Child Fatality Report Release of Information to the Public

Person ID: 80543024

County of Child's Residence: HENDERSON

Gender: Male

Age: 8 Year(s) 7 Month(s)

Date of Death: 01/30/2022

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: Worley,Zayden

Current Report(s) of Abuse/Neglect:

Intake Date(s): 01/30/2022

Summary of Allegation(s)/Investigation:

The Department received a report indicating that law enforcement was called out to the grandparents' home due to the deceased child being shot in the head. The deceased child was transported to a hospital where he died. The deceased child and two siblings of the deceased child were home when the incident happened. The older sibling indicated the deceased child was on the back porch when he was struck by a stray bullet shot from a wooded area.

The Department's investigation determined there were several guns in the home including a gun with a spent shell found by Law Enforcement in the older sibling's room. The older sibling had posted pictures of himself with guns on his Snap Chat account. Marijuana, and other drugs were found in the top of the older sibling's closet. The older sibling had behavior issues at school and was in the Disciplinary Alternative Education Program (DAEP) when this incident happened due to his behavior at school. The maternal grandparents of the deceased child have Permanent Managing Conservatorship of the child and his siblings due to the deceased child's parents' substance abuse. The maternal grandparents were aware of the older sibling's behavior issues at school and his access to the guns in the home.

The medical examiner conducted an autopsy. The autopsy report shows the child died as the result of a gunshot wound of the head. The manner of death is homicide and the cause of death is penetrating gunshot wound of the

head.

Law Enforcement investigated and arrested the older sibling for murder (felony - 1st degree) and injury to a child (felony - 1st degree).

Investigation Findings:

The Department confirmed allegations the maternal grandmother and maternal grandfather committed Neglectful Supervision of the deceased child, which led to the deceased child's death. Both of the maternal grandparents were aware of the behaviors of the deceased child's older sibling at school and the older sibling's snapchats with guns and of his access to unsecured guns.

The Department confirmed allegations the older sibling committed Physical Abuse of the deceased child, which led to the deceased child's death. The child died from a gunshot wound to the head and evidence collected by law enforcement indicated that older sibling shot deceased child. The police charged older sibling with murder and the autopsy concluded that the cause of death was homicide.

The Department confirmed allegations the maternal grandmother and maternal grandfather committed Neglectful Supervision of the younger sibling of the deceased child. The maternal grandparents were aware of unsecure guns in the home and the concerning behavior of the older sibling.

The Department confirmed allegations the maternal grandmother and maternal grandfather committed Neglectful Supervision of the older sibling of the deceased child. The maternal grandparents were aware of the older sibling's behavior issues at school, his snapchat pictures with guns and his access to unsecured guns.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 01/30/2022: Safety Assessment - Initial: Safe
2.) 02/02/2022: Safety Assessment - Reassessment: Safe
3.) 04/14/2022: Safety Assessment - Case Closure: Safe

Risk Assessment Final Risk Level: Very High

Case Action:

Close

Services and Referrals Provided to the Family:

Other Services:

none

Other Actions Taken to Mitigate Risk:

Due to the criminal charges for the older sibling, the judge has ordered the siblings of the deceased child have no contact with each other and will reside in separate residences, removal of all weapons from the home, and the older sibling will be under constant supervision. Juvenile Probation remains involved with the family and will be making home visits to both homes.

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:

08/17/2015 - 02/03/2017 - removal of the deceased child and his two siblings. The father of the deceased child was granted custody at the end of conservatorship.

08/22/2017 - 04/30/2018 - removal of the deceased child and his two siblings. The maternal grandparents of the deceased child were granted custody at the end of conservatorship.

Previous Report of Abuse/Neglect:

Intake Date(s): 08/23/2013

Summary of Previous Allegation(s)/Investigation:

The Department Received a report that the deceased child's mother was driving under the influence with the deceased child, the older sibling of the deceased child and an unrelated minor. While on the way to the beer store, the family was involved in a motor vehicle accident and the vehicle caught on fire. The mother exited the vehicle leaving the child, older sibling and unrelated minor in the burning vehicle. The older sibling and unrelated minor were able to get out of the vehicle on their own and a passer-by removed the child.

The Department's investigation determined the mother admitted to drinking four shots of moonshine before driving with the deceased child, older sibling and unrelated minor in the car. This resulted in a one vehicle wreck when it hit a culvert and caught on fire. The mother exited the vehicle leaving the children. She does not remember much about the accident, but remembered telling the children to get out of the vehicle. A Passer-by removed the child in his car seat from the wreckage.

Law Enforcement completed an investigation and verified the mother's blood alcohol level was .241. At the close of the Department's investigation, Law Enforcement was waiting on a warrant to arrest the mother for child endangerment and felony DWI.

Investigation Findings:

The Department confirmed allegations the mother committed Neglectful Supervision of the deceased child and the older sibling of the deceased child. The mother was under the influence of alcohol with a blood alcohol level of .241 when she drove with the child and older sibling in the vehicle.

The Department confirmed allegations the mother committed Physical Abuse of the deceased child and the older sibling of the deceased child. After the accident, the vehicle was on fire and the mother exited leaving the child and older sibling in the burning vehicle.

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

referral to the STAR program

Other Actions Taken to Mitigate Risk:

The mother, the child and the older sibling were living with the maternal grandfather at case closure.

