

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH  
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

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**Report Release Date: February 2, 2012**

**Review of the Death of Klisha Brown  
of Pittsburg County of Oklahoma**

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**General Information**

On June 9, 2011, the Office of Juvenile System Oversight (OJSO) received a request for a public report pursuant to Title 10A Section 1-6-105 in regard to the death of four-month-old Klisha Brown, who died on June 2, 2011. The alleged perpetrator, Damon Landry, the boyfriend of a relative, who was babysitting the child at the time of her death, was charged with First Degree Murder on June 7, 2011.

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the OKDHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105 (below).

**Authorization**

Title 10A, Section 1-6-105, B, D, and E, of the Oklahoma Statutes, states:

B. When a person responsible for a child has been charged by information or indictment with committing a crime resulting in the death or near death of the child, there shall be a presumption that the best interest of the public is served by public disclosure of certain information concerning:

1. The circumstances of the investigation of the death or near death of the child; and
2. Any other investigations concerning that child, or other children while living in the same household.

D. 1. At any time subsequent to seven (7) days after the date the person responsible for the child has been criminally charged, the Oklahoma Commission on Children and Youth shall, upon request, release certain information to the public within sixty (60) days of the request as follows:

- a. a confirmation shall be provided by the Commission as to whether a report of suspected child abuse or neglect has been made concerning the alleged victim or other children while living in the same household and whether an investigation has begun,

b. confirmation shall be provided by the Commission as to whether previous reports of suspected child abuse or neglect have been made and the dates thereof, a summary of those previous reports, the dates and outcome of any investigations or actions taken by the Department [OKDHS] and the Commission in response to any previous report of child abuse or neglect, and the specific recommendation made to the district attorney and any subsequent action taken by the district attorney,

c. the dates of any judicial proceedings prior to the death or near death of the child,

d. recommendations submitted by the Department [OKDHS] and the Commission shall be provided in writing including recommendations made at the hearing as they relate to custody or placement of a child, and

e. the rulings of the court.

2. Specific recommendations made by the Commission described in any progress reports of a pending case submitted to the court may be disclosed by the Commission.

E. Any disclosure of information pursuant to this section shall not identify or provide an identifying description of any complainant or reporter of child abuse or neglect, and shall not identify the name of the child victim's siblings or other children living in the same household, the parent or other person responsible for the child, or any other member of the household, other than the person criminally charged.

### **Identifiers:**

Child's name: Klisha Brown  
Date of Birth: February 4, 2011

Alleged Perpetrator: Damon Landry

Sibling 1 Two-years-old

Sibling 2 One-year-old

The Oklahoma Commission on Children and Youth did not become aware of this case until after Klisha's death.

### **Case History**

#### Report 1 (October 28, 2009)

The Pittsburg County OKDHS office received the first report in regard to this family on October 28, 2009. The report alleged that four adults and six children all under the age of five lived in a one bedroom house. The report further alleged that the parents did not supervise the children properly, there was no electricity in the home at times and that the infant was left alone for hours at a time.

The OKDHS accepted the report as a Priority I Assessment. Those persons documented in the Assessment as offering information included the parents, two collaterals, and a visual observation of the child. The OKDHS documented that all adults denied the allegations of the child being left unattended, that they were ever without utilities, or that anyone else resided in the home. The OKDHS documented that the infant appeared to be clean and wearing appropriate clothing.

The OKDHS documented that the parents appeared to be capable of meeting the infant's basic needs. The OKDHS documented in the Assessment of Child Safety that the baby was safe but did make the recommendation that the parents ensure that the children were properly supervised at all times.

#### Report 2 (November 25, 2009)

The Pittsburg County OKDHS received a second report on November 25, 2009. The report alleged that a relative took the seven-month-old baby into a bar. It was further alleged that the person with the relative left her three small children in the car, after dark, while the adults were in the bar.

The OKDHS accepted the report as a Priority II Assessment, with ten days in which to initiate contact with the child victim. Those persons documented as having participated in the Assessment included the parents, a relative, three collaterals, and visual observation of the child.

