# Child Fatality Report Release of Information to the Public

**Person ID:** 88815362

**County of Child's Residence:** BEXAR

**Gender:** Female

**Age:** 8 Year(s) 4 Month(s)

**Date of Death:** 12/22/2022

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.

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**Child's Name:** Vidales,Nicole M

**Current Report(s) of Abuse/Neglect:**

**Intake Date(s):** 12/23/2023 (3 intakes) ; 1/5/23; 1/30/23 (merged)

**Summary of Allegation(s)/Investigation:**

The Department received 3 intakes alleging Neglectful Supervision. Allegations included information Mother of the deceased child was arrested for driving under the influence of alcohol and methamphetamines. The vehicle rolled over and struck a pole. Both children were in the backseat and paternal grandmother was in the front passenger seat. The accident occurred at 6:56 PM on 12/22/22. Prior to the wreck, mother found out paternal grandmother was in possession of heroin. Mother was upset and started arguing with paternal grandmother. Paternal Grandmother pulled over into a gas station, got out and Mother got in the driver's seat. Mother was intoxicated and argument continued. Mother lost control of the vehicle, hit a curb, crashed into another vehicle and then hit a pole. The pole split and landed on the top rear right side of the vehicle where the deceased child was. Mother was arrested for intoxication manslaughter. Her blood alcohol level was .220. A fourth intake was received while investigation was ongoing.

The investigation found neglectful supervision attributed to the accident and maternal grandmother smoked marijuana and drank while caring for the deceased child's sibling. There were additional allegations of cocaine use. The Department's investigation determined the mother was under the influence as she admitted to drinking half a bottle of dark liquor, which was confirmed by the deceased child's sibling. The deceased child's sibling also made outcries of drug use by mother and her mother allowing her boyfriend to come to the home despite physical altercations. Maternal grandmother attempted to stop mother from leaving with the children the night of the accident. Paternal

grandmother picked up mother and the children and drove with them while under the influence of heroin. She was admitted to the hospital and experienced withdrawals to the point she was not responsive to medical staff. The deceased child's sibling reported the paternal grandmother was hitting her mother while she was driving which resulted in her mother removing her hands from the wheel to block the paternal grandmother from hitting her. This is believed to contribute to the mother losing control of the vehicle. Per the deceased child's sibling, prior to this her mother was speeding; thus, paternal grandmother was screaming and hitting mother to tell her to slow down.

**Investigation Findings:**

The Department confirmed the mother committed neglectful supervision of the deceased child which led to her death.
The Department confirmed the mother committed neglectful supervision of the deceased child's sibling.
The Department confirmed the paternal grandmother committed neglectful supervision of the deceased child and her sibling.
The Department did not confirm the maternal grandmother committed neglectful supervision of the deceased child and her sibling.
The Department did not confirm an unknown perpetrator committed neglectful supervision of the deceased child's sibling.

12/23/2022 Safety - Initial Unsafe
01/11/2023 Safety - Reassessment Safe
01/30/2023 Safety - Reassessment Safe
12/26/2022 Risk High

**Safety and Risk Assessment Factors Identified:**

**Case Action:**

Close

**Services and Referrals Provided to the Family:**

Counseling and Evaluation,Legal Services

**Other Services:**

None

**Other Actions Taken to Mitigate Risk:**

The deceased child's sibling was removed.

**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:**

Not applicable

## Previous Report of Abuse/Neglect:

**Intake Date(s):** 06/12/2022

**Summary of Previous Allegation(s)/Investigation:**

The Department received an intake regarding neglectful supervision after mother of the deceased child and a friend were discovered to be heavily intoxicated and driving with the children. This was mother's second conviction.

The Department's investigation revealed mother and the children were at the lake with mother's friend. Mother disclosed she suffered from various ailments and had some mental health diagnosis. She felt medication was not helping her. She admitted she and her friend were drinking. She was tested during the investigation and was negative for drugs. Mother failed her sobriety test when addressed by law enforcement.

**Investigation Findings:**

The Department confirmed the mother of the deceased child committed neglectful supervision of the deceased child and her sibling.

06/15/2022 Safety - Initial Safe
08/05/2022 Safety - Reassessment Safe
08/05/2022 Risk Moderate

**Safety and Risk Assessment Factors Identified:**

**Case Action:**

Close

**Services and Referrals Provided to the Family:**

Counseling and Evaluation

**Other Services:**

None

**Other Actions Taken to Mitigate Risk:**

None

## Previous Report of Abuse/Neglect:

**Intake Date(s):**

**Summary of Previous Allegation(s)/Investigation:**

**Investigation Findings:**

**Safety and Risk Assessment Factors Identified:**

**Case Action:**

Close

**Services and Referrals Provided to the Family:**

Counseling and Evaluation

**Other Services:**

**Other Actions Taken to Mitigate Risk:**

## Other Previous Report of Abuse/Neglect:

**Intake Date(s):** 08/29/2021

**Summary of Previous Allegation(s)/Investigation:**

The Department received an intake regarding physical abuse due to an uncle assaulting the deceased child by slapping her and leaving a bruise around her eye. Per the intake, mother claimed this uncle had assaulted her (mother) before and is aggressive.

The Department's investigation revealed the deceased child had two diagnosis. Mother also had some mental health diagnosis. Mother reported her brother left a bruise on the deceased child's face. The deceased child's sibling claimed mother would pull her hair, hit her with a belt, and hit her in the mouth as forms of discipline. Alcohol use was reported to be going on in the home. The deceased child reported she felt the slap was an accident and that her mother was not allowing them to go to the maternal grandmother's home if the uncle was there. She disclosed the same discipline methods her sister did. Mother reported some concerning behaviors being exhibited by the deceased child. The deceased child was previously on medication. She was taken off, but was back on. Mother denied excessive discipline. Mother asked for resources. These were provided to her. The uncle did not cooperate with the investigation. Maternal grandmother also felt the slapping incident was an accident.

**Investigation Findings:**

There was no disposition given as this was an alternative response case.

**Safety and Risk Assessment Factors Identified:**

Risk Assessment: 09/03/2021 Safety - Initial Safe
09/03/2021 Safety - Reassessment Safe
10/12/2021 Safety - Reassessment Safe
10/15/2021 Risk Moderate

**Case Action:**

Case was an alternative response case. The case was closed as no danger indicator, services completed. It was noted a service provider was in the home regularly.

**Services and Referrals Provided to the Family:**

Parenting, Mental Health Evaluation and Treatment

**Other Services:**

None

**Other Actions Taken to Mitigate Risk:**

The mother and the maternal grandmother agreed to not allow the uncle any unsupervised contact with the children.

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.