Child Fatality Report Release of Information to the Public

Person ID: 69419306

County of Child's Residence: MONTGOMERY

Gender: Male

Age: 14 Year(s) 7 Month(s)

Date of Death: 11/21/2022

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: Walton,Kaleb

Current Report(s) of Abuse/Neglect:

Intake Date(s): 11/21/2022

Summary of Allegation(s)/Investigation:

The Department received a report notifying it of a fatal event after emergency medical services responded to a home of an adolescent child having a seizure and becoming unresponsive. The unresponsive child could not be revived once medical services arrived at the home. He was believed to have succumbed to his injuries sustained when he was beaten by the deceased child's mother's paramour when the child was 2-years-old.

The Department's investigation determined that the deceased child resided with his paternal grandparents at the time of his passing. The deceased child was physically abused in 2011 by his mother and her paramour and was subsequently removed from their care. The deceased child had sustained massive internal injuries and serious brain injuries. The medical staff found that the injuries were inflicted as a result of excessive force being applied to the child's head, face, chest, abdomen and back. During the 2011 investigation, witnesses came forward to provide statements to law enforcement that they heard the assault on the child and by mother's own admission she could be placed in the home at the time the child was being assaulted. The deceased child's mother and the paramour did not make any admissions of abuse or neglect. The paramour blamed the mother and claimed she was the one using excessive physical discipline on the young child and he did not interfere. The injuries on the child were not consistent with the mother or paramour's statement. Law enforcement arrested the mother and paramour in 2011. The paramour was convicted and remains in prison. The child was placed with his non-offending father and paternal

grandparent in 2011 by the Court. The deceased child's father was granted legal custody of the child. The mother's rights were not terminated by the Court, but she has not been actively involved in the child's life. The child did not recover from the injuries and his quality of life was diminished as a result of the physical abuse. The child had numerous special needs and was being cared by his paternal grandparent when he passed away from the original injuries inflicted in 2011.

The law enforcement investigation was pending at the time the Department's investigation closed. The mother and paramour were originally arrested in 2011. The paramour was convicted of the abuse and remains in prison. Law enforcement was planning to follow up with the arresting agency as they planned to present their findings to the District Attorney's office once the final autopsy was received to verify if they were upgrading charges against the paramour and mother.

The medical examiner conducted an autopsy, but the final report was not available when the Department completed its investigation. The preliminary report indicates that the child passed away from the original injuries inflicted in 2011. The cause and manner of death were pending.

Investigation Findings:

The Department confirmed allegations that the deceased child's mother and paramour committed Physical Abuse of the deceased child, which led to the child's death. In 2011, the child sustained numerous external and internal injuries consistent with non-accidental trauma. The child had been in the care of the mother and her paramour prior to his passing, and both failed to provide the needed supervision and were not protective.

Safety and Risk Assessment Factors Identified:
A Safety and Risk Assessment were not required in this investigation as the only child in the household died.

Safety and Risk Assessment Factors Identified:

Case Action:

Only child died

Services and Referrals Provided to the Family:

Other Services:

The relative caregivers accepted the community resources offered to them.

No Service Referrals and deceased child was an only child.

Other Actions Taken to Mitigate Risk:

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): 01/25/2011

Summary of Previous Allegation(s)/Investigation:

The Department received a report notifying it of concerns with a young child found unresponsive and convulsing in his mother's home. The mother had left the child in the care of her paramour who reported that the child had thrown up and then went to sleep. The child was found covered in bruises, burn marks around his mouth and he had bleeding in the brain. The bruising was located on the child's ears, face, chest, back and legs. The burn marks around the child's mouth were blistered. The other unrelated child in the home disclosed that the unresponsive child had been "whipped" by the paramour. The mother and paramour claimed that the child had been playing too hard. The unresponsive child was transported to the local hospital where he remained in intensive care unit.

