Child Fatality Report Release of Information to the Public

Person ID: 97400791

County of Child's Residence: JEFFERSON

Gender: Male

Age: 4 Year(s) 5 Month(s)

Date of Death: 06/08/2022

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: Madrid,Anthony J

Current Report(s) of Abuse/Neglect:

Intake Date(s): 06/08/2022; 09/13/2022

Summary of Allegation(s)/Investigation:

The Department received a report the deceased child shot himself with a gun at his home. Another report was received the deceased child was shot by his cousin who found an unsecured gun in the garage. Some family members were aware the gun was at the home. 9-1-1 was called and responded.

The Department's investigation determined the four-year-old deceased child and the seven-year-old found the gun. The young cousin accidently shot the child. The gun was brought to the home by the deceased child's maternal uncle. The deceased child's mother told the uncle to remove the gun from the property but did not confirm the gun was no longer at the home. The deceased child's maternal grandmother and the maternal uncle knew the gun was unsecured at the home and accessible to the children. The grandmother had looked for the gun in the garage on the morning the child died. One of the deceased child's older siblings described where the gun was located in the garage.

Law Enforcement conducted an investigation. At the time the Department's investigation closed it is unknown if law enforcement will be filing charges.

The medical examiner conducted an autopsy. The final autopsy listed the manner of death as Homicide and the

cause of death as gunshot wound to head.

Investigation Findings:

The Department confirmed allegations the deceased child's mother committed neglectful supervision of the deceased child which led to his death. She knew the maternal uncle had brought a gun to the home and she had asked him to remove gun from the home. The deceased child was found in the garage with a gunshot wound to the face. The mother was aware the gun was in the home but did not ensure it was removed from the home or safely secured, which allowed the deceased child access to the weapon resulting in his death.

The Department confirmed allegations the deceased child's maternal grandmother committed neglectful supervision of the deceased child which led to his death. The maternal grandmother admitted knowing that there was an unsecured handgun in the garage and looked for the gun on the day of the incident but did not locate the gun. The maternal grandmother knowingly placed the child at risk of danger by not confirming the gun was safely secured which resulted in the child's death.

The Department confirmed allegations the deceased child's maternal uncle committed neglectful supervision of the deceased child which led to his death. The maternal uncle admitted to bringing the gun to the home and knowing the unsecured handgun was in the garage. The maternal uncle knowingly placed the child at risk of danger by not confirming the gun was safely secured or removing the gun from the premises, which resulted in the child's death.

The Department confirmed allegations the deceased child's mother, maternal grandmother and maternal uncle committed neglectful supervision of the deceased child's siblings. The mother, grandmother and uncle were all aware a gun was brought to the home, but no one ensured it was either removed from the property or safely secured.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 06/09/2022: Safety Assessment - Initial: Safe with plan
2.) 07/13/2022: Safety Assessment - Case Closure: Safe
3.) 08/12/2022: Safety Assessment - Reassessment: Safe

Risk Assessment Final Risk Level: Very High

Case Action:

Close

Services and Referrals Provided to the Family:

Counseling and Evaluation,Parent/Caregiver Training,Housing

Other Services:

The family was referred to counseling for the surviving siblings and the siblings participated in counseling.

Other Actions Taken to Mitigate Risk:

The family has a large extended family support system.

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:

The deceased child and his two older siblings were placed in conservatorship on 02/05/2019 and the conservatorship stages closed 06/22/2020. All three children were returned to the deceased child's mother's care.

Previous Report of Abuse/Neglect:

Intake Date(s): 01/24/2019; 01/24/2019

Summary of Previous Allegation(s)/Investigation:

The Department received a report three unknown persons kicked in the front door of the family's home looking for the deceased child's father. The unknown persons shot the deceased child and the deceased child's mother. The deceased child had extensive damage to the right foot and was transported via Life Flight to a hospital. The mother only has tissue damage to her leg but was pregnant. The shooting may be drug related based on information from law enforcement.

The Department's investigated determined the parents of the deceased child were aware of the possibility of violence in the home but chose to let the child remain in the home. The two older siblings were living with the maternal grandmother due to the possibility of danger in the home. Due to the father's criminal activity, three men came to the home with guns. The mother and child hid while the father engaged in gunfire with the three men. The child was shot in the foot and the foot was later amputated. The mother was shot, but her injuries were minor.

Law Enforcement investigated and the father admitted he hid an AK-47 in the residence. The AK-47 was located in the family's attic with two full cases of Codeine Syrup, 1.5 kilos of cocaine and 3 firearms. The father was arrested by Alcohol Tobacco and Firearms (ATF) and is incarcerated in a federal facility.

Investigation Findings:

The Department confirmed the allegations of neglectful supervision by the deceased child's parents which lead to the child's serious injury. The parents knew their home was unsafe due to the father's criminal activity but chose to have the you child in the home. The child's older siblings lived with the maternal grandmother due to the risk of violence in the parent's home. The child was shot in the foot which was later amputated.

The Department did not confirm the allegations the deceased child's mother committed neglectful supervision of the child's older siblings. Knowing the risk of violence in the family's home, the mother had allowed her two older children to live with the maternal grandmother.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 01/25/2019: Safety Assessment - Initial: Safe
2.) 03/29/2019: Safety Assessment - Reassessment: Unsafe

Risk Assessment Final Risk Level: Moderate

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

The Department was given conservatorship of deceased child and the two older siblings. The child was placed in a foster home and the two siblings were placed in a kinship placement with their maternal grandmother. When the mother completed parenting and counseling, the children returned to her care for a monitored return in the Family Reunification Stage of Service. The Conservatorship case was closed in June 2020.

The deceased child's father was incarcerated when the children were returned to the mother's care with a release date of 2033.

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 03/02/2023 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.