Child Fatality Report Release of Information to the Public

Person ID: 111069347

County of Child's Residence: COLLIN

Gender: Male

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

Date of Death: 05/29/2023

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: Roberts,Austin

Current Report(s) of Abuse/Neglect:

Intake Date(s): 05/29/2023

Summary of Allegation(s)/Investigation:

The Department received a report that the deceased child was found face down in the bathtub after being left unattended in the water with his sibling.

The Departments investigation determined the deceased child's maternal grandmother was giving the deceased child and the deceased child's sibling a bath. The grandmother reported she wanted to get a toy for the children to play with, so she called out to the deceased child's older sibling, but she did not respond. As a result, the grandmother left the children in the bathroom for a few seconds, less than a minute per her own admittance to retrieve the toy. When the grandmother returned to the bathroom, the deceased child was face down in the water. When the grandmother pulled the deceased child out of the water, she started patting him on the back and providing resuscitation efforts. The deceased child was awake and alert when the fire department arrived on scene and upon admittance to the hospital. According to the emergency room doctor, the story of what happened to the child seemed plausible. While in the hospital, the deceased child began to have seizures and was later pronounced deceased. The deceased child's mother was not in the home at the time of the incident. The child and sibling needed ongoing supervision and they did not have the cognitive ability to recognize the danger of water when left in the bathtub unattended. The grandmother failed to supervise the children or designate an appropriate caregiver to supervise the children while they were in the bathtub which led to the deceased child's passing.

The medical examiner conducted an autopsy and listed the cause of death as drowning and the manner of death as accidental.

A Forensic Assessment Center Network was completed and concluded the death was preventable and indicative of neglectful supervision.

A law enforcement investigation was completed, and no arrest were made upon closure of the Departments investigation.

Investigation Findings:

The Department confirmed the maternal grandmother committed neglectful supervision of the deceased child which led to his death. The grandmother failed to supervise the child or designate an appropriate caregiver to supervise the child.

The Department confirmed the maternal grandmother committed neglectful supervision of the youngest surviving sibling. The child needed ongoing supervision and he did not have the cognitive ability to recognize the danger of water when left in the bathtub unattended.

Safety and Risk Assessment Factors Identified:
05/31/2023: Safety Assessment - Initial: Safe with plan
08/29/2023: Safety Assessment - Reassessment: Safe
Risk Assessment Final Risk Level: Moderate

Safety and Risk Assessment Factors Identified:

Case Action:

Fam refusal/No legal interven poss-Close

Services and Referrals Provided to the Family:

Counseling and Evaluation

Other Services:

Counseling resources were provided to the family. The family was offered and declined Family Base Safety Services.

Other Actions Taken to Mitigate Risk:

A Safety Plan was implemented in which the maternal grandmother agreed to be supervised around the surviving siblings by the mother. The school age siblings are seen by professionals in the community on a regular basis and the youngest sibling is enrolled in daycare.

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:

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.