The OKDHS documented that all allegations were denied by the adults. The OKDHS also documented that the child appeared healthy and clean and that the home was clean and free of safety hazards. The OKDHS did recommend to the parents that they properly supervise the child and that the parents complete Parent Aide services. The parents signed the Voluntary Service Agreement on January 15, 2010, to receive services. The OKDHS documented in the Assessment of Child Safety that the child was safe.

#### Report 3 (March 4, 2010)

The Pittsburg County OKDHS received the third report, on March 4, 2010. The report alleged that the mother had left a ten-month-old child with the father and that when the mother returned the child was alone. The mother repeatedly left the child with the father which resulted in the child being left alone on more than one occasion. It was also alleged the father had been using marijuana.

The OKDHS accepted the report as a Priority I Investigation. Those persons interviewed during the investigation included the parents, nine collaterals, and a visual observation of two children as the mother gave birth to her second child during the OKDHS investigation.

The OKDHS documented that the father admitted to leaving the child in the home alone for approximately two hours, however, denied the use of marijuana.

The OKDHS set up a Protective Plan that the father would not be left unsupervised with the child and placed Comprehensive Home Based Services (CHBS) in the home. The OKDHS made an overall finding that the allegations were Substantiated and Services were recommended.

The OKDHS documented in the Assessment of Child Safety that the child was safe. It was further documented in the Assessment that the parents agreed to participate in the CHBS services and that the mother would not allow the father to have unsupervised contact with the children. The OKDHS and parents further agreed that another relative would check on the family weekly.

In the OKDHS Voluntary Safety Plan it was documented that Damon Landry who resided with the grandmother would be available for the mother if she ever needed time to herself or had to run errands and was unable to watch the children. He was also documented as being responsible for implementing safety plan components.

#### Report 4 (May 28, 2010)

The Pittsburg County OKDHS received a fourth report on May 28, 2010. The report alleged that a one-year-old child was found alone in the middle of the street with no adult supervision. Allegedly a twelve and thirteen year old, were watching the two-month-old and the one-year-old. The reporter alleged the adults in the home used drugs.

The OKDHS accepted the report as a Priority I Investigation. Those persons interviewed during the investigation included the parents, two live-in friends, four collaterals, and a visual observation of the two children.

The OKDHS documented an overall finding of Unsubstantiated with Services Recommended. The parents and collaterals denied that the children had been left with the father or any teen aged children. The OKDHS also documented a recommendation that the family continue to participate in the CHBS services and that the father have no unsupervised contact with the children.

The OKDHS documented that the children were safe and stated that "Based on the safety assessment, there is a determination that the child(ren) below is in an environment without any safety threats."

#### Report 5 (August 4, 2010)

The Pittsburg County OKDHS received a fifth report on August 4, 2010. The report alleged CHBS was in the home and that the mother continued to leave the children alone with the father. It was alleged that the mother kept the children with her for two or three days, then sent them to a relative due to being stressed out and that the children were left with another relative for weeks at a time. The report alleged the children had dirty hair and dried food all over their hands and face.

It was also alleged that there was no gas in the mother's home for some time as well as no running water in the home. In addition, that the house was dirty with trash everywhere.

The OKDHS documented that the CHBS worker stated the last time the family was seen was on July 22, 2010, but that she had appointments with the family scheduled for the last two Wednesdays and the family was not home for either appointment.

The OKDHS documented that the CHBS worker stated that Sibling 2 spit up all the time and usually smelled like formula. The provider was further documented as having stated that the home had clothes all over and the family slept on a mattress on the floor.

The OKDHS documented that the service provider did not have concerns about the care the mother provided to the children and felt like CHBS would be able to assess the situation and address any concerns without OKDHS coming back into the home. The CHBS case was scheduled to close September 24, 2010, and the service provider was documented to have said that if things got worse she would call OKDHS. The OKDHS documented that the mother was pregnant again.

The OKDHS screened the report out as not child abuse or neglect and documented that CHBS was in the home providing services to the family and reported no concerns in regard to the children's hygiene, conditions of the home, or lack of utilities. It was further documented that the CHBS provider had never seen the children left with the father.

