Child Fatality Report Release of Information to the Public

Person ID: 107681146

County of Child's Residence: HARRIS

Gender: Male

Age: 4 Year(s) 6 Month(s)

Date of Death: 05/05/2022

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: Gomez Lupian,Ryan

Current Report(s) of Abuse/Neglect:

Intake Date(s): 05/02/2022, 05/06/2022

Summary of Allegation(s)/Investigation:

The Department received multiple intakes that were merged into a single investigation notifying it of a child being shot in the head by a sibling and was transported to the local hospital. There were nine people in the home when an uncle that was visiting left his firearm unattended in a room. The sibling found the firearm and shot the deceased child in the forehead. The child was taken to the hospital and passed away a few days later. The siblings are with the mother and father. The uncle was arrested and is in jail for leaving the weapon unattended.

The Department's investigation determined that the deceased child shared the home with his siblings, parents and maternal relatives. The maternal uncle was staying in the home when he left his loaded firearm in plain sight on the dresser in the bedroom. The gun did not have a safety lock and was not placed in a secure area. The uncle did not make any attempt to remove the bullets from the gun chamber before leaving it on the dresser. One of the siblings gained access to the firearm and accidentally shot the deceased child. The child was transported to the local hospital where he did not recover from his injuries and passed away at the hospital. The uncle admitted to his role in the abuse and neglect and was arrested by law enforcement. The siblings remained in the care of their parents who agreed to be protective and did not have any other firearms in the home.

Law Enforcement investigated and the uncle was arrested and charged with unlawful possession of a firearm by a

felon.

The medical examiner conducted an autopsy but the final results were not avilable when the Department completed it's investigation. Prelimary results listed the manner of death as a homicide and cause of death as gunshot wound to the head.

Investigation Findings:

The Department confirmed allegations that the deceased child's uncle committed Neglectful Supervision of the deceased child, which led to the child's death. The child sustained a gunshot wound to the head after the sibling gained access to a loaded firearm. The uncle admitted to leaving his firearm in plain sight without a safety lock and with bullets in the chamber. The firearm was not properly secured in a safe place and was easily accessible to the children in the home.

The Department confirmed allegations that the deceased child's uncle committed Neglectful Supervision of the sibling. The sibling gained access to a loaded firearm that was not properly secured and accidentally shot the deceased child in the head while handling the firearm. The uncle admitted to leaving his firearm in plain sight without a safety lock and bullets in the chamber.

The Department refuted the allegations of neglectful supervision of the deceased child and his sibling by unknown. The parents and grandparents did not own any firearms and were not responsible for the sibling gaining access to the firearm as they were not aware the uncle had the weapon in the bedroom.

Safety and Risk Factors Identified:
05/02/2022 - Safety Assessment - Initial - Safe
06/01/2022- Safety Assessment case closure- Safe
06/08/2022 - Risk Assessment - Moderate
Final Safety Decision- Safe
Case Action: Close

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Counseling and Evaluation

Other Services:

The parents were provided with grief counseling resources.

Other Actions Taken to Mitigate Risk:

The uncle remained in jail and did not have access to the siblings. The parents agreed to continue to be protective and the relatives were willing to help monitor.

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:

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.