1. TASK NUMBER	2. INVESTIGATOR'S ID	EPIDEMIOLOGIC INVESTIGATION REPORT
980219CCC3611	8198	

3. OFFICE CODE	4. DATE OF ACCIDENT YR MO DAY	5. DATE INITIATED YR MO DAY
860	970713	980318

6. SYNOPSIS OF ACCIDENT OR COMPLAINT

This case involved a six-month-old female, who was placed in an infant bath ring or seat and left unattended. The water was running and the infant was found floating face down unresponsive in the adult bath tub. The victim was taken to the local hospital Emergency room for treatment. She was pronounced dead on arrival.

7. LOCATION (Home, School, etc.)	8. CITY	9. STATE
Home 10	Tyler	Texas

10A. FIRST PRODUCT	10B. TRADE/BRAND NAME	10C. MODEL NUMBER
Bath seat or ring 1557	unknown	unknown

10D. MANUFACTURER NAME AND ADDRESS

Safety 1st Inc., Chestnut Hill, Massachusetts

11A. SECOND PRODUCT	11B. TRADE/BRAND NAME	11C. MODEL NUMBER
Bath tub 0611	N/A	N/A

11D. MANUFACTURER NAME AND ADDRESS

N/A

12. AGE OF VICTIM	13. SEX	14. DISPOSITION	15. INJURY DIAGNOSIS
206	2	Dead at the scene 8	Anoxia (asphyxia) 65

16. BODY PART (S) INVOLVED	17. RESPONDENT	18. TYPE OF INVESTIGATION	19. TIME SPENT (OPERATIONAL HOURS)
All parts	Medical Examiner & Sheriff's Dept.	Telephone 2	8

20. ATTACHMENT (S)	21. CASE SOURCE	22. SAMPLE COLLECTION NUMBER
Multi 9	State Health Dept. 02	None

23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY)

no Document #9848084481

24. REVIEW DATE	25. REVIEWED BY	26. REGIONAL OFFICE DIRECTOR
5/11/98	SIDNEY C. ENGLANDER	

27. DISTRIBUTION

O:EHDS CC: Dal File

MFR/PRVLBR NOTIFIED
No Comments Attached
Comments attached
Excisions/Revisions
Firm has not requested further notice

CPSC FORM 182 (12/96) approved for use through 5/31/2000 OMB No.B NO. 3041-0029

980219CCC3611 BATH SEAT OR BATH RINGS(BATHTUB)

DESCRIPTION OF RESPONDENT:

This IN-DEPTH-INVESTIGATION is an "OFFICIALS ONLY" case based on a certificate of death. Therefore, no next of kin was contacted. All the information in this report was obtained from the attached sheriff's report and autopsy report.

PRE-INCIDENT:

The victim was described as a six-month-old female. According to the autopsy report, the victim measured 27 inches in length and weighed 8710 grams. The autopsy says the victim was well develop.

This incident occurred on July 13, 1997 between the hours of 0900 and 1000. It occurred at the home of the victim's parents. The Sheriff's report says that at the time of the incident the victim was alone in the bathroom in the bathtub. The report also states that a bath seat was in the bathtub at the time of the incident.

According to the sheriff's report the victim's father informed the investigating officer that he was running a tub of water in the bath tub. The father informed the investigating officer that he was giving the victim a bath. He said he put the victim in her bath seat. The bath seat had four suction cups that attached to the bottom of the tub. He said after putting the victim in her bath seat which was in the bath tub he left the room. The water was running. He said he went into the kitchen to start cleaning the area. The father informed the investigating officer that he could not have been gone more than three to four minutes at the most.

INCIDENT:

A few minutes later he returned to the bathroom to check on the victim. The father explained to the officer that he found the victim floating face down in the water. He grabbed her and ran next door for help because he had no phone at their residence.

POST-INCIDENT:

The father said his next-door-neighbors a retired nurse and her husband offered their help. He said the man of the house called the 911 operators for help. In the meantime, his wife began CPR until the arrival of the E.M.S. unit. The victim was transported to Mother Frances Hospital for treatment. The victim was pronounced dead on arrival. The local Justice of the Peace and a detective from the sheriff's department were contacted. They arrived at the hospital. The Justice of the Peace ordered an autopsy on the victim to decide the official cause of death. The autopsy said the cause of death was drowning.

Subsequent investigation of the drowning by the sheriff's detective revealed that the victim had been in the master bathroom, which was adjacent to the master bedroom, in the northern end of the mobile home. The victim had been left alone in the bathroom for several minutes, while the father had been in another portion of the residence doing something else. As stated previously, the father returned and found the victim floating face down. According to the investigating detective the tub was still "full" of water. It was measured. The water level was approximately nine and one-half inches deep. The water was cool, but not cold to the touch. The detective also noted that inside the tub, floating in the water, was a blue plastic bath seat. He also stated that several other children's bath toys were noted in the bath water

PRODUCT IDENTIFICATION:

According to the information outlined in the sheriff's report the product involved is a bath seat. The sheriff's detective said the product in question was manufactured by Safety First, Inc. The product is a blue plastic bath chair with four suction cups on the bottom. The product has a swivel seat and is approximately eight inches high. It was also stated that it was eight long and twelve inches wide. He said the bath seat had the following warning information: "WARNING: PREVENT DROWNING NEVER LEAVE CHILD UNATTENDED."

The investigating detective conducted a test on the bath chair. He placed the chair in the intended/designed position with all four suction cups secured on the tub's floor and found that the water

level in the bathtub was still one and some half inches above the device. Four tests were conducted with the bath chair being secured on the bottom of the tub. The detective found that the front suction cups released within two minutes each time, with the longest time being two minutes, fifteen seconds.

STANDARD INFORMATION:

It is unknown if the product involved in the incident meets ASTM voluntary standard under development for infant bath rings and bath seats.

ATTACHMENTS:

1. Assignment request/certificate of death
2. A copy of CPSC correspondence to Smith County Sheriff's Dept.
3. A copy of Sheriff's Department report
4. A copy of CPSC correspondence to the Justice of the Peace
5. A copy of the autopsy report.
6. Photographs of the bath seat/bath tub provided by Sheriff's Department

RESPONDENT	PURPOSE OF CONTACT	RESULTS
1. Medical Examiner Officer	autopsy	Obtained
2. Smith County Sheriff's Dept.	product id/incident scenario	obtained

W

SCF

INCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: 9848084481

DATE OF INCIDENT: 7-13-97 CATID: SECTRR1998

FOLLOW-UP REQUESTED HAZARD ANALYSIS ( ) SECT 15 (X)

TYPE FOLLOW-UP TELEPHONE ( ) ON-SITE (X)

HEADQUARTERS CONTACT: Renae Rauchschwalbe

ASSIGNMENT MESSAGE: Determine if bathseat was in use. Was care giver in the room at the time of incident. If not, why was care giver out of room. Was another child involved either in the tub or out of it.

TASK # 980219CCC3611

ATTACHMENT # 1

PRODUCT: Bath Seat or Ring & Bath Tub

Person(s) to Contact: see attached

officials only

Guidelines:

Task Number: 980219 ccc 3611 Date: 2/19

Assigned to: SF00 Requested by: C.D.

CPSC Form 324A (10/94)

E9104

142-97-084481

STATE OF TEXAS — CERTIFICATE OF DEATH — STATE FILE NUMBER 48

Texas Department of Health — Bureau of Vital Statistics

1. NAME OF DECEASED: [redacted] Phillips
(d) MAIDEN:
2. SEX: Female
3. DATE OF DEATH: 07/13/1997
4. DATE OF BIRTH: 12-17-1996
5. AGE (IN YEARS): 0 — MO: 8 — DAYS: 27
6. BIRTHPLACE (CITY & STATE OR FOREIGN COUNTRY): Tyler, Texas
7. SOCIAL SECURITY NO: 644-54-7658
8. RACE: Caucasian
9a. WAS THE DECEDENT OF HISPANIC ORIGIN? [ ] YES [X] NO
9b. IF YES, SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.: N/A
10. WAS DECEDENT EVER IN U.S. ARMED FORCES? [ ] YES [X] NO
11. EDUCATION (SPECIFY HIGHEST GRADE COMPLETED. ELEM. OR SECONDARY (0-12) COLLEGE (13-16, 17+)): 0
12. MARITAL STATUS: [ ] MARRIED [ ] WIDOWED [X] NEVER MARRIED [ ] DIVORCED
13. SURVIVING SPOUSE OF WIFE, GIVE MAIDEN NAME: N/A
14a. DECEDENT'S USUAL OCCUPATION: N/A
14b. KIND OF BUSINESS OR INDUSTRY: N/A
15a. RESIDENCE STREET ADDRESS: 4012 CR 3190
15b. CITY OR TOWN: Tyler
15c. COUNTY: Smith
15d. STATE: Texas
15e. ZIP CODE: 75706
15f. INSIDE CITY LIMITS: [ ] YES [X] NO
16. FATHER'S NAME: [redacted]
17. MOTHER'S MAIDEN NAME: [redacted]
18. PLACE OF DEATH (CHECK ONLY ONE): [redacted]
[ ] HOSPITAL [ ] INPATIENT [X] EMERGENCY ROOM [ ] DOA [ ] OTHER [ ] NURSING HOME [ ] RESIDENCE [ ] OTHER (SPECIFY)
19. COUNTY OF DEATH: Smith
20. CITY OR TOWN (INSIDE CITY LIMITS GIVE PRECINCT NO.): Tyler
21. NAME OF HOSPITAL OR INSTITUTION (IF NOT A HOSPITAL, SHOW STREET ADDRESS): Mother Frances Hospital
22. INFORMANT — SIGNATURE & RELATIONSHIP: X James Robert Phillips Jr. Father
23. MAILING ADDRESS OF INFORMANT: 4012 CR 3190, Tyler, Texas 75706
24. METHOD OF DISPOSITION: [X] BURIAL [ ] CREMATION [ ] REMOVAL FROM STATE [ ] DONATION [ ] OTHER (SPECIFY)
25a. PLACE OF DISPOSITION (NAME OF CEMETERY, CREMATORY OR OTHER PLACE): Memorial Park Cemetery
25b. Section: Babyland — Block: A — Lot: D — Space: 15 — Unknown: [ ]
26. LOCATION (CITY, STATE): Tyler, Texas
27. SIGNATURE OF FUNERAL DIRECTOR OR PERSON ACTING AS SUCH: Brian J. McNett
28. DATE OF DISPOSITION: 07/15/1997
29. NAME & ADDRESS OF FUNERAL HOME: Memorial Funeral Home, 12053 State Hwy 64 West, Tyler, Texas 75704-9482
30. CERTIFIER:
[ ] CERTIFYING PHYSICIAN — TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE TIME, DATE AND PLACE AND DUE TO THE CAUSE(S) AND MANNER AS STATED
[ ] MEDICAL EXAMINER / [X] JUSTICE OF THE PEACE — ON THE BASIS OF EXAMINATION AND/OR INVESTIGATION IN MY OPINION DEATH OCCURRED AT THE TIME, DATE, PLACE, AND DUE TO THE CAUSE(S) AND MANNER AS STATED
31. SIGNATURE & TITLE OF CERTIFIER: Tulye Quincy Beavers Jr. JUSTICE OF THE PEACE, PCT. 1; SMITH COUNTY, TX.
32. DATE SIGNED: MO AUGUST — DAY 5 — YEAR 1997
33. TIME OF DEATH: 11:47 A.M.
34. PRINTED NAME & ADDRESS OF CERTIFIER: JUDGE QUINCY BEAVERS, JR; 106 E. ELM; SMITH COUNTY OFFICE BLDG.; TYLER, TEXAS 75702

35. PART I — ENTER THE DISEASES, INJURIES, OR COMPLICATIONS THAT CAUSED THE DEATH. DO NOT ENTER THE MODE OF DYING, SUCH AS CARDIAC OR RESPIRATORY ARREST, SHOCK, OR HEART FAILURE. LIST ONLY ONE CAUSE ON EACH LINE.
(a) IMMEDIATE CAUSE → DROWNING
(b) DUE TO, OR AS A LIKELY CONSEQUENCE OF:
(c) DUE TO, OR AS A LIKELY CONSEQUENCE OF:
(d) DUE TO, OR AS A LIKELY CONSEQUENCE OF:
Approx. Interval Between Onset and Death: UNK
TASK: 980219CCC3611
ATTACHMENT #: 1
PRODUCT: Bathtub
J BATHTUB
Officials only
980219CCC3611

PART II — OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN PART I:
36. AUTOPSY? [ ] YES [ ] NO
WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? [ ] YES [ ] NO
37. DID TOBACCO USE CONTRIBUTE TO DEATH? [ ] YES [ ] PROBABLE [X] NO [ ] UNKNOWN
38. DID ALCOHOL USE CONTRIBUTE TO DEATH? [ ] YES [ ] PROBABLE [X] NO [ ] UNKNOWN
39. WAS DECEDENT PREGNANT? AT TIME OF DEATH [ ] YES [X] NO [ ] UNK; WITHIN LAST 12 MO. [ ] YES [X] NO [ ] UNK
40. MANNER OF DEATH: [ ] NATURAL [X] ACCIDENT [ ] SUICIDE [ ] HOMICIDE [ ] PENDING INVESTIGATION [ ] COULD NOT BE DETERMINED
41a. DATE OF INJURY: 7-13-97
41b. TIME OF INJURY: APPRX. 11:47 A.M.
41c. INJURY AT WORK? [ ] YES [X] NO
41d. PLACE OF INJURY — AT HOME, FARM, STREET, FACTORY, OFFICE, ETC. (SPECIFY): HOME
41e. LOCATION (STREET AND NUMBER, CITY OR TOWN, STATE): 4012 CR 3190; TYLER, SMITH COUNTY, TEXAS 75706
41f. DESCRIBE HOW INJURY OCCURRED: VICTIM, A SEVEN MONTH OLD WHITE FEMALE, WAS LEFT UNATTENDED IN BATHTUB AND DIED BY DROWNING.
42a. REGISTRAR'S FILE NO.: 02-1194-97
42b. DATE RECEIVED BY LOCAL REGISTRAR: August 7, 1997
42c. SIGNATURE OF LOCAL REGISTRAR: [signature]

WARNING: The penalty for knowingly making a false statement in this form can be 2-10 years in prison and a fine of up to $10,000. (Health and Safety Code, Sec. 195.1900)

VS-112 REV 9/95

U.S. CONSUMER PRODUCT SAFETY COMMISSION
DALLAS SATELLITE OFFICE

1114 COMMERCE STREET, ROOM 216 • DALLAS, TEXAS 75242 • 214-767-0842 • FAX 214-767-0851

ALASKA
ARIZONA
ARKANSAS
CALIFORNIA
COLORADO
HAWAII
IDAHO
LOUISIANA
MONTANA
NEW MEXICO
NEVADA
OKLAHOMA
OREGON
TEXAS
UTAH
WASHINGTON
WYOMING
PACIFIC ISLANDS

March 23, 1998

ATTENTION: Detective Waller
Smith County Sheriff's Department
P. O. Box 90
Tyler, Texas 75710

TASK # _____
ATTACHMENTS 2
PRODUCT: Bath Seat or Ring + Bath Tub

Dear Detective Waller:

The U. S. Consumer Product Safety Commission is an agency with the Federal Government who studies accidental injuries, deaths and fires. Information from this program helps make us aware of hazards to children and adults and aids us in preventing similar incidents from occurring to other persons.