#### Report 6 (August 20, 2010)

The Pittsburg County OKDHS received a sixth report on August 20, 2010. The report alleged there was no food or water in the home and that Sibling 1 had a bruise on the child's face. The family allegedly was using jugs of water from outside sources in order to make bottles for Sibling 2.

The OKDHS documented contacting the Service Provider who reported they had last seen the family three weeks ago and there was no water in the home but the children were staying with another relative. It was further documented the family had missed three appointments with the Service Provider who planned to staff the case with her supervisor to see if OKDHS needed to be contacted.

The OKDHS accepted the report as a Priority II Investigation with seven days in which to initiate contact with the child victims. Those persons interviewed during the investigation included the parents, three collaterals, and a visual observation of both children.

The OKDHS documented an overall finding of Substantiated with Services Recommended. The OKDHS documented that the Comprehensive Home Based Services case was closed the past week due to noncompliance. The OKDHS documented that the mother at one time appeared to have protective capacities but that had diminished. The children were at a relative's house and the mother wanted them back in her home. The mother denied she had missed appointments with the CHBS provider and stated the worker had not been to her home but did admit to not being at home the past two weeks.

The OKDHS documented that the parents were not able to meet the children's basic needs of shelter and food as they were currently being evicted. The OKDHS

documented that a relative was in the process of obtaining guardianship of the children and a hearing was set for October 20, 2010. The OKDHS recommended that the parents participate in a Family Service Centered case. The parents signed the Voluntary Service Agreement on October 15, 2010. The OKDHS also documented that due to the parent's history of non-compliance they recommended that the relative follow through with guardianship to assure the safety of the children.

#### Report 7 (February 11, 2011)

The Pittsburg County OKDHS received a seventh report on February 11, 2011. The report alleged that one-year-old Sibling 2, was taken to an emergency room this date with a burn the size of a quarter on the back of the child's hand. The mother reported the two-year-old child knocked the younger child into an electric heater on February 9, 2011. The child was taken to a local emergency room and the family was told to take the child to a Tulsa burn center as soon as possible. The reporter stated that at the time of the injury the child was in the care of a relative.

The OKDHS screened out this report and documented that it was not child abuse or neglect but that there was a history with this family in regard to lack of supervision, however, in this instance the children were supervised by a relative.

#### Report 8 (May 26, 2011)

The Pittsburg County OKDHS received an eighth report on May 26, 2011. The report alleged that all three children were at staying with a relative for the past couple of weeks due to no electricity, food, or running water in the family's home. It was also alleged that one night the four-month-old baby was ill and the mother was at a bar. It was further alleged the child was yellow, had Respiratory Syncytial Virus (RSV), and a low oxygen level.

The OKDHS accepted the report as a Priority I Investigation. Those persons interviewed during the investigation included three persons responsible for the child, five collaterals, and visual observation of the three children. The OKDHS made an overall finding of Unsubstantiated with Services Recommended.

The OKDHS documentation reflected the children were residing with a relative due to plans made by the family before the OKDHS was involved, but when the worker went to the home on May 26, 2011, the children were eating food off the floor, that there were clothes all over the home, a broken window, no electricity or running water and that the mother refused to allow the worker to look inside the family refrigerator. The mother was documented to have told the worker that there was no food as the children had been staying with relatives.

The OKDHS worker also documented a strong odor of marijuana in the home and that there was a strong odor of feces and urine in the bathroom with dirty diapers all over the floor. The mother reported to the OKDHS that Klisha had been taken to a hospital for Respiratory Syncytial Virus (RSV) about two weeks earlier, and that the child had lost weight due to the virus.

The OKDHS documented that during this open investigation, another report was received due to the death of Klisha. That report was also documented by the OKDHS to have resulted in the removal of her siblings from the home. The OKDHS recommendation documented was that all recommendations in the new investigative report be followed.

#### Report 9 (June 2, 2011)

The Pittsburg County OKDHS received a ninth report, on June 2, 2011. The report alleged that three-month-old Klisha Brown was transferred from the McAlester Regional Medical Center to a children's hospital in Tulsa due to trauma to her head and retinal hemorrhage in both eyes. The child also had bruises which included the left lower abdominal area, the right rib area, and three round bruises above the umbilical cord area. The bruises were described as purplish in color.

