Child Fatality Report Release of Information to the Public

Person ID: 110580405

County of Child's Residence: HAYS

Gender: Female

Age: 1 Year(s) 2 Month(s)

Date of Death: 04/09/2023

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: Arceneaux,Arya

Current Report(s) of Abuse/Neglect:

Intake Date(s): 04/10/2023

Summary of Allegation(s)/Investigation:

The Department received two reports regarding concerns for a 1-year-old female deceased child, who had been brought into the hospital not breathing, not responsive, and blue. The deceased child's mother while at Sonic, got out of the car and discovered that the deceased child was not responsive and not breathing. Law enforcement is investigating the time between 3 PM to 5 PM. There were additional concerns that the deceased child's mother was under the influence and was found with several types of drugs in her possession.

The Department determined that the deceased child and the deceased child's mother left a friend's home around 3:30 PM to go to Sonic and arrived at the hospital at approximately 5:21 PM. Medical personnel and law enforcement interacted with the deceased child's mother, who showed possible signs of being under the influence. A warrant blood drawl test occurred but the results are still pending. The deceased child's mother acknowledged a history of substance abuse and admitted to a recent relapse, but not on the day of the child's demise. Drugs were found in the deceased child's mother's bag and in her vehicle. The toxicology report from the autopsy found Fentanyl and Methamphetamine in the deceased child's system.

Law Enforcement is conducting an investigation. Their investigation remains active and ongoing at case closure.

The medical examiner's autopsy report determined the deceased child's CAUSE OF DEATH was Toxic Effects of Methamphetamine & Fentanyl and the MANNER OF DEATH Undetermined.

Investigation Findings:

The Department confirmed the deceased child's mother committed neglectful supervision of the deceased child, which contributed to the child's death. The deceased child's mother had physical care of the child. The deceased child's mother had drugs in her bag and in the vehicle. The mother was aware of the dangers drugs posed if consumed by the deceased child.

The Department was unable to confirm or refute the deceased child's mother committed neglectful supervision of the deceased child's sibling. The mother had a history of substance abuse, acknowledged a recent relapse, drugs were found in the mother's possession, and there were concerns that the mother was under the influence. Drug test results from a warrant drug test are still pending. The deceased child's sibling did not provide any information of seeing her mother using or being under the influence. Extended family were unaware of the mother's recent relapse.

Safety Decisions:
04/11/2023 Safety Assessment - Initial: Safe with a plan
06/13/2023 Safety Assessment - Closure: Safe - No child in the mother's care

Risk Findings: High

Case Action: Closed

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Counseling and Evaluation,Parent/Caregiver Training,Legal Services

Other Services:

Counseling Referrals, Drug Testing, Legal services, Parenting skills, & Support groups (such as Parents Anonymous, AA, ALANON, etc.)

Other Actions Taken to Mitigate Risk:

The deceased child's family has a support network to help meet the needs of the deceased child's surviving sibling. There is a protective parent who is aware of the dangerous lifestyle by the deceased child's mother, who is willing and able to keep the surviving sibling safe. The family has access to community resources and has expressed a willingness to access them as needed.

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): 03/08/2016

Summary of Previous Allegation(s)/Investigation:

On 03/08/2016 the Department received concerns that the deceased child's mother Physically Abused the deceased child's sibling. The sibling shared that while her mother was holding her on 03/07/2016 she choked her where she could not breathe.
A subsequent report was received on 03/28/2016 for concerns that the deceased child' mother and mother's boyfriend Neglectfully Supervised the deceased child's sibling, due to reported marijuana used around the sibling while being caregivers.

The Department determined that the deceased child's sibling was not physically abused. The sibling did make a statement of being choked, however there were no physical injuries. The deceased child's mother disclosed there had been a situation when she was securing the sibling in her car seat, in which the sibling was uncomfortable, and claimed the mother was choking them.

The Department determined that the deceased child's sibling was not neglectfully supervised. The sibling did not know what drugs were but knew the deceased child's sibling's father had smoked in the car. The deceased child's mother and the deceased child's sibling's father denied using drugs while caring for the sibling. The mother denied the sibling's father was a caregiver. The mother and the sibling's father acknowledged marijuana use from time to time and completed drug testing. The deceased child's mother was negative for any drugs and the sibling's father was positive for marijuana. The mother and the sibling's father claimed to use marijuana while with friends and that a family member was caring for the sibling. The Department verified with the family member that they were caring for the sibling.

Investigation Findings:

The Department did not confirm that the deceased child's mother physically abuse the deceased child's sibling.

The Department did not confirm that the deceased child's mother and deceased child's sibling's father were negligent in their supervision of the deceased child's sibling.

Safety Decision
03/10/2016 Safety Assessment - Initial - Safe
04/05/2016 Safety Assessment - Reassessment - Safe
04/14/2016 Safety Assessment - Reassessment - Safe

Risk Level: Moderate

Case Action: Closed

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Other Services:

No services or referrals were provided

Other Actions Taken to Mitigate Risk:

Not Applicable

Previous Report of Abuse/Neglect:

Intake Date(s): 09/17/2016

Summary of Previous Allegation(s)/Investigation:

On 09/17/2016 the Department received a report of Physical Abuse regarding the deceased child's sibling by an Unknown Person. On 09/16/2016 the sibling was observed by a professional reporter to have a bruise on her right wrist and when asked what happened the sibling looked at the reporter very scared. The sibling provided multiple explanations (i.e. a child at school pushed her in the classroom, she fell at home, and she fell on the playground).

The Department determined that the deceased child's sibling obtained a bruise from jumping on the bed and falling. The sibling did not want to be in trouble, as this is against the rules, so she did not want to tell the reporter what happened.

Investigation Findings:

The Department did not confirm that the unknown person physically abused the deceased child's sibling.

Safety Decision
09/20/2016 Safety Assessment - Initial - Safe
02/02/2017 Safety Assessment - Closure - Safe

A Risk Assessment was not required in this investigation.

Case Action: Closed

Safety and Risk Assessment Factors Identified:

Case Action:

Closed to Merge

Services and Referrals Provided to the Family:

Other Services:

No services or referrals were provided

Other Actions Taken to Mitigate Risk:

Not Applicable

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 10/24/2023 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.