The Department's investigation determined the deceased child resided with the mother, mother's paramour and paramour's child. A second sibling was being raised by the maternal grandmother and was not in the care of the mother. The mother left the deceased child in the care of her paramour while she attended school. The mother reportedly arrived home to find the child unresponsive and convulsing. The paramour reported that he fed the deceased child and his own child. He claimed the deceased child threw up and then he put him down to nap. The mother admitted to spanking the child during the week, but denied inflicting any other injuries. The paramour's child disclosed that the deceased child had been hit by the paramour on his head and stomach with a closed fist. The paramour and mother did not make any admissions of abuse or neglect. The deceased child was observed with a multiple contusions to his face, chest and legs; burns to his mouth area, and numerous circular/ linear-shaped bruises to his chest and thighs consistent with strap marks. In addition to the external injuries, the deceased child also had internal injuries to include subdural hemorrhages, subdural hematomas, liver laceration, pancreatic injury, fluid around the gall bladder, and fluid pressure on the brain. The deceased child's father was not a caregiver and played no role in the abuse of the child. The paramour was positive for marijuana during the investigation. Law enforcement spoke with a neighbor that heard the deceased child being assaulted prior to his hospitalization. The mother could be placed in the home at the time the neighbor heard the child being assaulted. The mother and paramour did not seek immediate medical attention for the child after the assault. Law enforcement arrested the mother and paramour and charged them with Injury to a Child. The deceased child and paramour's child were removed from the home. The Court ordered the deceased child's placement with the father and paternal grandmother. The mother and paramour did not have any other minor children in their care.

Investigation Findings:

The Department confirmed allegations that the deceased child's mother and paramour committed Physical Abuse and Medical Abuse of the child. The child sustained massive internal and external injuries and brain injuries consistent with physical abuse. The mother and paramour did not seek immediate medical attention and delayed several hours before contacting emergency medical services for the child. The child's injuries resulted in a diminished level of consciousness and resulted in lifelong and irreversible damage.

The Department confirmed allegations that the deceased child's mother committed Neglectful Supervision of the child. The mother was aware of the paramour's substance abuse and violent behaviors and still left her young child in the care of the paramour.

Safety and Risk Factors Identified:
01/26/2011 - Safety Assessment - Conditionally Safe/ Safety Plan Completed.
02/24/2011 - Risk Assessment - Risk Indicated

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

The parents accepted services offered by the Conservatorship department.

Other Actions Taken to Mitigate Risk:

The deceased child and paramour's child were removed from the home. The mother and paramour did not have access to the children after law enforcement arrested them.

Previous Report of Abuse/Neglect:

Intake Date(s): 04/21/2012

Summary of Previous Allegation(s)/Investigation:

The Department received a report notifying it of concerns after the deceased child's mother gave birth to the sibling. The mother did not intervene when the deceased child was beaten by her previous paramour and there were concerns with her ability to care for the newborn sibling. The newborn sibling's father is not the same paramour that assaulted the deceased child.

The Department's investigation determined the deceased child's mother had given birth to her third child and the older sibling was back in her care. The mother did not have access to the deceased child after he had been removed from her care and the child was residing with his father and grandparent. The mother agreed to move in with the maternal aunt with the two siblings. The maternal aunt and other maternal relatives were willing to supervise the mother's contact with the newborn sibling. The newborn sibling's father visits with the sibling, but is not a caregiver to the child and he had no concerns with the sibling remaining with the mother. The mother was referred to and accepted the services offered by Family Based Safety Services program.
According to law enforcement, the mother's criminal case for the abuse of the deceased child was still ongoing. The mother's former paramour remained in jail for the assault on the deceased child, but the mother was not willing to provide information against the former paramour.

Investigation Findings:

The Department did not confirm allegations that the deceased child's mother committed Physical Abuse of the sibling. The newborn child had not been injured while in the care of her mother and there were several maternal relatives willing to help care for the child while she remained in the mother's care.

Safety and Risk Factors Identified:
05/07/2012 - Safety Assessment - Conditionally Safe/ Safety Plan Completed
05/14/2012 - Risk Assessment - Risk Indicated

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

The mother accepted the services offered by Family Based Safety Services.

Other Actions Taken to Mitigate Risk:

The maternal relatives agreed to monitor the mother's contact with the sibling.

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 10/20/2023 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.