We would appreciate a copy of your report/reports and photographs of the product involved on the accidental death of Chelsea LeAnn Phillips. The accident occurred on July 13, 1997. It is my understanding that her death was due to drowning.

Your prompt assistance will be greatly appreciated. If there is a charge for the report/s and photographs please bill me at the above address. Enclosed is a self addressed envelope. If you have any questions, please contact me at (214) 767-8809.

Sincerely,

Jerusha J. Walker

Jerusha J. Walker
Investigator

Enclosure

Case Type: NON-CASE Status: CLEARED Cross Ref:
Scheduled Review Date:
Reviewing Supervisor:
Offense Description 730E: PERSONS/INQUEST

INCIDENT NUMBER: SCS971940040

Place of Occurrence:
4012 CR 3190 CR

Investigation Points:	SCENE PHOTOS	PHOTO OF VICTIM
	NEIGHBORS INTERVIEWED	SUSPECT(S) IDENTIFIED
	CAN SUSPECT BE LOCATED	
Solvability Points:	WITNESS TO CRIME	ALL CRIME ELEMENTS PRE
	SIGNIFICANT M.O.	MAJOR INJURY/RAPE
	SUSPECT CAN BE LOCATED	PROPERTY IS TRACEABLE
	SUSPECT CAN BE IDENTIF	SUSPECT CAN BE DESCRIB
	SIGNIFICANT PHYSICAL E	SUSPICIOUS VEHICLE CAN
	CRIME MAY BE SOLVEABLE	
Evidence Obtained:	HAIR/FIBERS	BLOOD/SEMEN
	PHOTOS	PROPERTY
Structure Type:	SINGLE FAMILY DWELLING	
Targets:	PERSON	
Entry Mode:	UNKNOWN/OTHER	
Entry Point:	UNKNOWN/OTHER	
Suspect Actions:	UNKNOWN/OTHER	

TASK# 980219CCC3611
ATTACHMENT# 3
PRODUCT: Bath Seat & Ring & Bath Tub

Area: 439 Beat: NC Shift: 1
Reporting Officer: TOMLIN,ROY

Reported	Dispatch	Enroute	Arrived	Cleared	Occurred From-To	
7/13/97	7/13/97	7/13/97	7/13/97	7/13/97	7/13/97	7/13/97
10:48	10:48	10:48	11:08	12:59	10:00	10:14

Offense Description 730E: PERSONS/INQUEST

SUPPLEMENTAL INFORMATION

** NAME:

Involvement: REPORTING PERSON Party Number: 1
Name: [redacted]
Addr[redacted] TYLER TX 75706
Home Phon[redacted]
Bus: RETIRED
Drivers License Number: 223466178 State: Class:
Date of Birth: 8/09/31
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: 6 ft 2 inches Weight: 200

Eye Color: BLUE Hair Color: GRAY

Involvement: REPORTING PERSON Party Number: 11
Name: [redacted] ELLA
Addr: [redacted] TYLER TX
Home Phone: [redacted]
Bus: HOUSEWIFE
Drivers License Number: 230348002 State: Class:
Date of Birth: 11/18/29
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: FEMALE
Height: 5 ft 5 inches Weight: 160
Eye Color: BLUE Hair Color: BLONDE

Involvement: VICTIM Party Number: 2
Name: [redacted] CHELSEA LEANN
Addr: [redacted] TYLER TX 75706
Bus: UNEMPLOYED
Drivers License Number: State: Class:
Date of Birth: 12/17/96
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: FEMALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 3
Name: [redacted] JAMES ROBERT JR
Addr: [redacted] TYLER TX 75706
Bus Phone: [redacted] Occupation: LABOR
Bus: ECHOLS CONSTRUCTION LONGVIEW TX
Drivers License Number: 16227254 State: TX Class: C
Date of Birth: 2/17/73
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: 5 ft 9 inches Weight: 175
Eye Color: BLUE Hair Color: BLONDE
Disposition: NOT ARRESTED
Gang Affiliated: NO Gang Id:
Finger Printed: NO Photos Taken: NO
Registered Sex Offender: NO Narcotic User: NO
Social Security Number: 465-83-2407
FBI Number: 92208AB0 SII Number: TX04528586
Associates: TARRANT,JUDY LYNN

Involvement: [redacted] Party Number: 4
Name: [redacted] DAVEY FRED JR
Addr: [redacted] TYLER TX 75706
Bus Phone: [redacted] Occupation: LABOR
Bus: ECHOLS CONSTRUCTION LONGVIEW TX
Drivers License Number: 16227254 State: TX Class: C
Date of Birth: 2/17/73
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO

TASK # 9802199443611
ATTACHMENT # 3
PROBLEM: Both legal or Lang
Both 346

Race: WHITE
Sex: MALE
Height: 5 ft 9 inches
Weight: 175
Eye Color: BLUE
Hair Color: BLONDE
Disposition: NOT ARRESTED
Gang Affiliated: NO
Gang Id:
Finger Printed: NO
Photos Taken: NO
Registered Sex Offender: NO
Narcotic User: NO
Social Security Number: 465-83-2407
FBI Number: 92208AB0
SII Number: TX04528586
Associates: [redacted]

Involvement: WITNESS
Party Number: 5
Name: [redacted]
JUDY LYNN
Addr: [redacted]LER TX 75706
Bus Pho[redacted]
Occupation: CHECKER
Bus: [redacted]01
Drivers License Number: 09780622
State: TX Class: C
Date of Birth: 9/11/78
Officer Safety Hazard: NO
Victim of Violent Crime Notif: NO
Race: WHITE
Sex: FEMALE
Height: 5 ft 6 inches
Weight: 135
Eye Color: HAZEL
Hair Color: BROWN

Involvement: WITNESS
Party Number: 6
Name: [redacted]
RALPH
Addr: 3330 SOUTH SOUTHWEST LOOP 323 LP SW TYLER TX 75701
Home Phone: 903-534-0388
Bus Phone:
Occupation: GAME WARDEN
Bus: TEXASP PARKS & WILDLIFE TYLER TX 75701
Officer Safety Hazard: NO
Victim of Violent Crime Notif: NO
Race: WHITE
Sex: MALE
Height:
Weight:
Eye Color:
Hair Color:

Involvement: WITNESS
Party Number: 7
Nam[redacted]
DAVID
Addr: 1[redacted]YLER TX 75702
Home Phone[redacted]
Bus Phone:
Occupation: DEPUTY SHERIFF
Bus: SMITH CO SHERIFF'S DEPT TYLER TX 75702
Officer Safety Hazard: NO
Victim of Violent Crime Notif: NO
Race: WHITE
Sex: MALE
Height:
Weight:
Eye Color:
Hair Color:

Involvement: WITNESS
Party Number: 8
Name: [redacted]
ROY
Addr: [redacted]LER TX 75702
Home Phon[redacted]
Bus Phone:
Occupation: DEPUTY SHERIFF
Bus: SMITH CO SHERIFF'S DEPT TYLER TX 75702
Officer Safety Hazard: NO
Victim of Violent Crime Notif: NO

TASK # 980219 CCC 3611
ATTACHMENT 3
PRODUCT: Bath Dest or Ring and Bath Tub

Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: [redacted] Party Number: 9
Name: [redacted] BILL
Addr: [redacted] TYLER TX 75702
Home Phone: [redacted]
Bus Phone: Occupation: DEPUTY SHERIFF
Bus: SMITH CO SHERIFF'S DEPT TYLER TX 75702
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 10
Name: [redacted] CHARLES
Bus: [redacted] RED SPRINGS TX 75708
Officer [redacted] Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 12
Name: [redacted] STEPHEN
Addr: [redacted] TYLER TX 75701
Home Phone: [redacted]
Bus Phone: Occupation: PATHOLOGIST
Bus: PATHOLOGY ASOCIATES OF TYLER TX 75701
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 13
Name: [redacted] THEODORE
Addr: [redacted] TYLER TX 75701
Home Phone: [redacted]
Bus Phone: Occupation: PHYSICIAN
Bus: MOTHER FRANCES HOSPITAL TYLER TX 75701
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: [redacted] Party Number: 14
Name: [redacted] SANDY
Addr: [redacted] TYLER TX 75703
Home Phone: [redacted]
Bus Phone: Occupation: CASE WORKER
Bus: CHILD PROTECTIVE SERVICES TYLER TX 75703
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO

TASK # 78U219CCC3611
ATTACHMENT # 3
PRODUCT: Bath Dest or Eng. & Bath 206

Race: WHITE Sex: FEMALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 15
Name: WIDEMAN RODNEY
Addr: [redacted] N WHITEHOUSE TX 75792
Home Phon[redacted]
Bus Pho[redacted] Occupation: PHYSICIAN
Bus: SELF-EMPLOYED WHITEHOUSE TX 75792
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: WHITE Sex: MALE
Height: Weight:
Eye Color: Hair Color:

Involvement: WITNESS Party Number: 16
Name: [redacted] JERUSHA J
A[redacted] 216 DALLAS TX 75242
Ho[redacted]
Bus Phone: Occupation: INVESTIGATOR
Bus: U.S. PRODUCT SAFETY COMM DALLAS TX 75242
Officer Safety Hazard: NO Victim of Violent Crime Notif: NO
Race: BLACK Sex: FEMALE
Height: Weight:
Eye Color: Hair Color:

PROPERTY:

Involvement: EVIDENCE Party Number: 2
Type: MISCELLANEOUS
Description: [redacted]ELLANEOUS PROPERTY
Item Number: [redacted] Log Number: 1
Manufacture[redacted]
Serial Number: NONE
Article Type: ALL OTHERS NOT LISTED
Value: $ Qty: 1
Color - Primary: BLUE Secondary:
Miscellaneous Property Information: BLUE CHILD BATH CHAIR

Involvement: EVIDENCE Party Number: 2
Type: MISCELLANEOUS
Description: OTHER MISCELLANEOUS PROPERTY
Item Number: 2 Log Number: 2
Manufacturer: N/A
Serial Number: N/A
Article Type: ALL OTHERS NOT LISTED
Value: $ Qty: 2
Miscellaneous Property Information: SAMPLES OF BATH WATER

Involvement: SAFEKEEPING Party Number: 2
Type: MISCELLANEOUS
Description: JEWELRY-WOMEN'S

TASK# 980219CCC3611
ATTACHMENT 3
PRODUCT Bath Seat or Ring & Bath Tub

Item Number: 3 Log Number: 3
Manufacturer: UNKNOWN
Serial Number: N/A
Article Type: ALL OTHERS NOT LISTED
Value: $ Qty: 2
Color - Primary: YELLOW Secondary:
Miscellaneous Property Information: PAIR OF GOLD EAR STUDS

Involvement: EVIDENCE Party Number: 2
Type: MISCELLANEOUS
Description: OTHER MISCELLANEOUS PROPERTY
Item Number: 4 Log Number: 4
Manufacturer: N/A
Serial Number: N/A
Article Type: ALL OTHERS NOT LISTED
Value: $ Qty: 1
Miscellaneous Property Information: HAIR EXEMPLARS FROM VICTM

** NARRATIVE:
38 @1057 L6 AND CAPT NOTFIED
38 @1102 45 WILL BE ENROUTE TO RESD ON CR 3190 TO SPEAK W/MR
38 @1102 GREATHOUSE
38 @1106 LT WALLER NOTFIED AND WILL BE CALLING MFER
38 @1111 GAME WARDEN RALPH EAST NOTFIED AND WILL BE ENROUTE TO ER
38 @1120 BABY WAS NON RESPONSIVE ALL THE WAY TO THE HOSPITAL
38 @1128 45 10-23
38 @1133 L5 10-8 IN CAR
38 @1137 8305 10-23 AT MFER
38 @1138 38 TO L5
38 @1139 MOTHER GAVE VERBAL CONSENT TO SEARCH RESD
38 @1146 38 REQUEST THAT THE JP BE NOTFIED AND COME TO MFER
38 @1149 JUDGE BEAVERS CONTACT AND WILL BE ENROUTE TO MFER FROM
38 @1149 MCER
38 @1149 THIS CALL IS IN JUDGE SHAMBURGERS PCT AND HE IS OUT OF
38 @1150 TOWN
38 @1157 L5 10-23 AT RESD ON CR 3190 (YUCCA LN)
38 @1209 PER 38, RALPH EAST WANTS JASON WALLER TO TAKE A SAMPLE
38 @1210 OF THE WATER IF THERE IS ANY LEFT IN THE BATH TUB
38 @1210 INFANTS NAME: [redacted] F DOB/121796
38 @1213 LT WALLER ADVISED 9 1/2 INCHES IN TUB
38 @1214 LT WALLER DID GET A SAMPLE
38 @1225 FATHER [redacted] MOTHER IS [redacted]
38 @1243 FATHERS FU[redacted] ROBERT PHILLIPS JR W/M
38 @1243 DOB/021773
38 @1259 38 IS 10-24 AT THE HOSPITAL CALL PLACED INTO INCOMPLETE
38 @1259 8305 10-8 ON OLD S.O. CHANNELL
38 @1320 L5 WILL BE 10-8 FROM CR 3190 (YUCCA LN) ENROUTE TO MFER
38 @1320 45 10-8 10-24 FROM RESD
38 @1330 L5 OUT AT MFER
38 @1341 L5 OUT AT THE OFFICE
INFANT TAKEN TO MOTHER FRANCIS ER. EMS TRANSPORTED CODE 44 INFANT FOUND IN BATH TUB NOT BREATHING, R/P ADVISED THAT HIS RENTER BROUGHT

INFANT TO HIS RESD THEY DID NOT KNOW CPR. DIRECTION TO RESD NORTH ON LAVENDER RD 1ST RIGHT PAST MARBLE RD ON CR 3190 (YUCCA LN) 10TH ON THE LEFT.
911 CALL CAME IN AT 1014. 7 MONTH OLD WHITE FEMALE

(MO NARRATIVE) VICITM SEVEN MONTH OLD WHITE FEMALE LEFT UNATTENDED BATH TUB AND DROWN. (END OF MO NARRATIVE)

ON 7-13-97 DEPUTIES DISPATCHED TO MOTHER FRANCES E.R. IN REFERENCE TO SEVEN MONTH OLD WHITE FEMALE DROWNING IN THE BATH TUB. UPON OUR ARRIVAL MET WITH CONSTABLE CHARLES WILSON WHO STATED THEY RESPONDED TO THE RESIDENCE ON CR 3190. WILSON STATED THE BABY WAS UNRESPONSIVE ALL THE WAY TO THE HOSPITAL. WILSON STATED THAT THE FATHER OF THE BABY, [redacted] W/M, DOB 021773, WAS HOME ALONE WITH THE CHILD AND HAS GIVEN THE CHILD A BATH IN THE BATH TUB. [redacted] STATED PHILLIPS STATED HE STARTED RUNNING THE WATER IN THE BATH TUB AND PUT HIS DAUGHTER IN A BATH RING WITH SUCTION CUPS THAT STICKS TO THE BOTTOM OF THE TUB [redacted] STATED HE LEFT THE ROOM FOR A LITTLE WHILE AND CAME BACK AND FOUND HIS DAUGHTER FACE DOWN IN THE BATH TUB.

