



## TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER  
John J. Specia, Jr.

### **A Review of Department of Family and Protective Services Involvement Child Fatality**

On April 3, 2015, during an open Child Protective Services (CPS) case in the Family Based Safety Services program, Grace Braziel died while sleeping of unknown causes at the time. CPS was involved with the family due to concerns of abuse and neglect received on November 2, 2014. The allegations were investigated and the case was transferred on December 19, 2014 to the Department's Family Based Safety Services program.

The Office of Child Safety (OCS) completed a review of CPS involvement concerning Grace's family. This report presents the Office of Child Safety's findings, summary of CPS investigations and actions taken, assessment of strengths in casework practice, and areas for improvement.

#### **Family Composition**

Region 3 - Kauffman County

<b>Name or Relationship to Grace Braziel</b>	<b>Age at time of incident</b>
Grace Braziel	3
Mother	32
Father	44
Sibling	9
Half-Sibling	15

#### **Summary of CPS History on Grace Braziel / Family of Grace Braziel**

- On January 24, 2011, CPS received a report alleging neglectful supervision of Grace's older sibling by Grace's mother. The investigation was closed on March 25, 2011.
- On October 17, 2011, CPS received a report alleging neglectful supervision of Grace by her mother. The investigation was closed on November 28, 2011 and the case was transferred to Family Based Safety Services, where it remained opened until January 6, 2012.
- On November 2, 2014, CPS received a report alleging neglectful supervision of Grace and her older sibling by their mother. On November 16, 2014 a subsequent report was received alleging physical abuse of Grace and her two older siblings by their mother. The two reports were merged and investigated. The investigation was closed on December 19, 2014, and the case was transferred to Family Based Safety Services.
- On April 3, 2015, CPS received a report alleging neglectful supervision involving the death of Grace Braziel.

## **Detailed Account of CPS History on Family of Grace Braziel**

---

On **January 24, 2011**, CPS received a report alleging neglectful supervision of Grace's then five year-old sibling. The allegations state Grace's mother uses drugs and does not maintain stable housing. The report also mentioned Grace's mother has an eleven year-old child who resides with his grandparents. At the time the report was made, the whereabouts of Grace's mother and her sibling were unknown. During the investigation, the caseworker located Grace's siblings who were residing with the oldest sibling's paternal grandparents. Both children were interviewed along with the oldest sibling's grandparents, collateral witnesses, including Grace's mother's probation officer, and Grace's father. The caseworker made several attempts to speak with Grace's mother throughout the investigation. Although the caseworker was able to speak briefly with Grace's mother via telephone, she missed her appointment with CPS and failed to make herself available for an interview. Grace's mother stated both children were residing with her oldest child's paternal grandparents, and would remain there as she was seeking treatment for her drug problem. It was confirmed that Grace's two older siblings were residing with the oldest child's grandparents. The children had not seen their mother in several weeks; the grandparents were in the process of seeking custody of Grace's oldest sibling and Grace's father was seeking custody of Grace's other sibling. The investigation was closed on March 25, 2011, as unable to determine for neglectful supervision.

### **OCS Assessment:**

- A CPS special investigator was utilized to locate the family.
- A courtesy interview was requested of another region where the children were located; however, the children were not seen until 13 days after the request was made.
- Grace's father's criminal history was not further explored with him to gain a better understanding of the circumstances surrounding the history.
- The initial concern related to Grace's father's alleged drug use was reported nine days prior to the father being given a drug test.
- The oldest child's father was not contacted during the investigation.
- One family member who was contacted and reported to have information about the family was not asked questions about their concerns.
- Although the caseworker noted no prior CPS history, there was a prior investigation noted at the time of intake. The details of that report are unknown as the report has since been purged in accordance with records retention statutes.