The child was documented by OKDHS in the report as having been admitted to a medical facility in May of 2011 for respiratory issues and a diagnosis of Failure to Thrive. OKDHS accepted the report as a Priority One investigation. Those persons interviewed during the investigation included four PRFC's, four collaterals, and visual observations of three children.

The OKDHS documented in the Summary/Recommendation portion of the Report to the District Attorney that the investigation was ruled Substantiated with Court Intervention Recommended. The OKDHS also documented that the mother admitted that she was aware that Damon Landry had "disappeared" two or three weeks prior to the child's death due to allegedly using methamphetamine and marijuana. The mother was documented to also have acknowledged that Damon Landry was "crazy" and would kick things when he was angry; and that he had allegedly blackened a relative's eye previously. The mother continued to allow her children to be kept by Damon Landry knowing he was allegedly violent and allegedly used drugs.

The OKDHS documented that Damon Landry initially stated that Klisha had stopped breathing, that he administered CPR, and denied that he had injured the child. The OKDHS also documented that he later told the police that he was feeding the baby and she threw up on him. He then admitted that he shoved the child off of his lap and she landed on the floor.

The OKDHS documented that medical professionals stated that Klisha had extreme retinal hemorrhages in both eyes and detached retinas which could only have occurred due to violent shaking. Medical professionals also reported that the child was brain dead and the life support would be turned off.

The OKDHS recommended that the guardianship by the relative of the surviving siblings be dismissed and that both children be placed in OKDHS custody. The OKDHS further documented that the children were unsafe in the home. The OKDHS documented there was extensive family history with the OKDHS. The OKDHS also documented the condition of the family's home had been a continual problem, that both parents were aware that Damon Landry was babysitting the children, and that the mother had knowledge of his alleged violent behaviors and alleged drug use.

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH  
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

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**Report Release Date: February 2, 2012**

**Review of the Death of Alexis Silvia Hawkins  
of Oklahoma County, Oklahoma**

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**General Information**

On October 30, 2011, the Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of Alexis Silvia Hawkins. Alexis' mother, Victoria Phanthtaranth and her boyfriend, Freddy Mendez were charged with Felony First Degree Murder in Oklahoma County District Court on November 15, 2011.

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the OKDHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105 (below).

**Authorization**

Title 10A, Section 1-6-105, B, D, and E, of the Oklahoma Statutes, states:

B. When a person responsible for a child has been charged by information or indictment with committing a crime resulting in the death or near death of the child, there shall be a presumption that the best interest of the public is served by public disclosure of certain information concerning:

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2. Any other investigations concerning that child, or other children while living in the same household.

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c. the dates of any judicial proceedings prior to the death or near death of the child,

d. recommendations submitted by the Department [OKDHS] and the Commission shall be provided in writing including recommendations made at the hearing as they relate to custody or placement of a child, and

e. the rulings of the court.

2. Specific recommendations made by the Commission described in any progress reports of a pending case submitted to the court may be disclosed by the Commission.

E. Any disclosure of information pursuant to this section shall not identify or provide an identifying description of any complainant or reporter of child abuse or neglect, and shall not identify the name of the child victim's siblings or other children living in the same household, the parent or other person responsible for the child, or any other member of the household, other than the person criminally charged.

### **Identifiers:**

Child's name: Alexis Silvia Hawkins  
Date of Birth: August 20, 2008  
Date of Death: October 31, 2011

Alleged Perpetrator: Victoria Phanthtaranth, biological mother  
Freddy Mendez, biological mother's boyfriend

Sibling 1: Seven-months-old

The Oklahoma Commission on Children and Youth did not become aware of this family until after the death of Alexis Hawkins.

### **Case History**

#### Report 1 (October 27, 2009)

The Oklahoma County OKDHS received the first report in regard to this family on October 27, 2009. The allegation in the report was that on June 25, 2009, Victoria Phanthtarath held a pillow over one-year-old Alexis' face three different times when the

child was crying. According to the reporter it made it difficult for the child to breath. The caller was not sure if the child was safe or in danger at the time of the call.