DEPUTIES MADE CONTACT WITH MEDICAL STAFF WHO ADVISED THEY WERE STILL WORKING ON THE BABY. DISPATCH ADVISED THAT GAME WARDEN RALPH EAST HAD BEEN NOTIFIED AND WAS ENROUTE TO THE HOSPITAL. DISPATCH ADVISED THAT LIEUTENANT WALLER HAD ALSO BEEN NOTIFIED AND WAS ENROUTE TO RESIDENCE WHERE THE INCIDENT OCCURRED.

DEPUTIES THEN MADE CONTACT WITH A [redacted] WHO LIVES NEXT DOOR. DEPUTIES SPOKE WIT[redacted] AND ALSO TOOK STATEMENT FROM HER ABOUT WHAT HAPPENED. [redacted] STATED THAT [redacted] CAME TO HER DOOR WITH THE BABY IN HIS ARMS. [redacted] STATED [redacted] TOLD HER HE WAS GIVING THE BABY A BATH IN THE BATH TUB AND HAD THE BABY IN THE BATH RING AND HAD LEFT THE WATER RUNNING WHILE HE WENT INTO THE KITCHEN TO START SOME DISHES. [redacted] STATED [redacted] STATED WHEN HE REALIZED HE HAD LEFT THE WATER ON HE WENT BACK IN THE BATHROOM AND FOUND HIS DAUGHTER FACE DOWN IN THE WATER. [redacted] STATED THEY PERFORMED C.P.R. AND TRIED TO CALL 911 BUT THEIR PHONE WASN'T WORKING. [redacted] STATED SHE SENT PHILLIPS OUTSIDE TO GET HER HUSBAND TO CALL 911 AND THEY CONTINUED CPR UNTIL EMS ARRIVED.

GAME WARDEN RALPH EAST ARRIVED AND WE MADE CONTACT WITH A DR. THEODORE GOULD WHO PRONOUNCED THE BABY DEAD AT APPROXIMATELY 11:40 A.M. NOTIFIED DISPATCH TO CONTACT J.P. AND THEY ADVISED THEY WOULD CONTACT JUDGE SHAMBURGER. DISPATCH CALLED BACK AND ADVISED THAT JUDGE SHAMBURGER WAS OUT OF TOWN AND THEY HAD NOTIFIED JUDGE BEAVERS WHO WOULD BE IN ROUTE.

DEPUTIES THEN SPOKE WITH THE FATHER OF THE CHILD [redacted] STATED THAT HE WAS RUNNING A TUB OF WATER IN THE BATH TUB AND PUT HIS DAUGHTER INTO A BATH RING (BABY SITS IN IT WITH FOUR SUCTION CUPS) THAT ATTACH TO THE BOTTOM OF THE TUB.

TASK # [illegible]
ATTACHMENT # 3
PRODUCT: Bath Tub

[redacted] STATED HE LEFT HIS DAUGHTER IN THE TUB WITH THE WATER RUNNING AND WENT INTO THE KITCHEN TO START CLEANING IN THE KITCHEN. [redacted] STATED HE COULDN'T HAVE BEEN GONE OVER THREE TO FOUR MINUTES AT THE MOST. [redacted] STATED HE COULDN'T REMEMBER IF HE TURNED THE WATER OFF OR LEFT IT RUNNING. [redacted] STATED HE WENT BACK INTO THE BATHROOM TO CHECK ON HIS DAUGHTER AND THAT'S WHEN HE FOUND HER FLOATING FACE DOWN IN THE WATER. [redacted] STATED HE GRABBED THE BABY AND RAN NEXT TO DOOR FOR HELP BECAUSE HE HAS NO PHONE AT RESIDENCE. [redacted] STATED THAT MRS [redacted] TRIED TO DO C.P.R. UNTIL E.M.S. ARRIVED.

JUDGE BEAVERS ORDERED AUTOPSY ON THE CHILD. ALSO WAS ADVISED BY LIEUTENANT WALLER THAT THE TUB CONTAINED 9 1/2 INCHES OF WATER AND A SAMPLE TAKEN PER GAME WARDEN RALPH EAST. ALSO VERBAL CONSENT TO SEARCH THE RESIDENCE WAS GIVEN TO DEPUTIES BY THE MOTHER OF THE CHILD, [redacted] W/F, DOB 091178.

THE CHILD'S NAME IS [redacted], W/F, 121796. SEND OF COPIES OF THIS REPORT TO GAME WARDEN RALPH EAST AND ALSO COPIES TO JUDGE BEAVERS.

ALSO ATTACHED IS DEPUTY STAMP'S REPORT.
END OF REPORT.

ROY TOMLIN
7/22/97 GSM

[redacted] ADVISED THAT AT APPROX. 0930 HRS HIS NEXT DOOR NEIGHBOR CAME RUNNING OVER TO HIS HOUSE WITH HIS BABY IN HIS ARMS YELLING "HELP! HELP! I THINK MY BABY DROWNED." [redacted] ADVISED HE REMEMBERS THINKING HOW BLUE THE BABY LOOKED, BUT HE GRABBED THE BABY FROM THE FATHER AND RAN INSIDE HIS HOUSE AND GAVE THE BABY TO HIS WIFE, A RETIRED NURSE. [redacted] ADVISED THAT HIS WIFE BEGAN CPR AND HE TRIED TO CALL 911 BUT IT TOOK SEVERAL MINUTES BECAUSE HE COULDN'T GET ANY OF HIS PHONES TO WORK. [redacted] ADVISED HE FINALLY RAN OUT TO HIS STORAGE BLDG. AND DIALED 911 ON HIS BUSINESS PHONE. [redacted] ADVISED THAT EMS ARRIVED SHORTLY THEREAFTER AND TRANSPORTED THE BABY TO MOTHER FRANCES HOSPITAL. DEPUTY STOOD BY AT THE SCENE OF THE ACCIDENTAL DROWNING UNTIL LT. WALLER HAD FINISHED HIS INVESTIGATION.

D STAMPS
7/22/97 GSM

980219CCL3611
ATTACHMENT # 3
PRODUCT: Bath Seat Carling + Bath Tub

C.I.D. SUPPLEMENT
07-13-1997 Lieutenant Jason WALLER

On this date, at approximately 10:48 a.m., WALLER was contacted by the Communications Division of the Sheriff's Department and advised

that they had received a "9-1-1" call from a residence on Yucca Lane, just off of Lavender Road. The caller had reported that an infant had possibly drowned in her bathtub. [redacted] was advised that the infant was a seven (7) month old white female and that she had been transported by ambulance to Mother Frances Hospital. [redacted] was advised that it was believed that the infant would not survive.

[redacted] was advised tha[redacted] with the Tyler Office of the Texas Parks and Wildlife (TP & W) Department, had been notified and that he was enroute to the hospital to conduct the lead in this investigation. After [redacted] made arrangements for his own two (2) month old's care, he then proceeded to the scene.

[redacted] was advised that deputies [redacted]N were at the hospital and [redacted] briefly spoke with [redacted] with respect to questions that needed to be asked and information that needed to be obtained from the infant's father (who had been at the house with the infant). [redacted] also was advised that Deput[redacted] had been dispatched to the actual scene and had secured it until WALLER could arrive.

While enroute to the scene, [redacted] was advised b[redacted] that the infant's mother had given verbal consent to search to Deput[redacted] at approximately 11:39 a.m. At approximately 11:45 a.m., [redacted] overheard radio traffic fro[redacted] who requested that a Justice of the Peace be contacted to respond to the hospital, indicating that the infant had indeed died. W[redacted]earned that Precinct # 1 Justice, Judge [redacted]ho was the "on-call" magistrate, had been contacted and was enroute to the hospital.

[redacted] arrived at the scene at approximately 11:58 a.m., and briefly contacted Deputy STAMPS, who advised that he had spoken with a neighbor, [redacted], where the deceased's father had come to call "9-1-1," which is next door to the scene. [redacted] also was advised that [redacted] rented the residence to the deceased's parents. [redacted] that the parents of the deceased were identified as [redacted] JR., a white male born 02-17-1973 and [redacted] female born 09-04-1978. [redacted] was advised tha[redacted] had been at work when the incident had taken place and had been called to the hospital.

[redacted] was advised that the infant had been in the master bathroom, which was adjacent to the master bedroom, in the northern end of the mobile hom[redacted] also learned that the infant had been left alone in the bathroom for several minutes, while the deceaseds father had been in another portion of the residence doing something else. [redacted] was originally advised that the father had been on the telephone, but was later advised that the father had been cleaning up the kitchen area (as there was no phone at the residence).

[redacted] was advised that the child had been placed into a blue plastic bath chair, which has suction cups on the bottom, with the cups

ATTACHMENT 3
PRODUCT: Bath Seat or Lung and Bath Tub

attaching to the bottom of the bathtub. This device, (which WALLER is familiar with, but does not and has never used it with either of his small children), allows a child to sit upright in a bathtub while being bathed. It also has a swivel seat and is approximately eight (8) inches high.

[redacted] was advised that the deceased's father had returned after several minutes [redacted] was later advised that it was between three (3) and four (4) minutes), finding his daughter floating face down in the tub.

[redacted] began to examine the scene and initially noted that on the front porch of the residence was a small plastic "blow-up" swimming pool (for children) in which [redacted] noted several inches of water in it.

[redacted] ined the residence, noting that the residence was generally neat and orderly, but somewhat cluttered in some areas. WALLER noted that there was a well equipped nursery and that the infant had numerous "child related" items, including several "child safety-type" items.

[redacted] ted that in the kitchen, that the right side of the sink had a stack of dirty dishes laying in it. [redacted] noted that there was a television and video cassette recorder (vcr) were laying on the living room sofa, as if someone may have been working with them recently.

[redacted] noted that the remainder of the residence was unremarkable, other than the master bathroom, where the infant had been located.

[redacted] examined the master bathroom, noting that the tiled floor of the bathroom, along with the tiled floor outside and adjacent to this bathroom, had water accumilated in several areas. [redacted] could not tell if water from the bathtub had overflown onto the floor or if this water came from whe[redacted] removed the infant from the tub.

[redacted] noted that there were several water soaked towels laying on the bathtub floor adjacent to the tub. [redacted] noted that the tub was still "full" of water and, with [redacted] easuring the water level to be approximately nine and one-half (9 1/2) inches deep. [redacted] also found that the water was cool, but not cold to the touch. [redacted] observed several children's bath toys in the bath water. [redacted] also noted that inside the tub, floating in the water, was a blue plastic bathtub chair, whic[redacted] noted had four (4) suction cups on the bottom.

[redacted] later placed the bath chair, manufactured by "Safety 1st Inc.," in the intended/designed position (with all four suction cups secured on the tub's floor) and found that the water level in the [redacted] ub was still one and a half (1 1/2) inches above the device. [redacted] also noted that the device, which was blue in color, had a

ATTACHMENT: 3
PRODUCT: Bathtub/Bath Seat/Parking

warning on it which stated, "WARNING: PREVENT DROWNING NEVER LEAVE CHILD UNATTENDED."

[redacted] measured the device and found it to be approximately eight (8) inches long and tweleve (12) inches wide.

[redacted] conducted four (4) "tests" with the bath chair device being secured on the bottom of the bathtub. [redacted] found that the front suction cups released within two (2) minutes each time, with the longest time being two (2) minutes, fifteen (15) seconds.

[redacted] collected the bath chair device, along with two (2) samples of the bath water.

[redacted] found that the infant was a [redacted], a white female born 12-17-1996, who was born at Doctor's Memorial Hospital. [redacted] found that the mother's listed physician was a NEAL POCK, D.O. while the infant's doctor was listed as RO[redacted], D.O., both whom practice at Doctor's Memorial.

[redacted] found in the infant's nursery were some over-the-counter medications, including Tylenol Elixin (which was half full), Equate (Eckerds name brand) Simethicone (for gas), and Pndec oral antihistamine drops.

After examining the scene, photographing the scene, and collecting the items of potential evidence, [redacted] secured the scene at approximately 1:25 p.m.

[redacted] later contacted Doctor STEPHEN BOLESTA, a Tyler Forensic Pathologist, who advised that he would conduct the postmortem examination on Monday morning, July 14th, at Mother Frances morgue.

[redacted] secured he items collected at his office.

The case investigation will be conducted by Game Warden EAST, with [redacted] assisting.
07-13-97 jbw

980219CCL3611
ATTACHMENT: 3
PRODUCT: Bath Heat or Ring & Bath Tub

C.I.D. SUPPLEMENT
07-14-1997 Lieutenant Jason WALLER

On this date, [redacted] went to Mother Frances morgue, where he attended the postmortem examination (autopsy) of the infant, [redacted] photographed various aspects of the examination.

[redacted] collected a hair sample from the infant and also a set of yellow metal earring studs that had been on the infant.

[redacted] learned that the infant was 27 inches long, with her torso to head length being 18 1/2 inches [redacted] also learned that she

weighed approximately 8,017 grams or a little over seventeen and a half (17 1/2) pounds. The infant appeared to be a rather healthy child and there were no major external injuries observed.

[redacted] learned that there was one (1) small petechiae in the deceased's left eye and also some evidence of petechia in and around the deceased's neck area. [redacted] was advised by [redacted] that the petechia could have been caused when cardiopulmonary resuscitation (CPR) was administered to the deceased.

When the child's skull and brain were examined, B[redacted]nd an old area of injury, which may have been several months old and unrelated to the child's death.

[redacted] advised that he found nothing that was inconsistent with the child having drowned in the bathtub.

Case investigation will CONTINUE by Game Warden EAST.
07-14-97 jbw

C.I.D. SUPPLEMENT
07-31-1997 Lieutenant Jason WALLER

On this date, [redacted]poke with Game Warden, Sergeant RALPH EAST about this case investigation. [redacted] and EAST discussed the case being preented to the District Attorney's Office upon completion for presentation to a grand jury. [redacted] was advsied by EAST that [redacted] caseworker from Child Protective Services, had contacted him and that they had a meeting scheduled to discuss the case, since [redacted] is pregnant with another child.