On **October 17, 2011** CPS received a report alleging neglectful supervision of Grace and her older sibling. The report stated the mother had just given birth to Grace while incarcerated and admitted to using drugs early in the pregnancy. Grace's mother authorized Grace to be released to her father; however, the concern was that Grace's mother was scheduled to be released from prison the same day the report was made. During the investigation, it was learned that Grace's father had been granted full custody of Grace's older sibling after the last CPS investigation. Grace's mother had been released from prison and reunited with Grace's father. Grace's mother admitted to drug use early on during her pregnancy; however, stated she had participated in a drug program while in prison and no longer used drugs. Grace's father stated he had a history of prior drug use; however, received treatment through his church (which was confirmed) and had remained clean for several years. Both parents were drug tested and Grace's father was negative on both a urine analysis and hair follicle test. Grace's mother was negative on the urine analysis; however, her hair follicle test was positive for codeine, which was determined to be from the Hydrocodone given to her at the hospital during the birth of Grace. The children were observed and the older sibling was interviewed; no disclosures of

abuse or neglect were made. Personal and professional collaterals were contacted and all had positive things to say about the family and no concerns were noted for current drug use or for the children's well-being. Because of the concerns with prior drug use, the vulnerable age of the children, and Grace's mother's lack of cooperation during the previous investigation, the case was referred for further services through CPS' Family Based Safety Services program. The investigation was closed on November 28, 2011 as unable to determine for neglectful supervision of Grace by her mother. A safety plan was implemented during the investigation and the case was transferred to Family Based Safety Services.

**OCS Assessment:**

- Required investigative tasks were completed and risk factors were appropriately identified.

On **November 28, 2011** the case was transferred to Family Based Safety Services. A family assessment was completed and the parents were asked to participate with random drug tests and parenting, and individual counseling for Grace's mother. However, when Grace's mother was contacted about services, she indicated that she did not feel services were needed since she completed drug treatment and parenting classes while in prison and was in "rehab" that included individual counseling. The parents' attorney was also contacted and indicated that she did not believe Grace's mother required further services or monitoring from CPS; however, there was no mention of services for Grace's father. The case was closed citing the parents were "non-compliant" with the recommendations. The Family Based Safety Services caseworker recommended seeking legal intervention if additional referrals were received since services through Family Based Safety Services were not appropriate.

**OCS Assessment:**

- The family assessment involved Grace's mother but not her father.
- Although the caseworker documented the parents were non-compliant, there is no documentation to support that Grace's father was contacted or that he refused services.
- If services were being recommended but the parents were reported to be non-compliant, a staffing with legal prior to case closure should have been utilized to determine if court ordered participation was warranted.

On **November 2, 2014** CPS received a report alleging neglectful supervision of Grace by her mother. The report stated the mother was driving under the influence of drugs and had Grace in her possession and threatened to run the vehicle off a bridge with Grace inside. The report further stated the mother was admitted into a psychiatric hospital but was soon released as she denied suicidal ideation or wanting to harm Grace. On **November 16, 2014**, a subsequent report was received alleging neglectful supervision and physical abuse of Grace and her two older siblings. The report stated Grace's mother attacked a man and was very agitated. Grace's mother reportedly threatened to kill her children and Grace's father. Grace's mother was reported to use drugs. The intake reports were merged and investigated together. During the investigation, Grace and her older sibling were observed and interviewed. The older sibling confirmed her mother was no longer living in the home and she talked about an incident in which her mother had gone "crazy" breaking things after becoming upset that she could not find her keys. Grace's sibling further stated that when her father got home her parents began arguing and her father called the police and her mother was taken to the hospital. Grace's father expressed his concern with the mother's relapse and admitted to leaving the children with the mother despite his suspicions of her drug use. Grace's mother cooperated minimally during the investigation but did take a drug test which was positive for methamphetamines and opiates.

Grace's father was also administered a drug test which was negative. Both parents signed a safety plan stating Grace's mother would not have any contact with Grace or her sibling. During this time it was confirmed that Grace's mother was not residing in the home. The investigation was closed on December 19, 2014 as reason to believe for neglectful supervision of Grace and her older sibling by Grace's mother and father. All other allegations were ruled out; Because of the identified risk factors, the case was transferred to Family Based Safety Services.

