Child Fatality Report Release of Information to the Public

Person ID: 115564411

County of Child's Residence: TRAVIS

Gender: Male

Age: 0 Year(s) 1 Month(s)

Date of Death: 11/27/2024

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: Hernandez-Mend,Marcelo

Current Report(s) of Abuse/Neglect:

Intake Date(s): 11/27/2024

Summary of Allegation(s)/Investigation:

The Department received a report regarding the deceased child who arrived at a local hospital, where cardiopulmonary resuscitation proved unsuccessful. A subsequent skeletal survey revealed extensive injuries, including multiple rib fractures in different stages of healing, a skull fracture, and several buckle fractures in various stages of healing. The attending physician concluded the deceased child died of cardiac arrest as a consequence of multiple traumas sustained over the prior six weeks.

The Department's investigation determined the deceased child's parents reported finding the deceased child unresponsive after a period of several hours. They stated they put the deceased child down to sleep at 9:30 AM and checked on him around 1:30 PM, when the deceased child's mother observed, via baby monitor, he was not moving normally. While the deceased child's father was asleep at this time, the deceased child's mother discovered the deceased child was not breathing and called for his help. Law enforcement indicated an hour passed between when the deceased child was reportedly found unresponsive and when the parents sought medical attention. Instead of calling emergency services, they packed a diaper bag and paperwork and drove the deceased child to the hospital themselves, a 20-minute drive. The deceased child's parents have offered no explanation for the deceased child's injuries, leaving an hour of time unaccounted for.

During interviews, the deceased child's father acknowledged the deceased child's mother's anger issues and jealousy regarding his time spent with friends and perceived lack of help at home. The deceased child's mother confirmed she was the primary caregiver and feels resentful towards the deceased child's father for leaving to play soccer. She

admitted to expressing her anger through yelling, screaming, throwing, and kicking objects. A neighbor recalled a loud argument between the parents on November 26, 2024, and reported it to law enforcement on November 27, 2024. The surviving deceased child's sibling, age 1, was in the home but was not injured.

The Department consulted with child abuse medical professionals from the Forensic Assessment Center Network, who determined the physical injuries were significant and inconsistent with accidental trauma. These injuries, specifically a traumatic brain injury, resulted from blunt force trauma.

The medical examiner conducted an autopsy; however, the final results were still pending when the Department's investigation closed. Preliminary findings revealed a total of 34 fractures throughout the deceased child's body. Four skull fractures were attributed to a single impact. In addition, the deceased child sustained a broken spine and numerous other fractures at various stages of healing.

Law enforcement completed an investigation, and the deceased child's mother was arrested on capital murder charges.

Investigation Findings:

The Department confirmed the deceased child's mother and father committed physical abuse of the deceased child which led to his death.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 11/28/2024: Safety Assessment - Initial: Safe with plan
2.) 01/13/2025: Safety Assessment - Case Closure: Unsafe

Risk Assessment Final Risk Level: Very High

Case Action:

Removal/Subcare

Services and Referrals Provided to the Family:

Other Services:

The deceased child's mother remains incarcerated. Neither parent was provided any services during Department's investigation. Services will be offered as part of the Conservatorship case.

Other Actions Taken to Mitigate Risk:

A Parent Child Safety Placement was completed with the deceased child's surviving sibling being with the paternal grandmother. The Department was granted Temporary Managing Conservatorship of the deceased child's surviving sibling who was placed with the paternal grandmother.

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): 02/21/2019

Summary of Previous Allegation(s)/Investigation:

The Department received a report with concerns that the deceased child's mother, age 16 at the time, and the mother's adult sibling were engaging in illegal substance use while caring for their 2-year-old sibling.

The Department's investigation determined that the mother's adult sibling was the primary daytime caregiver for the 2-year-old while the maternal grandmother worked. A hair strand test showed the adult sibling tested positive for cocaine and marijuana, and she was dishonest about her drug use. It was undetermined whether she was under the influence while caring for the younger sibling. The deceased child's mother assisted in the care of her younger sibling but was not the sole caregiver nor legally responsible for the child and submitted to a drug test, which showed no evidence of substance use.

Investigation Findings:

The Department did not confirm the deceased child's mother committed neglectful supervision of the 2-year-old sibling.

The Department was unable to determine if the adult sibling committed neglectful supervision of the 2-year-old sibling.

Safety and Risk Assessment Factors Identified:

Structured Decision Making Safety Assessments:
1.) 02/22/2019: Safety Assessment - Initial: Safe
2.) 02/22/2019: Safety Assessment - Reassessment: Safe with plan
3.) 04/17/2019: Safety Assessment - Reassessment: Safe

Risk Assessment Final Risk Level: High

Case Action:

Services and Referrals Provided to the Family:

Other Services:

The family accepted services offered, which included interpretation services.

Other Actions Taken to Mitigate Risk:

A Safety Plan was initiated in which the adult sibling would be supervised around the younger children in the home and alternative childcare when she was at work.

The investigation was closed.

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 05/12/2026 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.