[redacted]vised EAST that he would attempt to locate the cause of the old injury to the brain, though it had nothing to with the death whatsoever, and that he would then complete his part of the case investigation.

[redacted] later went to the residence and left a business card on the door for [redacted] and [redacted]PS to contact WALLER, as no one appeared to be at the residence.

Case investigation will CONTINUE.
07-31-97 jbw

980219CCC3611
ATTACHMENT 3
PRODUCT: Bath Seat or Ring + Bath Tub

C.I.D. SUPPLEMENT
08-14-1997 Lieutenant [redacted]

On this date, [redacted] learned that [redacted] had attempted to contact [redacted] and/or [redacted] at their residence and that they had

moved out of the mobile home. [redacted] advised that she did not know where they had moved.

Case investigation is CONTINUING.
08-14-97 jbw

C.I.D. SUPPLEMENT
08-18-1997 Lieutenant [redacted]

On this date, [redacted] contacted Doctor [redacted], D.O., who was one [redacted] physicians at the delivery of the infant. [redacted] discussed the birth records in his file, pertaining to any possible cause for the old injury to the brain. Dr. [redacted] advised that his records reflected no mention of any major problems during the delivery and had only noted that they had used "low outlet forceps" during the delivery. He advised that he did not recall anything that would have caused any injury to the infant and had not been contacted about any other incident since the birth of the infant.

[redacted] also learned that [redacted] no longer was working at the construction job in Longview [redacted] did make contact at Ms. [redacted] place of employment and left a message for her to contact [redacted] She later contacted [redacted] when she arrived at work and they set up an appointment for the next day.

Case investigation will CONTIUE.
08-18-97 jbw

980219CCC3611
ATTACH... B
PRODUCT: Bath Seat Mrg + Bath Tub

C.I.D. SUPPLEMENT
08-19-1997 Lieutenant Jason WALLER

On this date, [redacted] reviewed the completed postmortem report filed by D[redacted]A in this death. [redacted] found nothing noteworthy that BOLESTA had not already discussed wi[redacted] at the time of the actual examination of the infant.

[redacted] was later contacted by [redacted], who came to [redacted] office at approximately 12:30 p.m. [redacted] turned over to [redacted] set of earring studs that had been recovered at the autopsy.

[redacted] discussed the investigation with her and advised her of the case being reviewed by a grand jury when it was complete. [redacted] also discussed wih her her pending pregnancy and she advised that everything was going fine so far with this child. She advised that she had moved back into her mother's residence and tha[redacted]S had moved back into his paren's residence, for the time being.

[redacted] also discussed with [redacted] the autopsy findings. [redacted] inquired of [redacted] any fall or known injury to the infant in the months prior to her drowning death. [redacted] advised that back around May that she and [redacted] had gone to some property that they were trying to clear and that the infant was with them. She advised that the child was in a "bouncing device" and that because of some dogs in the area, that the infant had been placed on the hood of their pickup, near the windshield.

[redacted] advised that the infant and the device had fallen off of the vehicle and that she was immediately taken to East Texas Medical Center Hospital for treatment, but that they found that she appeared to be all right. [redacted] advised that this is the only fall or injury that she is aware of to the infant.

[redacted] also advised [redacted] that C.P.S. caseworker [redacted] was wanting to visit with her and gave [redacted] telephone number.

Case investigation CONTINUES.
08-19-97 jbw

TASK # 980219CCC3611
ATTACHMENT # 3
PRODUCT: Bath Seat Dr Ring + Bath Tub

C.I.D. SUPPLEMENT
08-22-1997 Lieutenant [redacted]

On this date, [redacted] obtained a Grand Jury subpoena for medical records at East Texas Medical Center for the deceased infant in this case, where her parents had taken her in for the fall, earlier described by [redacted]

[redacted] obtained the records and reviewed the report from May 10th, 1997. [redacted] found that the information given by [redacted] was the same information from the medical records. [redacted] found that the physicians at the hospital, Dr. RONALD [redacted] noted that there were some facial abrasions near the left eye.

[redacted] later related this information to D[redacted] about this injury.

At this point, [redacted] conclude his portion of the case investigation. He will forward this report and case information to Game Warden EAST.

This case is CLOSED.
8-22-97 jbw

C.I.D. SUPPLEMENT
11-07-1997 Lieuten[redacted]

On this date, [redacted] learned that this case had been presented to the Grand Jury, in order to consider criminal charges of Criminal Negligent Homicide against the infant's father, [redacted] learned that the Grand Jury "no bil[redacted] in his daughter's death.

This case is CLOSED.
11-07-97 jbw

C.I.D. SUPPLEMENT
03-23-1998 Lieutenant [redacted]

Onthis date, [redacted] was contaced by [redacted]KER, an investigator with the United States Consumer Products Safety Commission, in Dallas, in reference to this case [redacted] requested a copy of this report and photographs to be [redacted]r office for review of the product involved in this case.

Once [redacted] receives [redacted] written request, [redacted] will forward a copy to her.

This case wil remain CLOSED.
03-23-98 jbw

C.I.D. SUPPLEMENT
03-25-1998 Lieuten[redacted]

On this dat[redacted] received M[redacted] written request for this report and photographs from WALLER'S investigation. [redacted]pied the file and forwarded them to [redacted]S office.

Case is still CLOSED.
03-25-98 jbw

980219CCL3611
ATTACH 3
PRODUCT: Bath Seat or Ring + Bath TUL

PROPERTY USE ONLY

LOCATION

SHELF/BOX

SMITH COUNTY SHERIFF'S DEPARTMENT
PROPERTY/INVENTORY SHEET

1. OFFENSE: Assist Other Dept - TP&W

2. DATE: 07-14-1997

4. EVIDENCE: XX FOUND PROPERTY

5. LOCATION PROPERTY OBTAINED: 800 East Dawson

7. OWNER'S NAME

8. OWNER

10. SUSPECT'S NAME

11.

12. ITEM #	QUANTITY	DESCRIPTION
03	1	Pair of yellow
0404	1	Envelope with

980719CCC 3611
3
Bath Seal +
Bath Tub

14.

ITEM #	DATE	RELEASED BY
03-04-	07-14-1997	Taken @ autopsy

PROPERTY USE ONLY

LOCATION

SHELF/BOX 251

SMITH COUNTY SHERIFF DEPARTMENT
PROPERTY/INVENTORY SHEET

1. OFFENSE	2. DATE	3. CASE NUMBER
Assist Other Department - TP&W	07-13-1997	[illegible]-07711

4. EVIDENCE xx FOUND PROPERTY ___ SAFEKEEPING ___ OTHER ___

5. LOCATION PROPERTY OBTAINED	6. PERSON FROM WHOM OBTAINED
4012 CR 3190	

7. OWNER'S NAME	8. OWNER'S ADDRESS

10. SUSPECT'S NAME	11. SUSPECT'S ADDRESS

12. ITEM #	QUANTITY	DESCRIPTION (INCLUDES BRAND, MODEL, [illegible]
01	1	"Safety 1st, Inc." blue child bath [illegible]
		PREVENT DROWNING NEVER LEAVE CHILD [illegible]
02a-b	2	Two (2) canisters with samples of bath [illegible]

TASK # 980219CCC3611

ATTACH 3

PRODUCT Bath Seat + Bathtub

14. CHAIN OF CUSTODY

ITEM #	DATE	RELEASED BY	RECEIVED BY
01-02	07-13-1997	Taken from scene	[illegible]

U.S. CONSUMER PRODUCT SAFETY COMMISSION
DALLAS SATELLITE OFFICE

1114 COMMERCE STREET, ROOM 216 • DALLAS, TEXAS 75242 • 214-767-0842 • FAX 214-767-0851

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TEXAS
UTAH
WASHINGTON
WYOMING
PACIFIC ISLANDS

March 23, 1998

ATTENTION: Judge Quincy Beavers, Jr.
Smith County Office Building
106 E. Elm
Tyler, Texas 75702

TASK # 980219CCL3611
ATTACHMENT # 4
PRODUCT: Bath Seat or Rings and Bath Tub

Dear Judge Beavers:

The U. S. Consumer Product Safety Commission is an agency with the Federal Government who studies accidental injuries, deaths and fires. Information from this program helps make us aware of hazards to children and adults and aids us in preventing similar incidents from occurring to other persons.

We would appreciate a copy of the autopsy report involving the accidental death of [redacted] The accident occurred on July 13, 1997. It is my understanding that her death was due to drowning.

Your prompt assistance will be greatly appreciated. If there is a charge for the report please bill me at the above address. Enclosed is a self addressed envelope. If you have any questions, please contact me at (214) 767-8809.

Sincerely,

Jerusha J Walker

Jerusha J. Walker
Investigator

Enclosure

PATHOLOGY ASSOCIATES OF TYLER, P.A.

901 Turtle Creek Drive (903)593-0481 - (903)593-1662
Tyler, Texas 75701

Autopsy No. A97-49
Na[redacted]
Hospital Mother Frances Hospital
Date of Death 7/13/97
Date of Autopsy 7/14/97
Place of Autopsy Tyler, Texas

Doctor JOP Beavers
Age 6m **Sex** F **Race** W
Room No. ____ **Service** M/L
Hour of Death 11:47 AM
Hour of Autopsy 8:25 AM
Funeral Home ____

Final Pathological Diagnosis

I. Drowning.
II. Status post attempted cardiopulmonary resuscitation.
III. Remote cortical injury to brain.

In my opinion the cause of death is drowning.

ESB:jg
7/15/97

TASK # 980219CCC3611
ATTACHMENT # 5
PRODUCT: Bath Seat or Ring + Bath Tub

97 AUG -5 PM 2:39
PRECINCT #1

AD KULAGA, MD SM LLOYD, MD ES BOLESTA, MD BR HARRIS, MD RB WELLS, MD

[redacted]

On 7/14/97 at 8:25 AM, an autopsy is performed on the body identified [redacted] The autopsy is performed at the Mother Frances Hospital Morgue, Tyler, Texas. Officer Jason Waller is in attendance for technical assistance.

Effects:
1. Earrings.
2. Head hair exemplars.

External examination: When first viewed, the body is unclothed. In the earlobes are yellow ball earrings through pierced orifices.

The body is that of a well developed white female infant whose appearance is consistent with the given age of 7 months. The body weighs 8710 grams. The body has a total length of 27 inches, a crown-rump length of 18 1/2 inches and a head circumference of 17 inches. There is minimal rigidity throughout the joints. Livor mortis is posterior and totally fixed. The body temperature is cold. The head hair is thin and blond measuring up to 1 inch in length. The irides are blue. The nose, ears and mouth are unremarkable. The gums are edentulous. The neck is of normal configuration. The thorax is symmetrical. The breasts contain palpable breast tissue. The abdomen is flat. The external genitalia are those of a normal female infant. No traumatic injuries are noted. The lower extremities are symmetrical without palpable pretibial edema. The fingernails are intact and free of defect.

TASK # 980219CCC 3611
ATTACHMENT 5
PRODUCT: Bath Suit + Bath Tub

Therapy: Signs of recent therapy include:
1. EKG pads.
2. Nasogastric tube.
3. Orotracheal tube.
4. Intravenous catheter placement in the left lateral arm area.
5. Intra-osseous catheter placement in the lower left leg.
6. Single puncture mark on the left posterior hand area with surrounding blue discoloration.
7. Multiple puncture marks in the groin area.

Scars and tattoos: There are no scars or tattoos.

Injuries and observations:

A. External:

Scattered around the upper chest area, neck and face area are petechial punctate dark red hemorrhages. Rare hemorrhage is noted in the left lower conjunctival region.

B. Internal:

There are no recent traumatic injuries. Scattered petechial hemorrhages are noted over the pleural surfaces of the lungs.

TASK: 980219CCC3611
INITIAL:
PROC: Bath Sect + Bath Tul

[redacted]

There is remote damage to the posterior lateral right occipital parietal area. Encompassing an area that measures 3.5 x 2.0 cm is a depressed brown region of cortical loss. The overlying dural membranes show minimal brownish discoloration of the subdural region.

The injuries and observations above, having been described once, will not be repeated.

Internal examination: A thoracic and abdominal organs are in their normal anatomic relations. The pericardial sac is midline and contains a few ccs of clear yellow fluid. There are 10 ccs of serosanguineous fluid within the abdominal cavity.

Neck: There are no abnormalities to the soft tissues of the neck, larynx, cervical vertebral column. The hyoid bone and thyroid cartilages are free of fractures. There is no hemorrhage or crepitance within the prevertebral fascia. There is no laxity or displacement of cervical vertebrae. Cut sections of the tongue are unremarkable.

Cardiovascular: The heart weighs 50 grams. The epicardium is smooth and glistening. The ~~ventricular and atrial chambers are not dilated. The great vessels enter and leave the heart in~~ a normal manner. The heart valves are thin, pliable, delicate and free of lesions. The coronary arteries are normally positioned and appear balanced. The aorta throughout its coarse is unremarkable. The great veins are unremarkable.

Respiratory: The right and left lungs weigh 108 and 90 grams, respectively. The pleural surfaces are smooth and glistening and there are no adhesions. The major bronchi are unobstructed and the mucosa has a white appearance. The parenchyma on cut section is purple-pink. No tumor masses or consolidations are evident.

Gastrointestinal: The esophagus is unremarkable. The stomach contains a few drops of granular white fluid. The gastric mucosa is unremarkable. The large and small intestine are within normal limits. The appendix is present.

Liver, gallbladder and pancreas: The liver weighs 370 grams. The capsule is smooth and glistening and the underlying parenchyma is unremarkable. The gallbladder contains a few drops of thin green bile and is free of stones or other lesions. The common bile duct is not dilated or obstructed. The pancreas has soft tan lobulated parenchyma.

Genitourinary: The right and left kidneys weigh 72 grams. The capsule strips with ease to reveal fetal lobulated subcapsular surfaces. The cortices and medulla are unremarkable. There are no abnormalities to the papillae, calyceal system, pelvis or ureters. The urinary bladder contains no urine.

Musculoskeletal: There are no traumatic injuries to the axial or appendicular skeletal system of musculature.

[redacted]

Hemic and lymphatic: The spleen weighs 28 grams. The capsule is smooth and glistening. The underlying parenchyma is within normal limits. The thymus gland weighs 50 grams. On cut section, no lesions are grossly evident. There is slight enlargement of lymph nodes in the ileocecal area. Tumor formation is not evident.

Head: See heading on injuries and additional observations. The brain weighs 810 grams. The meninges are thin, translucent and glistening. The uninjured gyrial crowns are rounded and there are no uncal or tonsillar herniations present. Multiple coronal sections reveal no additional lesions to the cortical ribbon, deep gray matter, brain stem or cerebellum. Cut sections through the middle ears are within normal limits.