OKDHS documented Victoria obtained a Victims Protective Order on this date to keep Alexis' father away from her. Reportedly, about three weeks prior, the child had scratches on her face and a nickel size bruise above one of her eyes.

The OKDHS accepted the report as a Priority I Investigation and initiated the investigation on October 27, 2009, with a failed attempt. The OKDHS documented several more failed attempts to initiate the investigation on October 28, 2009, October 29, 2009, October 30, 2009, and November 18, 2009. The child was located by the OKDHS on November 19, 2009. Those persons interviewed during the investigation included four persons responsible for Alexis' care, the biological parents, the mother's boyfriend, and a family friend whom the mother and boyfriend lived with at that time; three collaterals, two friends, one law enforcement officer, and visual observation of the alleged child victim.

The OKDHS documented that Victoria stated that during a domestic violence episode in June 2009, the biological father allegedly had hit her in the face and broke her nose. She reported there was blood everywhere and that baby Alexis started to cry. Victoria stated she picked up a pillow and put it to her own nose to stop some of the blood from flowing and then picked up the baby and held the child to one side of her face toward the pillow. Victoria reported that she was trying to comfort the baby and not trying to smother her.

The biological father admitted that he had lost his temper and hit his wife, but was not sure where he hit her. He did remember seeing the blood and saw Victoria hold the pillow to the baby's face. The father was arrested. The OKDHS substantiated the allegation of Domestic Violence and recommended parenting and counseling services. The father was court ordered to fifty-two weeks of domestic violence counseling through the civil court.

#### Report 2 (October 26, 2011)

The Oklahoma County OKDHS received the second report in regard to this family on October 26, 2011. The report alleged that Victoria was abusing Alexis. Reportedly, Victoria was stressed and was taking it out on the child. The reporter also stated that Victoria had no friends or relatives close to her at that time.

The OKDHS accepted the report as a Priority I Investigation. The OKDHS documented having made a failed face to face attempt to initiate contact with the child victim at 10:35 p.m. on October 26, 2011, at a relative's home. A second failed attempt was documented as occurring on October 27, 2011, at 2:45 p.m. at that same relative's home.

The OKDHS was unable to initiate contact with Alexis in response to this report and the Investigation was closed on December 20, 2011, with a documented finding of Unable to Locate.

### Report 3 (October 30, 2011)

The Oklahoma County OKDHS received the third report of child abuse or neglect in regard to this family on October 30, 2011. The report documented that Alexis had bruises over every part of her body, a subdural hematoma, brain swelling, and a large skull fracture. Alexis was not expected to survive her injuries. The mother's explanation was that while Alexis was eating breakfast she choked. The mother stated she tried to give the child CPR and did get some of the food out. The mother's boyfriend, Freddy Mendez reported that Alexis fell down the stairs on Wednesday, October 26, 2011.

The report documented that law enforcement would be removing Alexis' seven-month-old sibling from a relative's home and placing the child in the custody of the OKDHS.

The OKDHS accepted the report as a Priority I Investigation on October 30, 2011. Those persons interviewed during the investigation included Alexis' mother, her biological father, seventeen collaterals which included eight medical professionals, five relatives, three law enforcement officers, and one OKDHS worker. The OKDHS also documented visual observations of Alexis and her younger sibling. Alexis was pronounced deceased on October 31, 2011, at 11:30 a.m.

The OKDHS documented that Alexis had a massive skull fracture from the top to the bottom back part of her skull, a subdural hematoma, cerebral edema, bilateral retinal hemorrhaging, bruising on her face, back, legs, arms, neck, groin, and buttocks. Medical professionals were also documented as reporting Alexis' injuries were not accidental. Another medical professional reported that Alexis was malnourished, and her hair was falling out.

The OKDHS documented that the mother's boyfriend, Freddy Mendez admitted to having beaten Alexis the morning of October 30, 2011, with a sandal for not eating. He also admitted to having choked Alexis and "slamming her down." The mother, Victoria Phanhtarath admitted to becoming frustrated with the child and pushing Alexis into a wooden crib in her bedroom after her boyfriend, Mr. Mendez told her to "handle" the child's behavior. Victoria was documented to have admitted that Alexis hit her head on the metal part of the crib, became sick, and stopped breathing.