Previous Report of Abuse/Neglect:

Intake Date(s): 10/23/2014

Summary of Previous Allegation(s)/Investigation:

The Department receive a report that the mother of the deceased child gave birth at home to the younger sibling of the deceased child. The mother was positive for benzodiazepines, opiates, cocaine and marijuana. The younger sibling was jittery and his meconium was pending.

The Department's investigation determined the mother admitted to taking a few hydrocodone pills on 10/23/2014 from a 15-month-old prescription, and a Xanex she got from a friend on 10/22/2014. But denied using cocaine or marijuana. The mother completed a hair test and was negative for the drugs tested. The father of the deceased child and his siblings was drug tested and he was positive for marijuana. The younger sibling's meconium test was negative for drugs.

Law Enforcement did not investigate these allegations.

Investigation Findings:

The Department confirmed allegations of Neglectful Supervision of the younger sibling of the deceased child by the mother of the deceased child. The mother delivered the younger sibling at home, then went to the hospital two hours later. When she arrived at the hospital, the mother was positive for benzodiazepines, opiates, cocaine and marijuana. Her hair test result was negative, but she admitted taking an opiate and a benzodiazepine within a day of delivery.

The Department did not confirmed allegations of Physical Abuse of the younger sibling of the deceased child by the mother of the deceased child. The younger sibling's meconium test was negative for substances.

The Department did not confirm allegations of Neglectful Supervision of the deceased child and the older sibling of the deceased child by the mother of the deceased child. Though the mother tested positive for benzodiazepines, opiates, cocaine and marijuana, her hair test was negative for substances.

The Department did not confirm allegations of Neglectful Supervision of the deceased child and the older sibling of the deceased child by the father of the deceased child. Though the father tested positive for marijuana, it is unknown if he was under the influence when he cared for the children.

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Counseling, Drug and Alcohol Assessment/Treatment, Mental Health referral, Parenting Skills

Other Actions Taken to Mitigate Risk:

Referred to Family Preservation stage to continue services to the family which included substance abuse counseling/treatment and parenting skills.

Previous Report of Abuse/Neglect:

Intake Date(s): 07/15/2015

Summary of Previous Allegation(s)/Investigation:

The Department received a report the mother of the deceased child was using heroin while caring for the younger sibling of the deceased child. The mother dropped the deceased child and the older sibling of the deceased child at the home of the maternal grandfather of the deceased child.

The Department's investigation determined the younger sibling resided with the mother. The deceased child and older sibling resided with the father of the deceased child. Both the father and the mother tested on hair test and were positive for amphetamines, methamphetamines and marijuana. The deceased child and young sibling tested on hair test and were positive for methamphetamines.

Law Enforcement did not investigate.

Investigation Findings:

The Department confirmed the allegation of Neglectful Supervision of the younger sibling of the deceased child by the mother of the deceased child. The mother, who was the primary caregiver of the younger sibling, tested positive for amphetamines, methamphetamines and marijuana.

The Department confirmed the allegation of Neglectful Supervision of the deceased child and the older sibling of the deceased child by the father of the deceased child. The father tested positive for amphetamines, methamphetamines and marijuana.

The Department confirmed the allegation of Physical Abuse of the younger sibling of the deceased child by the mother of the deceased child. Both children tested positive for methamphetamines .

The Department confirmed the allegation of Physical Abuse of the deceased child by the father of the deceased child. Both children tested positive for methamphetamines.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 08/18/2015: Safety Assessment - Initial: Unsafe
2.) 08/27/2015: Safety Assessment - Case Closure: Unsafe

Risk Assessment Final Risk Level: Risk Assessment not required by Policy.

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

The children were removed and placed in foster care 08/17/2015. The father successfully completed his plan of service and the children were returned to the father and the conservatorship case was closed 02/03/2017.

Previous Report of Abuse/Neglect:

Intake Date(s): 07/19/2017

Summary of Previous Allegation(s)/Investigation:

The Department received a report the deceased child and both siblings of the deceased child were living with the mother of the deceased child. In the most recent case, the father of the deceased child had been awarded primary custody of the children, but he returned the children to the mother's care when she was released from jail. The mother is alleged to be using methamphetamines and there is domestic violence in the home between the mother and her paramour.

The Department's investigation determined the mother of the deceased child had the deceased child and his siblings in her possession. However, mother eventually left the children with the with the maternal grandparents of the deceased child. The mother refused to cooperate with the Department. The father of the deceased child was positive for benzodiazepines and marijuana. The father did not have a prescription for the benzodiazepines and admitted to using marijuana a few days earlier. The deceased child and younger sibling were positive on a hair test for methamphetamines and marijuana. This was the second time the children were positive for methamphetamines on a hair test.

Law Enforcement did not investigate the allegations.

Investigation Findings:

The Department confirmed allegations of Neglectfully Supervised the deceased child, the older sibling of the deceased child and the younger sibling of the deceased child by the mother. The mother was believed to be using methamphetamines, but refused to cooperate with the department. The deceased child and the younger sibling of the deceased child were positive for methamphetamines and marijuana.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 07/22/2017: Safety Assessment - Initial: Safe

Risk Assessment Final Risk Level: Very High

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Drug testing/treatment, family support services, physical heath services

Other Actions Taken to Mitigate Risk:

The deceased child and his two siblings were removed and placed in foster care on 08/22/2017. The child and his siblings were moved from their foster placements to the maternal grandparent's home on 08/31/2017. When the Conservatorship case ended the maternal grandparents were awarded Permanent Managing Conservatorship of the three children.

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 03/03/2023 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.