Cassette 1:	Heart.
Cassette 2:	Liver and kidney.
Cassettes 3 and 4:	Lungs.
Cassettes 5, 6, 7, and 8:	Right posterior occipital area.
~~Cassette 9:~~	~~Hippocampal region.~~
Cassette 10:	Lower brain stem and cerebellum.
Cassette 11:	Dura mater.

Microscopic:

Heart: Minimal histologic change. Focal fatty change above membranous septum.

Liver: Congestion.

Kidney: Congestion.

Pulmonary: Changes consistent with resuscitation, edema.

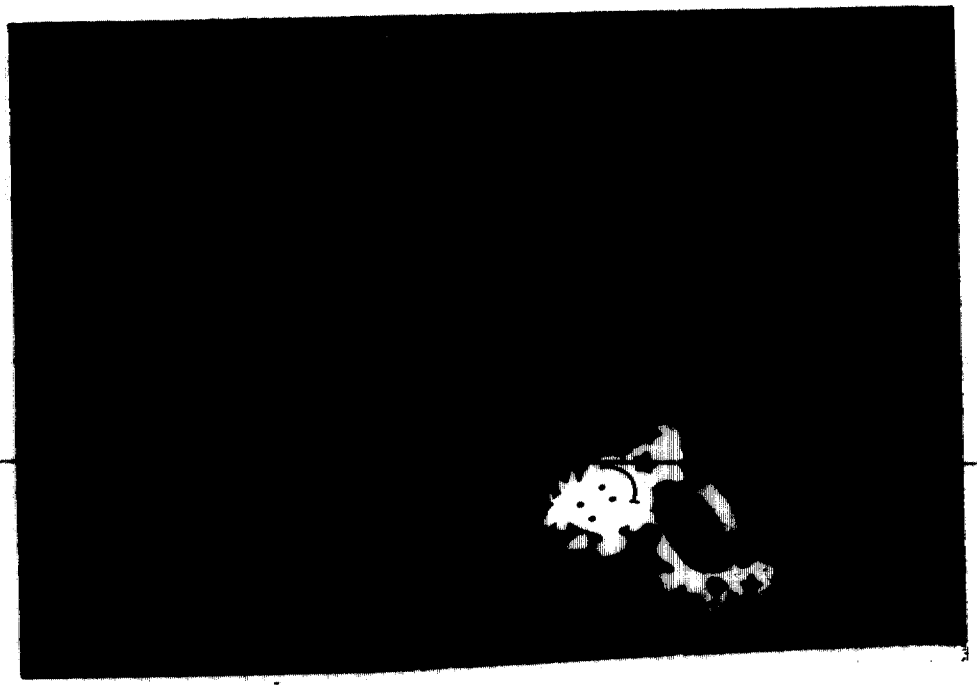
Brain: Gliosis and abundant pigmentation is present within the area of brain injury. The overlying membranes also contain pigmented histiocytes.

TASK# 9802/9CCC3611
ATTACHMENT# 5
FROM: Bath Seat
Bath Tub

980219CCC3611
Infant Bath Seat
Attachment 6

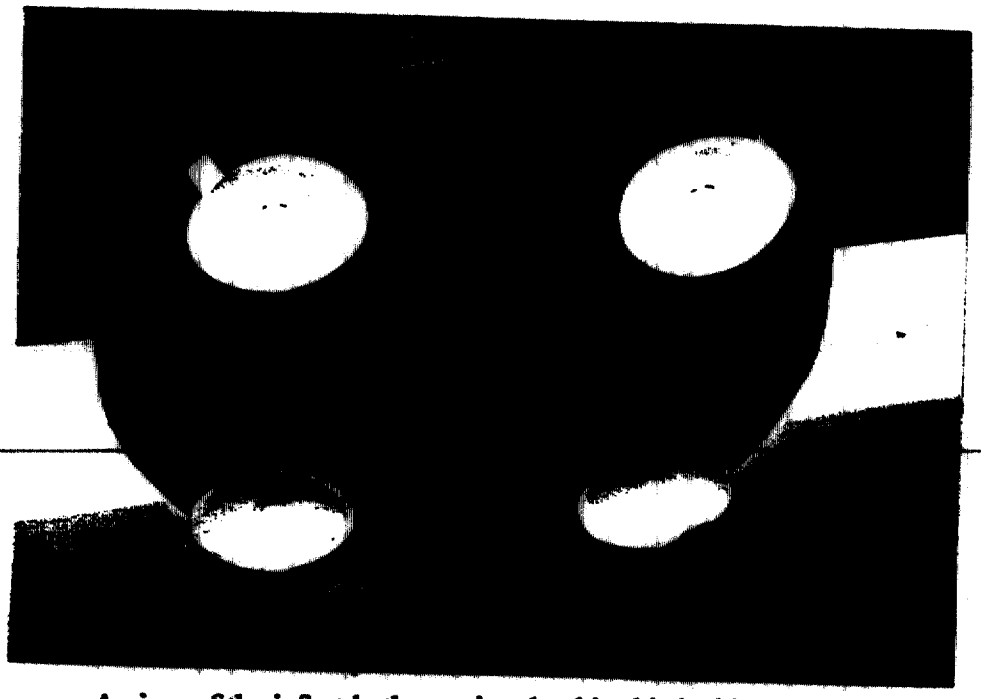
A view of the infant bath seat involved in this incident

980219CCC3611
Infant Bath Seat
Attachment 6



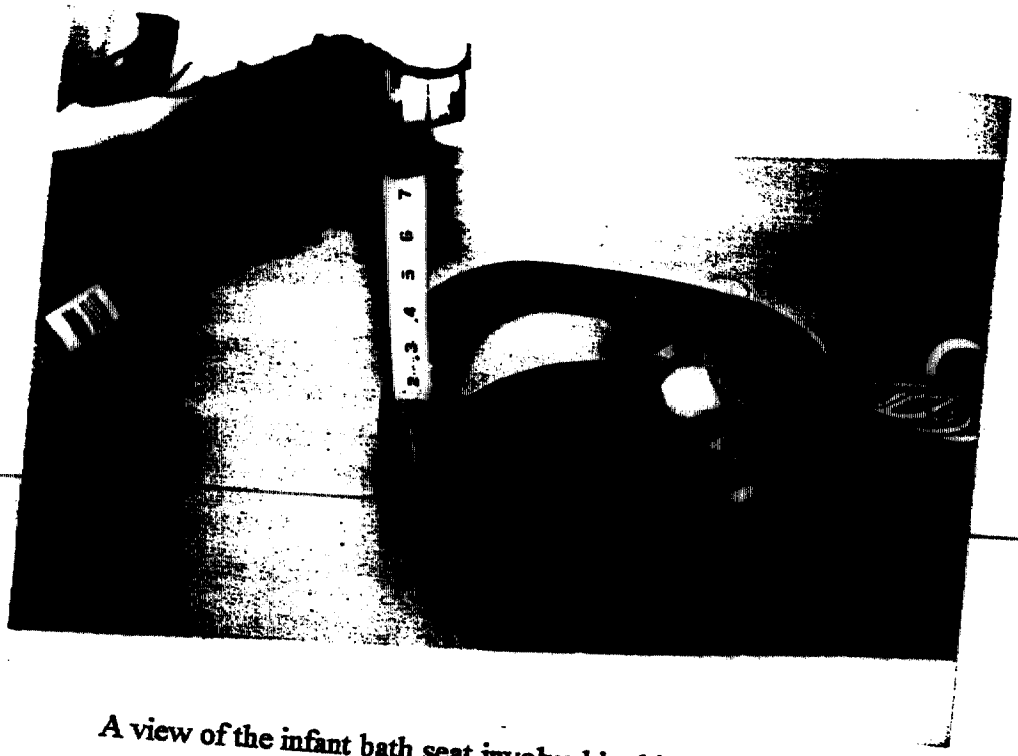
A view of the infant bath seat involved in this incident

980219CCC3611
Infant Bath Seat
Attachment 6



A view of the infant bath seat involved in this incident

980219CCC3611
Infant Bath Seat
Attachment 6



A view of the infant bath seat involved in this incident

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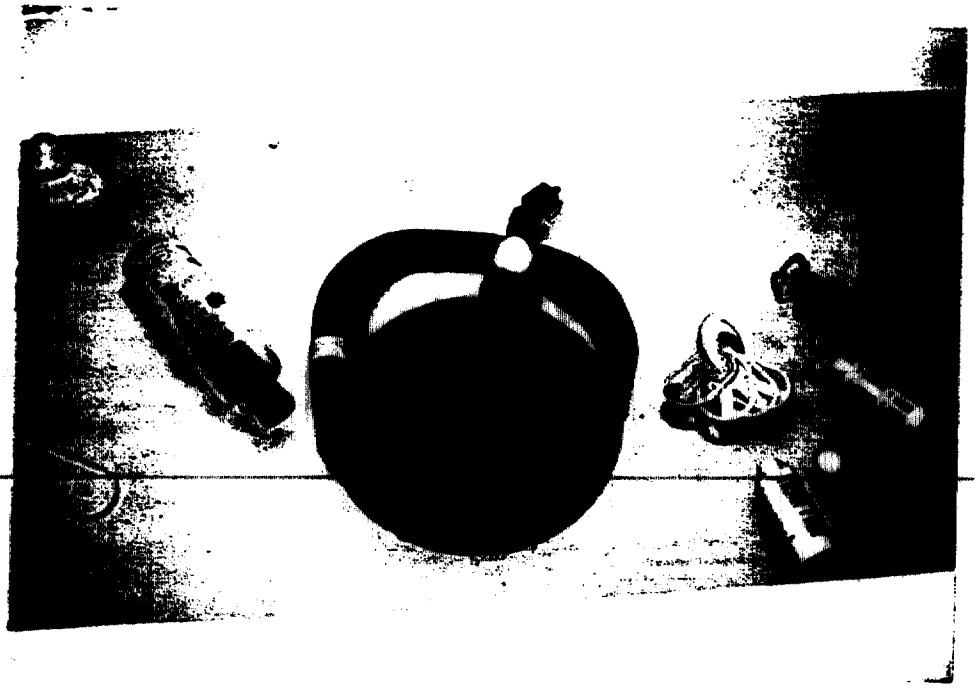
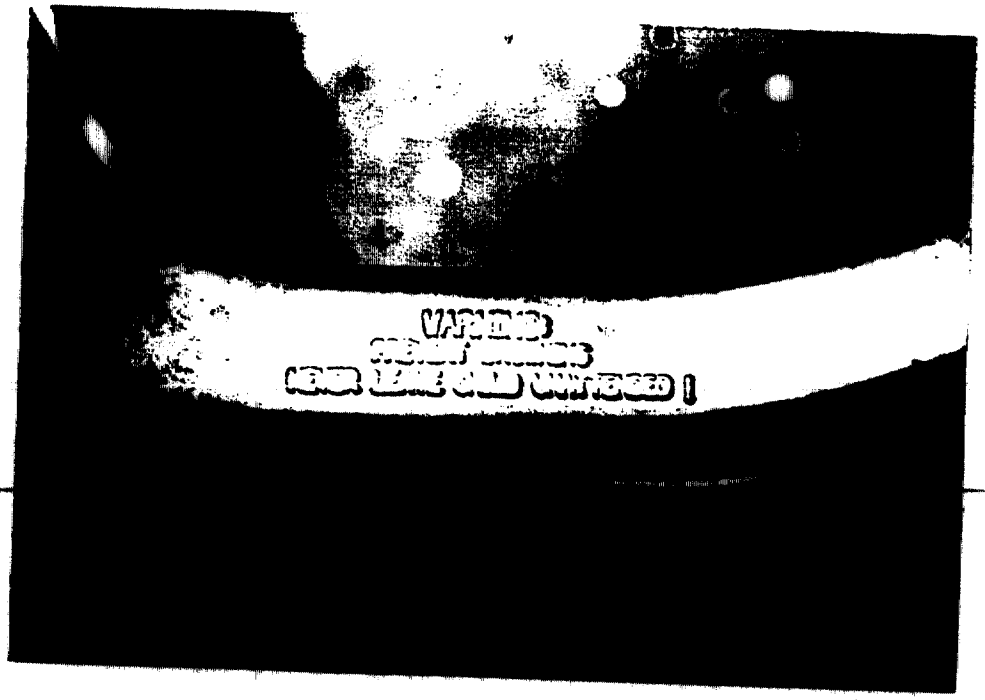


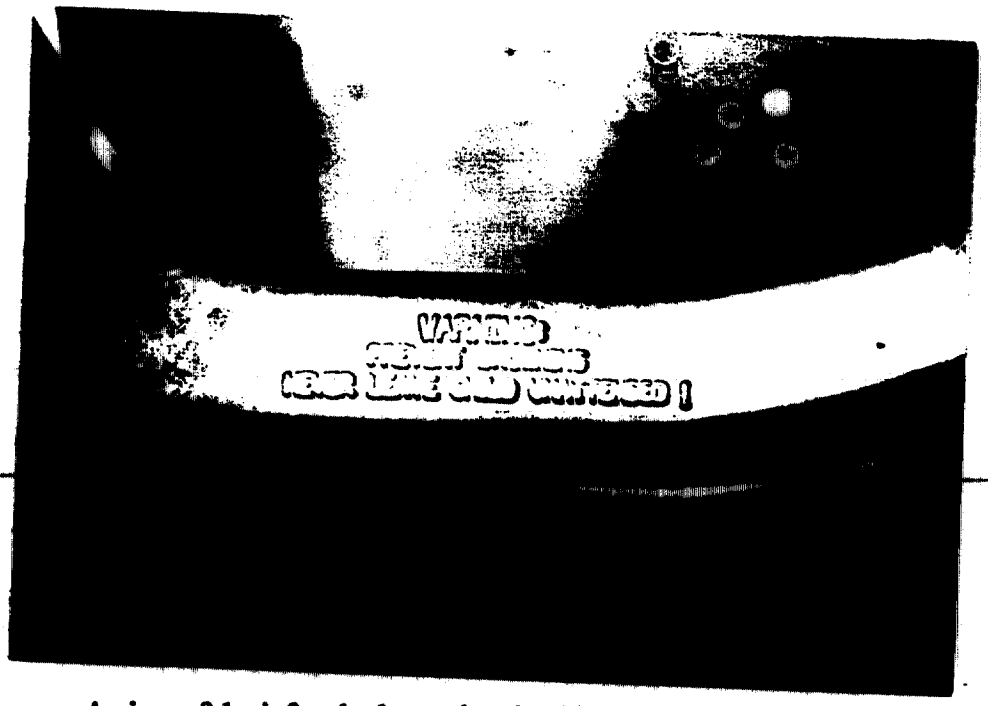
A view of the infant bath seat involved in this incident

980219CCC3611
Infant Bath Seat
Attachment 6



A view of the infant bath seat involved in this incident

980219CCC3611
Infant Bath Seat
Attachment 6



A view of the infant bath seat involved in this incident

photos

23 MAR 1995

EPIDEMIOLOGIC INVESTIGATION REPORT

1. CASE NO. 950207 HWE 7020

2. INVESTIGATOR'S ID: 8187

3. OFFICE CODE: 860

4. DATE OF ACCIDENT: YR 95 MO 01 DAY 13

5. DATE INVESTIGATION INITIATED: YR 95 MO 03 DAY 06

6. SYNOPSIS OF ACCIDENT OR COMPLAINT: A 7 month old girl was left unattended in a bathtub seat in a bathtub filled with approximately 3 inches of water. Approx. 3 minutes later, when she was "checked on" by her Father, she was found lying in the water. SHe could not be revived.