The OKDHS documented that a collateral witness reported that Victoria had previously admitted to having slapped Alexis in the face. The collateral witness also admitted having observed Alexis with makeup on to cover the bruise on the child's face.

The OKDHS documented an overall finding of Substantiated with Court Intervention Requested. The OKDHS also requested that the petition be filed as heinous and shocking due to the nature of the injuries and allegations.

### Criminal Charges Filed (November 15, 2011)

In the District Court in and for Oklahoma County, Oklahoma, on November 15, 2011, the charges of First Degree Murder, Child Abuse and Enabling Child Abuse were filed

against both Victoria Phanhtharath, and Freddy Mendez. The Court denied bail for both Victoria and Freddy on November 16, 2011.

#### Medical Examiner's Report (December 2, 2011)

The Medical Examiner's Report was signed on December 2, 2011. The Probable Cause of Death was documented to be Head Trauma, Blunt Force. The Manner of Death was documented as Homicide.

The report documented multiple contusions of the child's chest with contusion (left ribs #5 through #7) at the anterior axillar line. The report further documented multiple cutaneous contusions on her right hip, left arm including the shoulder, right arm and forearm, knees, left thigh, feet, right lower back with brown scabs in the petechial contusions, left upper back, small contusion of left thumb, right 5<sup>th</sup> finger, right buttock. The Medical Examiner's Report also found acute pulmonary congestion with edema, early pneumonia, and two pieces of hot dog lodged in the pharyngeal region, a healing fracture of the left 9<sup>th</sup> rib at the junction of the spine, and acute retinal hemorrhages, bilateral.

The report also noted multiple linear and rounded scars over the right arm, right lower leg, right ankle, back of left leg, and left knee.

In the Medical Examiner's comment it was also noted that there was the presence of hemosiderin pigment in the back of the scalp, in the region of the fracture that could have been that of repeated, acute and recent injuries of the head.

#### Individualized Service Plan (November 21, 2011)

The OKDHS documented in the Individualized Service Plan on November 21, 2011, as to the mother, Victoria Phanthtaranth, that a petition had been filed to terminate the her parental rights and that a treatment plan for the mother would not be offered by OKDHS.

The OKDHS also documented in the same Individualized Service Plan that a petition had also been filed to terminate the parental rights of Freddy Mendez, the father of the seven month old sibling and that a treatment plan would not be offered by the OKDHS.

#### Pre-Adjudication Court Report and Individualized Service Plan (January 9, 2012)

The Pre-Adjudication Court Report and Individualized Service Plan was presented to the Court on January 9, 2012. The OKDHS recommended that the parental right of Victoria Phanthtaranth, the biological father Freddy Menendez, and the legal father of the seven month old sibling be terminated The Permanency Plan documented by the OKDHS was adoption for the surviving sibling.

The OKDHS documented that Victoria Phanthtaranth remained married to Alexis' father, and therefore he became the legal father of the sibling at birth.

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH  
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

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**Report Release Date: February 2, 2012**

**Review of the Near-Death of Olivia McDonald  
of Wagoner and Tulsa County, Oklahoma**

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**General Information**

On September 22, 2011, the Office of Juvenile System Oversight (OJSO) was alerted to the near-death of Olivia McDonald. A report was made that one-year-old Olivia McDonald and her two-year-old sibling were placed into protective custody on July 14, 2011, following a near-drowning incident. A Criminal Felony Child Neglect charge was filed in Tulsa County District Court on August 15, 2011, against the biological mother Allie Frazier.

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### **Identifiers:**

Child's Name: Olivia Grace McDonald

Date of Birth: July 6, 2010

Date of Near-Death: July 14, 2011

Alleged Perpetrator: Allie L. Frazier, biological mother

Sibling 1: two-year-old

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this case until after the near-death of Olivia McDonald.

### **Case History**

#### First Report to the OKDHS Alleging Abuse/Neglect (July 16, 2010)

The first report was received on July 16, 2010, in Wagoner County. Reportedly, Allie Frazier gave birth to a baby girl, Olivia McDonald on July 6, 2010. Olivia McDonald tested positive for Methadone.

