multiple subdural hemorrhages and retinal bleeding which were consistent with being shaken. The deceased child's mother stated she woke up that morning to feed the twins and when she picked up the deceased child her head fell back and she was unresponsive. The mother told deceased child's father to call 911. In interviews with law enforcement the mother and father denied causing the injuries. They had no explanation for the injuries. The deceased child's father is disabled and denied being the primary caregiver of the children. The deceased child's surviving twin, and sibling were both positive at birth for marijuana. The mother admitted to smoking marijuana but did not consider that to be a drug.

Law enforcement executed a search warrant at the home and found cash totaling $9880, baggies, scales and 5.2 pounds of marijuana. Per law enforcement, such items were consistent with an intent to distribute marijuana. An assault-style gun, shotgun and pistol were found in the parent's room.

The Department removed the surviving twin and the deceased child's 1-year-old sibling from the parents' care. The children were placed into foster care as no appropriate relatives could be found. Surviving twin was assessed by medical professionals and it was learned he had bruising on the brain, consistent with shaken baby and a skull fracture. He was held overnight for observation and discharged the next day. The surviving 1-year-old sibling had blood in his ear from an untreated ear infection and smelled of marijuana when he was removed. The mother tested positive for marijuana via urinalysis and hair follicle testing. The father did not drug test.

The medical examiner performed an autopsy and preliminary results found the deceased child's death was likely the result of blunt force trauma consistent with shaken baby syndrome. The autopsy was pending for final lab results.

Law enforcement conducted and investigation and the mother was incarcerated for a prior theft charge and the father was incarcerated for possession of a firearm by a felon. Law enforcement determined the child's death was a homicide. At the close of the Department's investigation, the father remained in jail and no criminal charges had been filed against the parents for the child's death.

Investigation Findings:

The Department confirmed the deceased child's mother and father committed neglectful supervision of the deceased child and the deceased child's two siblings. There was a large amount of marijuana found in the home along with, guns, and cash that indicated drug use and possibly selling drugs. All of the children at birth their meconium tested positive for marijuana.

The Department confirmed the deceased child's mother and father committed physical abuse of the deceased child which resulted in her death. By the parent's own admissions, they were the only adults present with the baby when the injuries occurred.

Safety and Risk Assessment Factors Identified:
Safety Assessments:
1.) 07/19/2023: Safety Assessment - Initial: Unsafe
Risk Assessment Final Risk Level: Very High
Case Action:
Removal/Subcare

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 07/19/2023: Safety Assessment - Initial: Unsafe

Risk Assessment Final Risk Level: Very High

Case Action:

Removal/Subcare

Services and Referrals Provided to the Family:

Other Services:

Drug testing was offered to the mother and accepted

Other Actions Taken to Mitigate Risk:

The surviving two children were removed and placed into foster care where ongoing medical care and follow up services were offered and received.

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:

n/a

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 06/24/2024 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.