The preliminary cause of death has been determined as drowning.

7. LOCATION (Home, school, etc.): Home (bath tub) 10

8. CITY: Russellville

9. STATE: ARKANSAS AR

10A. FIRST PRODUCT: Bathtub seat 1557

11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS: SAFETY 1ST Inc.,

10B. SECOND PRODUCT: Bathtub 0611

11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS: Unknown

12. AGE OF VICTIM: 207

13. SEX (Use numerical code): MALE - 1, FEMALE - 2, UNKNOWN - 3: 2

14. DISPOSITION: Dead at scene 8

15. INJURY DIAGNOSIS: Drowning 69

16. BODY PART: All 85

17. RESPONDENT(S) (Mother, Friend): Police officials 3

18. TYPE INVESTIGATION: ON SITE 1, TELEPHONE 2, OTHER 3: 2

19. TIME SPENT: 100

20. ATTACHMENTS: Multiple 9

21. CASE SOURCE: State Med. Examiner 12

22. REVIEWED BY: 8257 YR 95 MO 03 DAY 21

23. PERMISSION TO DISCLOSE NAMES (NON-MESS CASES ONLY): CPSC MAY DISCLOSE MY NAME [ ] CPSC MAY NOT DISCLOSE MY NAME [XX]

24. NARRATIVE (See instructions on Other Side)

25. REGIONAL OFFICE DIRECTOR REVIEW DATE

MFR/PRVLBR NOTIFIED 2/3/99
No comments made
Comments attached
Excisions/Revisions
Firm has not requested further notice

(USE OTHER SIDE AND ADDITIONAL SHEETS IF NECESSARY)

CPSC FORM NO. 182 (Revised 10/85)

APPROVED FOR USE THROUGH 5/31/94 OMB NO. 3041-0029

FIELD ACTIVITY COVERSHEET

23 MAR 1995

1. REGION/STATE	2. OPERATION (Check One)	3. DATE
Dallas Satellite Office -FOWR LIT	[_] Inspection [_] Establishment Visit [_] Telephone Contact [X] Investigation [_] Other	3.06-95 4. NUMBER F527007A

5. ESTABLISHMENT
Name: SAFETY 1ST INC.
Address: no address
Phone: ( )
City: State: ZIP:

6. RELATED FIRM [_] Parent [_] Headquarters [_] Subsidiary [_] Other
Name: unknown City: State:

7. PRODUCTS COVERED	8. OTHER CONSUMER PRODUCTS
Bathtub seat	None

9. ESTABLISHMENT TYPE	10. ANNUAL PRODUCTION
[X] Manufacturer [_] Importer [_] Wholesaler [_] Own Label Dist. [_] Retailers [_] Repackager [_] Other	Regulated Products $ unknown Units Other Products $ Units

11. INTERSTATE BUSINESS	12. SAMPLES COLLECTED	13. MIS CODE	14. HOURS
Received unk % Shipped unk %	none	12165	Activity 10 .0 Travel 1 .0

15. REASON FOR ACTIVITY (Assignment Reference)
IDI 9502 07HWE 7020 dated 02/07/95

16. ANNOUNCED [_] Rationale if announced:
UNANNOUNCED [_]

17. EMPLOYEE'S NAME	TITLE	SIGNATURE
Bob R. Baxter	AR. Res. Inv.	Bob R Baxter

18. [X] ENDORSEMENT [X] REMARKS [_] SUMMARY [_] OTHER

This fatal incident involved a 7 month old infant left alone in a bathtub sitting in a bathtub seat. It is speculated she tried to stand up; in the process she fell into the tub containing water of 3 inches depth level. She drowned.

Product has the labeling Safety 1ST INC.; however, no American address is provided.

F/U: Referred to CECA for review.

19. Outreach Table	20. Type of Activity	21. Sub Program

22. Category Table	23. Audience Table

24. REVIEWER'S NAME	TITLE	SIGNATURE
CLAUDE E. TOLBERT Supervisory Investigator		C E Tolbert

25. REVIEW DATE	26. DISTRIBUTION
950321	Orig: ERDS cc: CECA, DSO cc: C/S TO LDB/CET

INJURY SCENARIO:

Pre-Injury Phase:

At this time, the history of prior use of the product involved in this fatal incident, is not known; the parents of the child have not returned this Investigator's phone calls. The product appears to be relatively new and does bear the labeling "Made in USA 1989". However, regarding the number of times the product had been used with the victim --prior to this incident--is unknown. According to the CID Investigator who spoke to the parents, the 7 month old female was being bathed in the bathtub in her grandmother's home. The Mother, reportedly, placed the infant in a bathtub seat in the tub. It is estimated that the water was 2 to 3 inches deep. The Mother reportedly left the bathroom leaving her child in the bathtub seat. She walked into the living room of the house where she began reading to her older son. Data provided by the CID Investigator detailed that the Mother, "shouted to her husband, (who was asleep in a bedroom) to check on the baby", since she did not hear any noise from the bathroom. From interviews with two police and CID investigators, the reported time lapse between the Mother leaving the bedroom and the victim's Father entering the bathroom to check on his daughter was 3 minutes. Therefore the victim was left unattended for an estimated 3 minutes.

Injury Phase:

It is speculated by the CID Investigator that the victim, who was 27 3/4 inches tall and weighed 8180 grams (approx. 18 1/2 pounds) tried to stand up in the bathtub seat and fell forward into the water. It is not known what the exact position of the child's body was in when found by the victim's Father; the reason being, that the Father removed the child from the bath tub when he found her. In later reporting, the Father stated the child was found " lying in the tub on her back and her face submerged". The Mother of the child reported to the Investigating authority that her husband "discovered the baby face down in the bathtub".

Post Injury Phase:

According to the report (Police Report attached as Exhibit # 2), the Father of the victim stopped the Police Investigator who was driving by the victim's house. IT SHOULD BE NOTED THAT THE SITE OF THIS FATALITY IS ONLY ONE BLOCK FROM THE POLICE STATION. The police investigator stated in the report that he was told by the victim's Father that his infant had drowned in the bath tub. The Police Investigator found the victim lying in the living room on the floor. He initiated CPR

since the child was not breathing. After a few minutes an off-duty fireman entered the residence and relieved the police investigator. Other police officials who had been contacted by telephone arrived at the same time as the Fire Department official. The officials (paramedics and fire department officials) worked with the child for approximately 25 to 30 minutes before transporting the child to the local hospital where she was pronounced dead approximately 55 minutes after the incident.

The Police Investigator. accompanied by the CID Investigator viewed the scene of the incident, the bathtub. and found the product. a bathtub seat. in the tub with water approximately 3 inches deep. The product was later collected and sent to the Arkansas Crime Laboratory for the Coroner's evaluation. The Coroner Office is the notifying agency for the LIT Resident Post.

DESCRIPTION OF PRODUCT:

The hard plastic bathtub seat, also referred to as being a rubber float by the Coroner's Office, was photographed at the State Medical Examiner's Office. The product has 4 suction pads which measure approx. 2 3/4 inches in diameter. The distance--roughly the diameter--between the sides of the top perimeter is approximately 10 1/2 inches. The depth or height from the hard plastic seat to the encircling perimeter (frame) is approximately 6 1/2 inches.

The product bears the following labeling: "WARNING: NEVER LEAVE CHILD UNATTENDED". This was found on the top of the perimter.

On the bottom of the product, near the suction pads was "PE MADE IN USA Copyright 1989 SAFETY 1ST--INC Reg. trademark US PATENT 5,010,606 UK--RD 1990 200 6813 CANADA RD (1990) SAFETY 1ST MADE IN USA 1989". THE box that the product was purchased in was not collected by the Police Investigators.

PRODUCT LABELING:

See above caption for this data.

DESCRIPTION OF THE VICTIM:

The victim was a 7 month old female who weighed 8180 grams and stood 27 3/4 inches tall. Her chest circumference was 17 1/4 inches according to the Medical Examiner's Assistant. Although the final Medical Examiner's Report is not finished, the preliminary cause of death has been listed as drowning. A REQUEST FOR A COPY OF THE FINAL REPORT HAS BEEN MADE TO THE ARKANSAS STATE CRIME LABORATORY. IT IS ESTIMATED TO BE ANOTHER 4 TO 5 WEEKS BEFORE THE REPORT CAN BE OBTAINED.

ENVIRONMENTAL CONDITIONS:

The child was found lying in the bathtub by her Father. It is estimated the victim was left alone for approximately 3 minutes. The house where the victim died belonged to the victim's Grandmother.

The bathtub had approximately 3 inches of water inside when the victim was placed in the bathtub seat.

EXHIBITS:

Attached are the following numbered exhibits:

1. *Photographs of the product;*
2. *Police Report;*
3. *Copy of the preliminary Cause of Death report.*

[illegible]
Report Date: 01-13-[illegible] Report [illegible]

Continued...

Residence at 820 North [illegible] Upon arrival [illegible] found the [illegible] on the floor at the front door. Randy [illegible] Fire Department arrived [illegible] and began CPR.

Officer [illegible] kept the parents in the bedroom while responding paramedics with the Pope County Ambulance Service and Fire Department worked with the child before transporting to St. Mary's.

The child was treated by attending physician Dr. Harrison and pronounced dead at 155[illegible]

Pope County Deputy Coroner Scott Harper was contacted along with Det. D. Lewis who began their investigations.

Preliminary investigation revealed that the child had been left in the bathroom unattended while Melissa read a story to her son, Christopher, in the living room and the father, Johnny, was asleep in the bedroom.

Melissa shouted at Johnny to check the baby after she didn't hear any noise from the bathroom. Johnny found the baby lying in the tub on her back and her face submerged. He grabbed her and took her into the living room where she was found upon our arrival.

This investigation is continuing.

The body was taken to Little Rock by the Medical Examiner for autopsy.

Kathy Gardner with DHS was also contacted.

Code: Offense Description
0600: Unattended Death

Suspected Motive:

Date of Incident:

U.S. CONSUMER PRODUCT SAFETY COM.
4815 W. MARKHAM STREET, SLOT #.
LITTLE ROCK, AR 72205-3867
(501) 324-6631

COPY

	Date	Time
Date Of Report	01-13-95	15:1[illegible]
Reported	01-16-95	

Source: P Phone

Connecting Reports:

Investigative divisions, units, persons notified:

ADDITIONAL PERSONS INVOLVED
CODES: S=Suspect, V=Victim, W=Witness, C=Complainant, F=Father, M=Mother

V1 Name: [redacted] DOB: 06-01-94 Age: BB
Addr: [redacted] PASU AVE. Sex: F Race: W Eth. N
CSZ: RUSSELLVILLE, AR 72801 HP: 501 967-4606 WP:
AKA: -- Testify: No

W1 Name: [redacted] DOB: 10-30-72 Age: 22
Addr: [redacted] PASU Sex: F Race: W Eth. N
CSZ: RUSSELLVILLE, AR 72801 HP: 501 967-4606 WP:
AKA: [redacted] Testify: Yes

W2 Name: [redacted] DOB: 06-17-71 Age: 23
Addr: [redacted] PASU Sex: M Race: W Eth. N
CSZ: RUSSELLVILLE, AR 72801 HP: 501 967-4606 WP:
AKA: [redacted] Testify: Yes

W3 Name: [redacted] DOB: 06-07-57 Age: 37
Addr: [redacted] Sex: M Race: W Eth.
CSZ: Russellville, Ar 72801 HP: WP: 501 96[illegible]
AKA: Testify:

W4 Name: [redacted] DOB: 04-26-64 Age: 30
Addr: [redacted] Sex: M Race: W Eth.
CSZ: Russe[redacted]2801 HP: WP: 501 968-[illegible]
AKA: Testify:

W5 Name: [redacted] DOB: 03-29-64 Age: 30
Addr: 71[redacted] Sex: M Race: W Eth.
CSZ: Russellville, Ar 72801 HP: WP: 501 968-[illegible]
AKA: Testify:

W6 Name: C[redacted] DOB: 08-20-69 Age: 25
Addr: 71[redacted] Sex: F Race: W Eth.
CSZ: Russellville, Ar 72801 HP: WP: 501 9[illegible]
AKA: Testify:

The details are as follows:

At 1512 Officer Ridenhour advised of a possible infant drowning at the

Supervisor	P#	Reporting Officer(s)	P#	Assnt.	Rep. Off. Signature
H. M. [illegible]		JEFFS, MICHAEL J.	217	PATRL	
		RIDENHOUR, WILLIAM (WILLIAM)	2[illegible]	PATROL LIT.	
		WEST, CURTIS PAT	2[illegible]	PATROL	
		CROSS, BENJAMIN DAVID	2[illegible]	PATROL	
Assistant Sup. Signature		Date/Time Reviewed			Lt/Sgt To Asst

Approved: Date Active Inactive

950207 HWE 7020
3-01-95

Exhibit # 2

BRB
LIT

Officer's Name | Assmt.

PATROL DIV

ADDITIONAL PEOPLE INVOLVED

CODES: S=Suspect, V=Victim, W=Witness, C=Complainant, F=Father, M=Mother

W4 Name: [redacted] DOB: 04-20-64 Age: 30
Ad[redacted] Sex: M Race: W Phn:
CSZ: Russellville, AR 72801 HP: Wk: 501 968-3232
AKA: Testify:

The Details are as follows:

On 01/13/95 at approximately 1510 I was stopped by a male pedestrian, Johnny Smith, in front of RPD on North El Paso. Smith told me that his infant child had drowned in the bath tub. Upon my arrival, the child was laying in the living room floor. I initiated CPR due to the child not breathing. After a few minutes an off-duty fireman entered the residence and relieved me from CPR. I then attempted to keep Melissa Smith calmed down and out of the medics way.

Melissa Smith told me that she was giving her infant a bath and that she left the room for approximately 2-3 minutes when Johnny Smith discovered the baby face down in the bathtub.

I went into the bathroom and observed that there was approximately 1-2 inches of water in the tub. There was also a child's bathtub seat in the bathtub.

