Child Fatality Report Release of Information to the Public

Person ID: 111319704

County of Child's Residence: DALLAS

Gender: Male

Age: 1 Year(s) 7 Month(s)

Date of Death: 07/01/2023

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: Bernard,James L

Current Report(s) of Abuse/Neglect:

Intake Date(s): 07/01/2023

Summary of Allegation(s)/Investigation:

The department received a report after law enforcement officials responded to a 911 call and discovered the deceased child had been involved in a fatal car accident.

The Departments investigation determined the deceased child's mother and father got into a verbal argument over the mother's Facebook account. During the argument the father informed the mother she needed to leave the home since she could not figure out the Facebook password. After consulting with the child's maternal grandmother and getting approval for mother and the child to reside in her home, the mother asked father, who was under the influence to take mother and the child to the maternal grandmother's residence. The father did not end up taking them to the maternal grandmother's home, instead the father took them to a park where they continued to argue. The mother got out the vehicle, took the child with her, and sat on a nearby bench. The father began fighting the mother for the child, eventually taking the child, getting back into the car, and attempting to drive away. The mother reported she could not let the father take the child, so she jumped through the passenger side window and got in the car. The father then told the mother if she was not getting out the car then he was going to kill her. The father began speeding with the child sitting on his lap and ended up crashing into a tree which killed the father, the child, and seriously injured the mother. An autopsy was completed on the father and showed him having ethanol 0.097 in his system along with cannabinoid components and methamphetamines. The mother reported on a normal day she would consume seven

to eight marijuana blunts. The mother admitted to sharing a cup of alcohol with the father and consuming approximately four marijuana blunts on the day of the child's passing. The father's actions led to the child's death however, the mother knowingly got into a car with the father who was under the influence of illegal substances. The child died because of the injuries sustained in the crash.

The medical examiner did not conduct an autopsy.

A law enforcement investigation was completed, and the case was referred to the grand jury.

Investigation Findings:

The Department confirmed the father committed neglectful supervision of the deceased child, which led to his death. The father consumed alcohol, smoked approximately four marijuana blunts and drove recklessly with the child in the vehicle unrestrained which led to the father hitting a tree.

The Department confirmed the mother committed neglectful supervision of the deceased child. The mother knowingly and willingly got into a car with the father who was under the influence of illegal substances.

A Safety and Risk Assessment was not required per policy.

Safety and Risk Assessment Factors Identified:

Case Action:

Only child died

Services and Referrals Provided to the Family:

Other Services:

Grief and therapy counseling resources were provided to the mother, which she accepted.

Other Actions Taken to Mitigate Risk:

None. The mother does not have any other children in her care.

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.