The OKDHS accepted the report as a Priority II Assessment to be initiated within five days. The OKDHS made contact with the family on July 20, 2010. The family and collaterals all denied drug use. The parents were currently living with relatives. Reportedly, neither parent was working at that time. The OKDHS documented all the children were safe and closed the case.

#### Second Report to the OKDHS Alleging Abuse/Neglect (December 19, 2010)

The second report was received by Wagoner County OKDHS on December 19, 2010. Reportedly, the mother left six-month-old Olivia McDonald and her one-and-a-half-year-old sibling in the car for approximately fifteen minutes while she was inside a local business. The mother then went outside and brought the children back into the business. The one-and-a-half-year-old was observed to have a black eye that was swollen shut. The child also had four to five bruises on the child's forehead. The police were notified.

The OKDHS accepted this report as a Priority II investigation to be initiated within two days. On December 20, 2010, the OKDHS went to the home and the occupant of the residence stated Ms. Frazier and the children no longer lived in the home. Reportedly, he did not know of another address for the family. The worker contacted a friend and the family's OKDHS family support worker who both were unable to give another address for the family. The OKDHS closed the case and made a finding of Unable to Locate on December 22, 2010.

#### Third Report to the OKDHS Alleging Abuse/Neglect (July 14, 2011)

On July 14, 2011, Tulsa County OKDHS received the third report. Reportedly, OKDHS was notified that Olivia McDonald and her sibling were taken into Protective Police Custody following a near-drowning incident. The mother, Allie Frazier, was allegedly high on Methamphetamine.

The OKDHS made timely contact on July 14, 2011. The OKDHS made a finding of Substantiated Court Intervention on Lack of Supervision and Near-Death on the biological mother Allie Frazier. The OKDHS made a finding of Substantiated Court Intervention on Failure to Protect against the alleged father, biological mother, and paternal grandmother. The mother admitted to drug use two days prior. She stated she was cooling the children off in the tub due to the air conditioner going out and went to get a diaper and clothes for the children. Reportedly, when she came back, Olivia was under water. She attempted CPR and called 911. The alleged father was in jail. The baby was hospitalized in a metro hospital. The two-year-old was placed into OKDHS custody and put into Kinship Foster Care.

#### Show Cause Hearing (July 19, 2011), Tulsa County

The court made a finding that the Indian Child Welfare Act (ICWA) applied to the case. The show cause hearing was continued until July 26, 2011.

#### Show Cause Hearing (July 26, 2011), Tulsa County

The Assistant District Attorney filed a deprived petition on behalf of the children. The Adjudication hearing was set for August 15, 2011.

#### Adjudication Hearing (August 15, 2011), Tulsa County

The court continued the Adjudication hearing until October 10, 2011. The alleged father was ordered to complete paternity testing.

#### Felony Charges Filed (August 15, 2011), Tulsa County

Allie Frazier was charged on August 15, 2011, in Tulsa County District Court with Criminal Felony Child Neglect related to the near-death of Olivia McDonald.

Paternity Testing ordered (September 9, 2011), Tulsa County

The court ordered genetic testing of the alleged biological father.

Kinship Placement (October 15, 2011)

Olivia McDonald was discharged from a metro hospital on October 15, 2011. She was placed in a kinship foster home where an in-home nurse was provided for her care.

Adjudicatory Hearing (November 14, 2011), Tulsa County

The mother was present from David L. Moss with her attorney. Her attorney requested a non-jury trial for Adjudication. The court recognized the mother back for non-jury trial on January 10, 2012. The father was present from David L. Moss. The paternity test proved him to be the natural father of Olivia McDonald. He stipulated to the deprived petition. He was recognized back for dispositional hearing on December 19, 2011. A representative from Cherokee Nation was also present for the hearing.

Dispositional Hearing (December 19, 2011) Tulsa County

A dispositional hearing was held on December 19, 2011, and the Individual Service Plan (ISP) for the parents was adopted. Olivia and her sibling remained in OKDHS custody.