**OCS Assessment:**

- Appropriate safety measures were implemented.
- Although the subsequent report also included allegations of physical abuse of Grace's oldest sibling (who resided with his paternal grandparents), this child was not interviewed nor were his grandparents contacted.
- Mental health records were not obtained for Grace's mother.

On **December 19, 2014**, the case was transferred to Family Based Safety Services. The Family Based Safety Services caseworker attempted to visit the family in December 2014; however, was unsuccessful. On January 2, 2015, the caseworker had an opportunity to meet with both parents and children, and the service plan was explained to the family. The parents agreed to participate with services. Grace's mother admitted to methamphetamine use the same day of the visit. The caseworker also noted an unfamiliar female in the home during her visit. Grace's father stated he was unaware of who this person was as she had just arrived with the mother. During a visit on January 21, 2015, the caseworker was informed by a family friend that Grace was in the hospital with the flu. Grace's father informed the caseworker that he had allowed Grace's mother in the home the weekend prior as he had gone "soft", but she was now out of the home. He expressed his concern for the mother and stated she has no family to help her out so he feels obligated to try to help her. The caseworker discussed concerns with his ability to be protective of his children and not allow the children to be around their mother until she addressed her drug issues. Grace's father informed the caseworker that Grace's mother had been arrested for drug possession. In February 2015, Grace's father and Grace's older sibling each started individual counseling. Grace's mother had not made herself available to CPS nor started services despite having since bonded out of jail.

**OCS Assessment:**

- During the January visit, the caseworker noted an unfamiliar female in the home during her visit, however, did not ask the person for their identifying information, interview the individual as to how she was involved with the family, or her purpose for being present during the visit.
- Grace was not seen during the month of February as she was reported to be in the hospital during the caseworker's visit. There is no documented inquiry to the hospital with regard to Grace's condition, course of treatment, or discharge plan. There was also no documented conversation with the father with regard to Grace's hospitalization or any treatment needed after her discharge.
- A safety plan was implemented during the investigation stage; however, there does not appear to be a clear or formal safety plan in place during the family based safety services case.
- Although Grace's mother continued in her pattern of non-compliance with the agency, there was no discussion of staffing the case for legal intervention to determine if court ordered services for Grace's mother would be appropriate.

Prior to case closure, on April 3, 2015, Grace Braziel died after ingesting medication. The investigation was completed and Grace's death was attributed to neglectful supervision as Grace was able to obtain a controlled, prescription medication.

### **Overall Case Review Findings and Recommendations**

---

Child Protective Services (CPS) was in the process of providing on-going services to Grace's family due to concerns for neglectful supervision stemming from Grace's mother's drug use. CPS has been involved with family off and on since 2011, with the primary concern surrounding drug use by Grace's mother and her inability to parent while under the influence of drugs. Grace's mother has received drug rehabilitation and was able to demonstrate for a time that she could live drug free and parent her children without CPS intervention; however, she has since relapsed. While Grace's father has remained drug free for several years and has been able to meet the needs of his children, he has continued to allow Grace's mother access to the children despite his concerns for her drug use. CPS previously attempted to provide services through their Family Based Safety Services program without success, and currently have an open case with Family Based Safety Services. Although a safety plan was implemented during the investigation stage, it was not clear that a formal safety plan was in effect during the Family Based Safety Services case. Throughout the life of the CPS case, Grace's mother has demonstrated a pattern of non-compliance with CPS.

During the review of a child fatality, certain areas of improvement may be identified including individual training needs, statewide trainings, policy revisions, updates to best practice guidance, and/or revisions to state statutes.

CPS recently began using a new risk assessment tool called Structured Decision Making and a new evidence-based CPS Practice Model which will help caseworkers make more consistent, structured, and accurate decisions about child safety including the need for a safety plan or legal intervention.

Additionally, the Office of Child Safety recommends the following areas for further analysis:

- Any time a child is hospitalized or seeks medical attention during an open CPS case, staff should contact the medical professional to obtain information surrounding the circumstances, concerns, and recommended treatment.
- Training needs: Staff must interview each child listed as a victim in the allegation list.