CONSUMER PRODUCT INCIDENT REPORT

1. NAME OF RESPONDENT State Crime Lab.	2. TELEPHONE NO. (Home) (Work) 501--227-5747 Work
3. STREET ADDRESS #3 Natural Resources Drive	4. CITY STATE ZIP Little ROck AR. 72215

5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.) Attached copy of State Crime Lab Report indicates death to 7 month old female who drowned. Also indicated on the sheet is the reporting of a Rubber float found at the death scene.

6. DATE OF INCIDENT(S) 1/13/95	7. IF INJURY OR NEAR MISS, OBTAIN AGE 7 mos SEX F AND DESCRIBE INJURY	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP
9. DESCRIPTION OF PRODUCT Unknown at this time		10. BRAND NAME
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE Unknown at this time		12. MODEL, SERIAL NO.'S 13. DEALER'S NAME, ADDRESS & PHONE
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED YES___ NO___ IF YES, BEFORE OR AFTER THE INCIDENT? Unknown Describe		15. PRODUCT PURCHASED NEW Unk USED___ AGE___ DATE PURCHASED------- 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE:

17. HAVE YOU CONTACTED THE MANUFACTURER?
YES_____ NO____Unknown
IF NOT, DO YOU PLAN TO CONTACT THEM? YES___ NO___
OTHER_____

18. IS THE PRODUCT STILL AVAILABLE? YES___ NO___ IF NOT, ITS DISPOSISTION From past experiences, product is probably in the custody of the State Med. Examiner	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES___ NO___

FOR ADMINISTRATION USE

20. DATE RECEIVED 1/24/95	21. RECEIVED BY (Name & OFFICE) Bob R. Baxter, LIT Resident Post	22. DOCUMENT NO.
23. FOLLOW-UP ACTION 950207HWE7020 TYNNOS		24. PRODUCT CODE(S) F527007A
25. DISTRIBUTION O: FOWR		26. ENDORSER'S NAME & TITLE

IDI 950207 HWE 1020 EXHIBIT #3

ARKANSAS STATE CRIME LABORATORY

Case No.:

Exam Date:

Date Sent:

Jim Guy Tucker
Governor

Department of Public Safety

Director

Assistant Director

CAUSE OF DEATH

Name of Decedent (First, Middle, Last) Age/Race/Sex

Date of Death

Incident Occurred or Found Dead (Location, Date/Time) Russellville, Arkansas on January 3,

Cause of Death Determined by Investigation and:

Other Significant Findings: WELL DEMONSTRATED EVIDENCE OF TERMINAL MELANOMA

Manner of Death

If Pending (Reason):

X Multiple Injuries

NO DISEASE

NO TRAUMA

NO

Please send investigation report
Please call
Please send medical records
Please send dental records
Further investigation needed

William U. Stamper M.D.
Chief Medical Examiner

For the Director
Phone 501-227-
Laboratory Services

Phone 501-
Medical

U.S. Consumer Product Safety Commission

U.S. CONSUMER PRODUCT SAFETY COM.
4815 W. MARKHAM STREET, SLOT #.
LITTLE ROCK, AR 72205-3867
(501) 324-6631

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

☐ You are hereby authorized to disclose my name and address with the information collected on this case.

☒ My identity is to remain confidential.

for the family

[redacted] 3-12-95

(Signature) *(Date)*

CPSC Form 322 (7/83)

Exhibit # 1

3-06-95

DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

U.S. CONSUMER PRODUCT SAFETY COM.
4615 W. MARKHAM STREET, SLOT #.
LITTLE ROCK, AR 72205-3867
(501) 324-6631

Location: Russellville AR.

Document#: F527007A

Product: Rubber float - Child's product. (Bath tub SEAT)

IDI #: 950207HWE7020

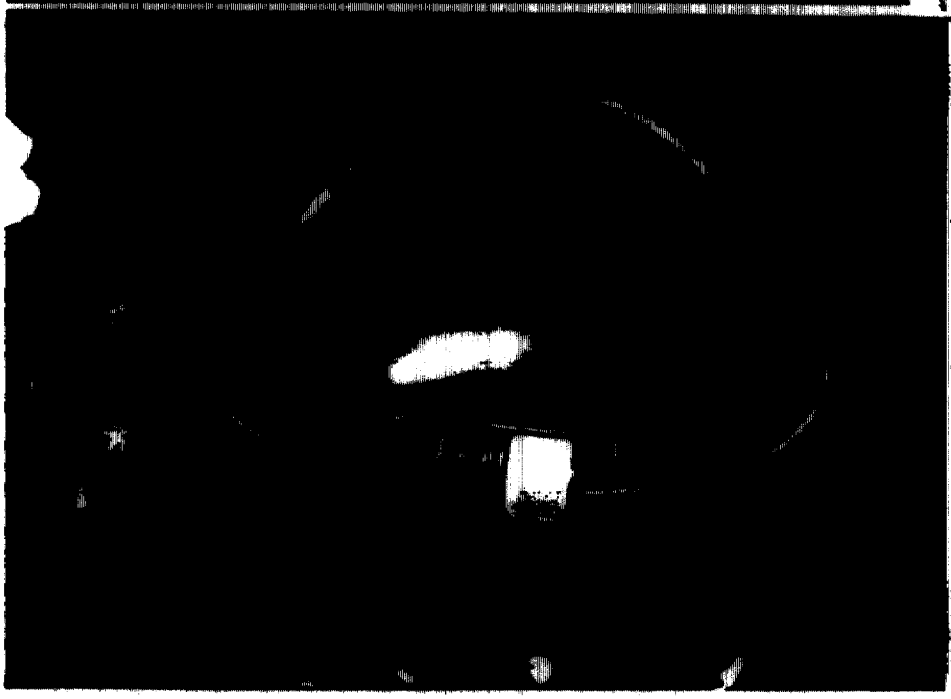
Picture No: 1

Description: The product - a child's seat - that was involved in a 7 month old female death.

Labeling can be seen on the top of the left side of the vertical frame

2

Frontal view of the product. Labeling regarding "NOT LEAVING Child UNattended" is stamped on top of the encircling frame.



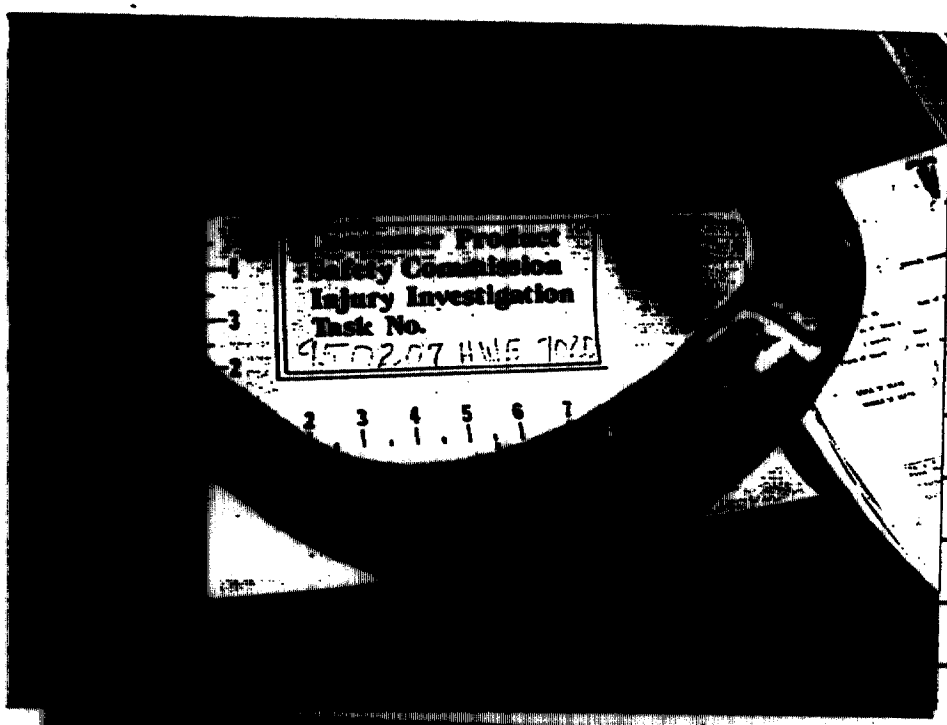
DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

Location: Russellville, AR, Document#: F 527 007 A

Product: Rubber float-Bath tub Seat IDI #: 950207 HWE 7020

Picture No: 3

Description:



Dorsal view of the product showing the ID CARD

#4

The WARNING Regarding potential drowning and not leaving child unattended found on the top of this frame..

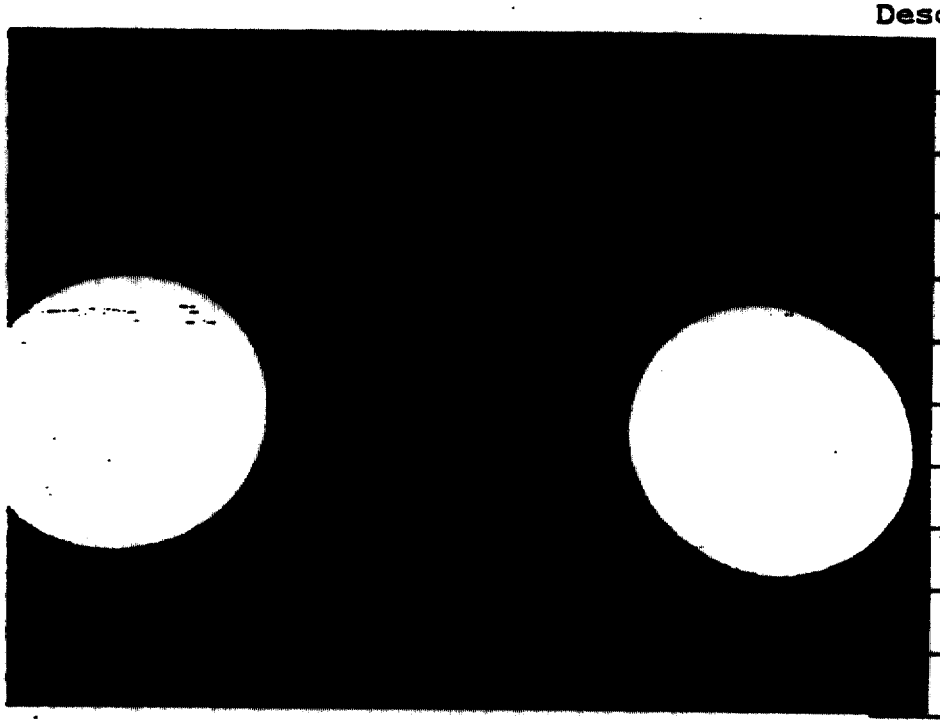
DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

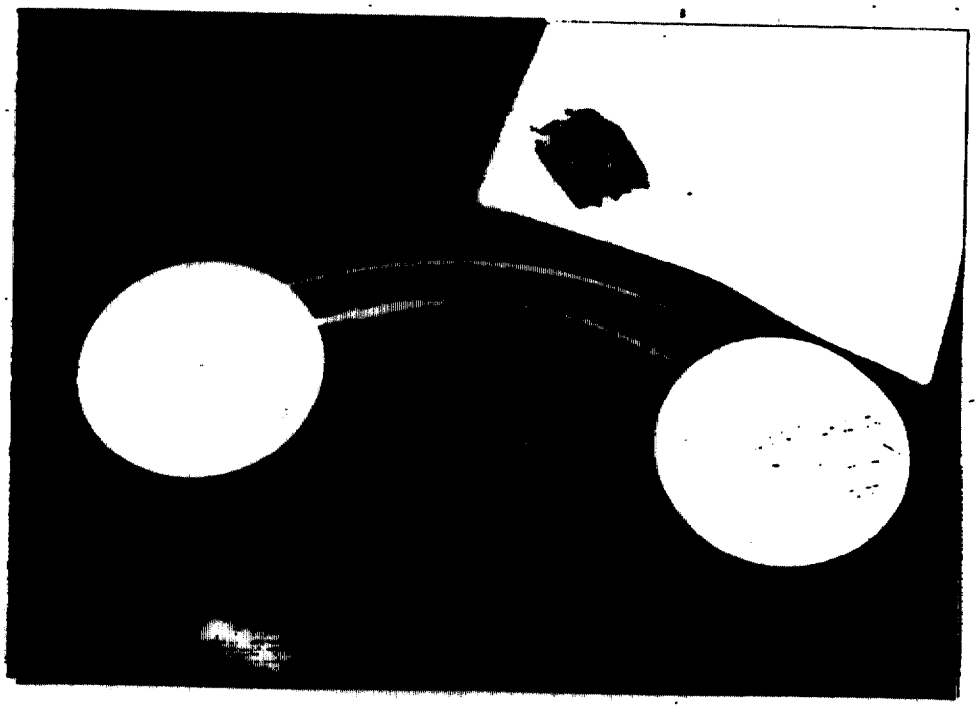
Location: Russellville, AR Document#: F527007A

Product: Rubber float Bath tub Seat IDI #: 950207 HWE 7020

Picture No: 5

Description: Two of the Rubber Suction pads designed to attach the Seat to the bath tub





#6

Labeling pertaining to the manufacture of the product.

DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

Location: Russellville, AR

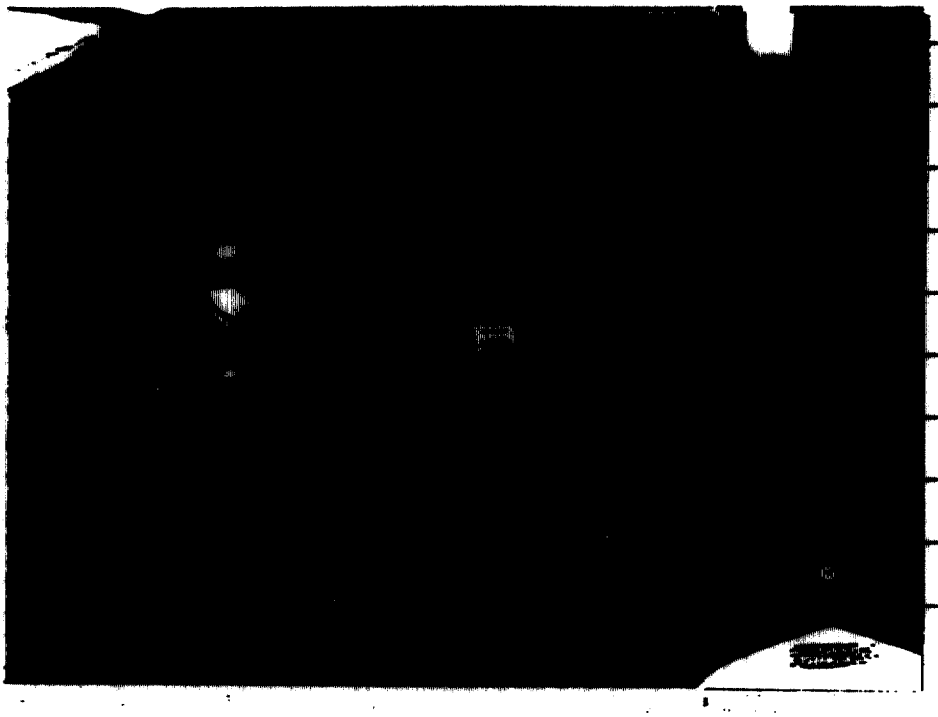
Document#: F. 527001A

Product: Rubber float Bath tub Seat

IDI #: 950207 HWE 7020

Picture No: 7

Description: Another view of the product.



