Child Fatality Report Release of Information to the Public

Person ID: 101439264

County of Child's Residence: BEXAR

Gender: Male

Age: 3 Year(s) 0 Month(s)

Date of Death: 06/12/2023

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: Suarez,Zayden

Current Report(s) of Abuse/Neglect:

Intake Date(s): 06/2/2023, 06/2/2023 - two reports merged into single investigation

Summary of Allegation(s)/Investigation:

The Department received two reports with concerns the deceased child was observed foaming at the mouth and deceased while sleeping by himself in his infant bed. There were concerns for the care the child and his siblings were receiving as well as with the condition of the home. A subsequent report was received regarding the same incident but with additional information the child also had an injury to his eye. Deceased child's mother was alleged to have not sought medical care for fear the Department would be contacted about the bruised eye. There were concerns with the condition of the home and that the deceased child's stepfather was a registered sex offender.

The Department's investigation revealed the deceased child's mother and the stepfather were aware of the child's ongoing medical issues. They knew he continued to vomit and had diarrhea for more than two weeks. They were both regular caregivers for the child and could have contacted 911 or ensured medical care was sought. Their failure to act resulted in the child's death. According to a Forensic Assessment Center Network review, the prognosis for intussusception with medical treatment is very good. The failure to seek medical care resulted in the rupture of the child's bowels and his eventual death. Mother tested negative for drugs, although admitted using marijuana. The stepfather tested positive twice for marijuana. He was a primary caregiver to the children. There was no evidence to support concerns for the home. The home was observed appropriate and the children's physical needs appeared to have been met. The body cam footage was reviewed and the home was not in deplorable condition which would

warrant concern for physical neglect. The concern for sexual abuse was based on risk to the children due to the stepfather's status as a registered sex offender. None of the children made an outcry, nor was there evidence of sexual trauma.

The medical examiner completed an autopsy and found the child's passing was a result of intestinal intussusception complicated by ischemic bowel necrosis and rupture. He also tested positive for Covid-19, but per the report this most likely did not significantly contribute to his death. There was also no evidence of inflicted trauma or toxic ingestion noted. The manner was noted as natural.

Law enforcement conducted an investigation. No charges were pending at the time the Department's case was closed.

Investigation Findings:

The Department confirmed the deceased child's mother and stepfather committed medical neglect of the deceased child which led to his death.
The Department confirmed the deceased child' stepfather committed neglectful supervision of the deceased child and his siblings.
The Department did not confirm the decease child's mother committed neglectful supervision of the deceased child and his siblings.
The Department did not confirm the deceased child's mother and stepfather committed physical neglect of the deceased child and his siblings.
The Department did not confirm the deceased child's stepfather committed sexual abuse of the deceased child and his siblings.

Safety and Risk Assessment Factors Identified:
06/14/2023: Safety Assessment - Initial: Safe with plan
10/24/2023: Safety Assessment - Reassessment: Safe with plan
1/21/2023: Safety Assessment - Reassessment: Unsafe
Risk Assessment: Final Risk Level: Very High

Safety and Risk Assessment Factors Identified:

Case Action:

Removal/Subcare

Services and Referrals Provided to the Family:

Counseling and Evaluation,Parent/Caregiver Training,Medical Resources/Assessment

Other Services:

Random Drug Testing

Other Actions Taken to Mitigate Risk:

A safety plan was initially implemented in which contact with the children had to be supervised. The family was also to complete services. As the investigation progressed, the mother was no longer willing to work services or engage in Safety planning. The Department sought and was granted Temporary Managing Conservatorship of the surviving children, ages 1 and 2. They were placed with relatives.

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): 05/22/2020

Summary of Previous Allegation(s)/Investigation:

The Department received a report after the deceased child's birth due to concerns with the mother's prior marijuana use and on-going mental health issues, including a previous suicide attempt one month ago. The child was noted to have been transferred to the NICU due to respiratory distress after his birth.

The Department's investigation revealed the mother admitted to a prior hospitalization for hearing voices. She was prescribed medication, but stopped taking them due to financial strain. She denied drug use while pregnant. She was given a drug test, and results were negative. The deceased child's meconium was negative as well. The case was sent to Family Based Safety Services where mother participated in services.

Investigation Findings:

The Department did not confirm the mother committed neglectful supervision of the deceased child.

Safety and Risk Assessment Factors Identified:
05/23/2020: Safety Assessment - Initial: Safe
05/28/2020: Safety Assessment - Reassessment: Safe with plan
Risk Assessment: Final Risk Level: Moderate

Safety and Risk Assessment Factors Identified:

Case Action:

Family Preservation

Services and Referrals Provided to the Family:

Counseling and Evaluation

Other Services:

Along with counseling and evaluation services, the mother also accepted services related to developmental screening for the child.

Other Actions Taken to Mitigate Risk:

A safety plan was implemented requiring mother to be supervised with the child by her friend or the maternal grandmother. During the Family Based Safety Services case, it was confirmed mother was seeking appropriate mental health services and had the support of friends and family in the care of the child. The child had a developmental assessment and did not qualify for services. Prior to Family Based Safety Services closing the case, a safety network meeting was held with two of mother's friends.

Previous Report of Abuse/Neglect:

Intake Date(s): 11/27/2021

Summary of Previous Allegation(s)/Investigation:

The Department received a report when the mother gave birth to the deceased child's older sibling, mother's second child. The report noted concerns for her mental health history including the fact the deceased child suffered from withdrawls from mother's medication after his birth. The mother reported because of that, once she found out she was pregnant again, she stopped taking the medication on her own.

The Department's investigation revealed the mother has been off her medication due to her pregnancy. She claimed to have addressed this with her doctor. She missed a follow up appointment with the doctor to get back on medication, and then admitted she did not like the way it made her feel and utilized family support as an alternative. She was taking leftover medication from her previous prescription. She was drug tested and was negative for all substances. Collaterals did not express any concerns.

Investigation Findings:

The Department did not confirm the mother committed physical abuse of the deceased child.

Safety and Risk Assessment Factors Identified:
11/30/2021: Safety Assessment - Initial: Safe
02/28/2022: Safety Assessment - Reassessment: Safe
Risk Assessment: Final Risk Level: High

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Other Services:

No services or referrals provided.

Other Actions Taken to Mitigate Risk:

None

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.