Clearinghouse Format - With MFR
Accident Investigations
U.S. Consumer Product Safety Commission
National Injury Information Clearinghouse

11/21/95
Page 1

Task number: 950504HBB4014
City : JOSHUA TREE
Sex: FEMALE
Age: 207
Diagnosis: SUBMERSION
Document Number: X9551131B
Product 1 : 1557 BABY BATHTUB SEATS FOR RINGS (NOT TOYS)
Product 2 : 611 BATHTUBS OR SHOWERS
Manufacturer: GERRY BABY PRODUCTS CO.
Model : MODEL P/N 029658015

Date Accident: 10/26/94 D
State : CA Type: 3=OTHER
Status: C
Location: HOME
Body Part: ALL PARTS OF BODY
Category Id: TYNN141995

Date Entered: 07/14/95
Source: 23
Disposition: 8=FATALITIES, INCL

Synopsis : UNK

A 7 MONTH OLD FEMALE WAS FOUND FLOATING FACE DOWN IN A BATHTUB. SHE HAD BEEN SITTING IN A BATH SEAT. SHE HAD BEEN PLACED IN THE SEAT BY HER MOTHER. SHE WAS IN THE SEAT FOR 10-15 MINUTES PRIOR TO THE EVENT. SHE WAS LEFT UNATTENDED WHILE HER MOTHER READ THE

lost on 21 Nov 95

FIELD ACTIVITY COVERSHEET

23 MAR 1995

1. REGION/STATE	2. OPERATION (Check One)	3. DATE
Dallas Satellite Office -FOWR LIT	[_] Inspection [_] Telephone Contact [_] Other [_] Establishment Visit [XX] Investigation	3.06-95
		4. NUMBER F527007A

5. ESTABLISHMENT
Name: SAFETY 1ST INC.
Address: no address
City: Phone: ( )
State: ZIP:

6. RELATED FIRM [_] Parent [_] Headquarters [_] Subsidiary [_] Other
Name: unknown City: State:

7. PRODUCTS COVERED
Bathtub seat

8. OTHER CONSUMER PRODUCTS
None

9. ESTABLISHMENT TYPE
[XX] Manufacturer [_] Importer
[_] Wholesaler [_] Own Label Dist.
[_] Retailers [_] Repackager
[_] Other

10. ANNUAL PRODUCTION
Regulated Products $ unknown
Units
Other Products $
Units

11. INTERSTATE BUSINESS
Received unk %
Shipped unk %

12. SAMPLES COLLECTED
none

13. MIS CODE
12165

14. HOURS
Activity 10 .0
Travel 1 .0

15. REASON FOR ACTIVITY (Assignment Reference)
IDI 9502 07HWE 7020 dated 02/07/95

16. ANNOUNCED [_] Rationale if announced:
UNANNOUNCED [_]

17. EMPLOYEE'S NAME	TITLE	SIGNATURE
Bob R. Baxter	AR. Res. Inv.	Bob R Baxter

18. [X] ENDORSEMENT [XX] REMARKS [_] SUMMARY [_] OTHER

This fatal incident involved a 7 month old infant left alone in a bathtub sitting in a bathtub seat. It is speculated she tried to stand up; in the process she fell into the tub containing water of 3 inches depth level. She drowned.

Product has the labeling Safety 1ST INC.; however, no American address is provided.

F/U: Referred to CECA for review.

0611

19. Outreach Table	20. Type of Activity	21. Sub Program
22. Category Table	23. Audience Table	

24. REVIEWER'S NAME	TITLE	SIGNATURE
CLAUDE E. TOLBERT Supervisory Investigator		C E Tolbert

25. REVIEW DATE	26. DISTRIBUTION
950321	Orig: ERDS cc: CECA, DSO cc: C/S TO LDB/CET

INJURY SCENARIO:

Pre-Injury Phase:

At this time, the history of prior use of the product involved in this fatal incident, is not known; the parents of the child have not returned this Investigator's phone calls. The product appears to be relatively new and does bear the labeling "Made in USA 1989". However, regarding the number of times the product had been used with the victim --prior to this incident--is unknown. According to the CID Investigator who spoke to the parents, the 7 month old female was being bathed in the bathtub in her grandmother's home. The Mother, -- reportedly, placed the infant in a bathtub seat in the tub. It is estimated that the water was 2 to 3 inches deep. The Mother reportedly left the bathroom leaving her child in the bathtub seat. She walked into the living room of the house where she began reading to her older son. Data provided by the CID Investigator detailed that the Mother, "shouted to her husband, (who was asleep in a bedroom) to check on the baby", since she did not hear any noise from the bathroom. From interviews with two police and CID investigators, the reported time lapse between the Mother leaving the bedroom and the victim's Father entering the bathroom to check on his daughter was 3 minutes. Therefore the victim was left unattended for an estimated 3 minutes.

Injury Phase:

It is speculated by the CID Investigator that the victim, who was 27 3/4 inches tall and weighed 8180 grams (approx. 18 1/2 pounds) tried to stand up in the bathtub seat and fell forward into the water. It is not known what the exact position of the child's body was in when found by the victim's Father; the reason being, that the Father removed the child from the bath tub when he found her. In later reporting, the Father stated the child was found " lying in the tub on her back and her face submerged". The Mother of the child reported to the Investigating authority that her husband "discovered the baby face down in the bathtub".

Post Injury Phase:

According to the report (Police Report attached as Exhibit # 2), the Father of the victim stopped the Police Investigator who was driving by the victim's house. IT SHOULD BE NOTED THAT THE SITE OF THIS FATALITY IS ONLY ONE BLOCK FROM THE POLICE STATION. The police investigator stated in the report that he was told by the victim's Father that his infant had drowned in the bath tub. The Police Investigator found the victim lying in the living room on the floor. He initiated CPR

since the child was not breathing. After a few minutes an off-duty fireman entered the residence and relieved the police investigator. Other police officials who had been contacted by telephone arrived at the same time as the Fire Department official. The officials (paramedics and fire department officials) worked with the child for approximately 25 to 30 minutes before transporting the child to the local hospital where she was pronounced dead approximately 55 minutes after the incident.

The Police Investigator, accompanied by the CID Investigator viewed the scene of the incident, the bathtub, and found the product, a bathtub seat, in the tub with water approximately 3 inches deep. The product was later collected and sent to the Arkansas Crime Laboratory for the Coroner's evaluation. The Coroner Office is the notifying agency for the LIT Resident Post.

DESCRIPTION OF PRODUCT:

The hard plastic bathtub seat, also referred to as being a rubber float by the Coroner's Office, was photographed at the State Medical Examiner's Office. The product has 4 suction pads which measure approx. 2 3/4 inches in diameter. The distance--roughly the diameter--between the sides of the top perimeter is approximately 10 1/2 inches. The depth or height from the hard plastic seat to the encircling perimeter (frame) is approximately 6 1/2 inches.

The product bears the following labeling: "WARNING: NEVER LEAVE CHILD UNATTENDED". This was found on the top of the perimter.

On the bottom of the product, near the suction pads was "PE MADE IN USA Copyright 1989 SAFETY 1ST--INC Reg. trademark US PATENT 5,010,606 UK--RD 1990 200 6813 CANADA RD (1990) SAFETY 1ST MADE IN USA 1989". THE box that the product was purchased in was not collected by the Police Investigators.

PRODUCT LABELING:

See above caption for this data.

DESCRIPTION OF THE VICTIM:

The victim was a 7 month old female who weighed 8180 grams and stood 27 3/4 inches tall. Her chest circumference was 17 1/4 inches according to the Medical Examiner's Assistant. Although the final Medical Examiner's Report is not finished, the preliminary cause of death has been listed as drowning. A REQUEST FOR A COPY OF THE FINAL REPORT HAS BEEN MADE TO THE ARKANSAS STATE CRIME LABORATORY. IT IS ESTIMATED TO BE ANOTHER 4 TO 5 WEEKS BEFORE THE REPORT CAN BE OBTAINED.

ENVIRONMENTAL CONDITIONS:

The child was found lying in the bathtub by her Father. It is estimated the victim was left alone for approximately 3 minutes. The house where the victim died belonged to the victim's Grandmother.

The bathtub had approximately 3 inches of water inside when the victim was placed in the bathtub seat.

EXHIBITS:

Attached are the following numbered exhibits:

1. *Photographs of the product;*
2. *Police Report;*
3. *Copy of the preliminary Cause of Death report.*

Russellville Police Department
Crime Report

Report Date: 01-13-95 Master File: 9500789-Aux Arb 9500

CODE	OFFENSE DESCRIPTION
0502	Unattended Death

Weapon, Force or Means used:

Apparent Motive:

Location of Occurrence:
Map # Address

U.S. CONSUMER PRODUCT SAFETY COM.
4815 W. MARKHAM STREET, SLOT #:
LITTLE ROCK, AR 72205-3867
(501) 324-6631

COPY

	Date	Time
OCC. ON:	01-13-95	15:12
OR WITWS:		
REPORTED:	01-13-95	

Source: P Phone

Connecting reports:

Investigative divisions, units, persons notified:

ADDITIONAL PEOPLE INVOLVED
S=Suspect, V=Victim, W=Witness, C=Complainant, F=Father, M=Mother

V1	Name: [redacted]	DOB: 06-01-94	Age: 88
	Addr: [redacted] AVE	Sex: F Race: [illegible]	Eth. N
	CSZ: RUSS[redacted] AR 72801	HP: 501 967-4606	WP:
	AKA:	Testify: No	
W1	Name: [redacted]	DOB: 10-30-72	Age: 22
	Addr: [redacted]	Sex: F Race: W	Eth. N
	CSZ: RUSSELLVILLE, AR 72801	HP: 501 967-4606	WP:
	AKA:	Testify: Yes	
W2	Name: [redacted]	DOB: 06-17-71	Age: 23
	Addr: [redacted]	Sex: M Race: W	Eth. N
	CSZ: RUSSELLVILLE, AR 72801	HP: 501 967-4606	WP:
	AKA:	Testify: Yes	
W3	Name: [redacted]	DOB: 06-07-57	Age: 37
	Addr: [redacted]	Sex: M Race: W	Eth.
	CSZ: Russellville, Ar 72801	HP:	WP: 501 96[illegible]
	AKA:	Testify:	
W4	Name: [redacted] CHRISTOPHER	DOB: 04-26-64	Age: 30
	Addr: [redacted]	Sex: M Race: W	Eth.
	CSZ: Russellville, Ar 72801	HP:	WP: 501 968-[illegible]
	AKA:	Testify:	
W5	Name: [redacted] FRANK	DOB: 05-29-64	Age: 30
	Addr: [redacted]	Sex: M Race: W	Eth.
	CSZ: Russellville, Ar 72801	HP:	WP: 501 968-[illegible]
	AKA:	Testify:	
W6	Name: [redacted] DAVID	DOB: 08-20-69	Age: 25
	Addr: 7[redacted]	Sex: M Race: W	Eth.
	CSZ: Russellville, Ar 72801	HP:	WP: 501 968-[illegible]
	AKA:	Testify:	

The Details are as follows:

On 1512 Officer Ridenhour advised of a possible infant drowning at the

Supervisor	P#	Reporting Officer(s)	P#	Assnt.	Rev. Off. Signature
H. M. [illegible]		VERLAR, MICHAEL J.		6:17 PATRL.	
		RIDENHOUR, WILLIAM CHRISTOPHER	0165	PATROL DIV.	
		WOOD, CURTIS FRANK		SIGE PATRL.	
		CROLE, BENJAMIN DAVID		SIGE PATRL.	
Assigned to, P# Asst.		Date/Time Reproduced			Div/Div To Whom

Active Inactive

950207 HWE 7020 Exhibit # 2 BRB

Continued...

residence at 826 North El Paso. Upon arrival we found the infant laying on the floor at the front door. Randy Allord of the Fire Department arrived at the same time and began CPR.

Officer Ridenhour kept the parents in the bedroom while responding paramedics with the Pope County Ambulance Service and Fire Department worked with the child before transporting to St. Mary's.

The child was treated by attending physician Dr. Harrison and pronounced dead at 1555.

Pope County Deputy Coroner Scott Harper was contacted along with Det. D. Lewis who began their investigations.

Preliminary investigation revealed that the child had been left in the bathroom unattended while Melissa read a story to her son, Christopher, in the living room and the father, Johnny, was asleep in the bedroom.

Melissa shouted at Johnny to check the baby after she didn't hear any noise from the bathroom. Johnny found the baby lying in the tub on her back and her face submerged. He grabbed her and took her into the living room where she was found upon our arrival.

This investigation is continuing.

The body was taken to Little Rock by the Medical Examiner for autopsy.

Kathy Gardner with DHS was also contacted.

Russellville Police Department
Officer/Follow-up

Report Date: 01-1-95 Report #Id : 9500789.A60 DOB [illegible]

Subject: [redacted]
Division Reporting: PATROL
Date and Time Occ. [illegible] Loc. of Occurrence [illegible]

OFFICER INVOLVEMENT

Officer's Name	PH	Assmt.
[illegible]		PATROL DIV.

ADDITIONAL PEOPLE INVOLVED
CODES: S=Suspect, V=Victim, W=Witness, C=Complainant, F=Father, M=Mother

W4 Name: [redacted] DOB: 04-26-64 Age: 30
Addr: [redacted] Sex: M Race: W Eth.
CSZ: Russellville, Ar 72801 HP: WP: 501 968-3232
AKA: Testify:

The Details are as follows:

On 01/13/95 at approximately 1510 I was stopped by a male pedestrian, Johnny Smith, in front of RPD on North El Paso. Smith told me that his infant child had drowned in the bath tub. Upon my arrival, the child was laying in the living room floor. I initiated CPR due to the child not breathing. After a few minutes an off-duty fireman entered the residence and relieved me from CPR. I then attempted to keep Melissa Smith calmed down and out of the medics way.

Melissa Smith told me that she was giving her infant a bath and that she left the room for approximately 2-3 minutes when Johnny Smith discovered the baby face down in the bathtub.

I went into the bathroom and observed that there was approximately 1-2 inches of water in the tub. There was also a childs bathtub seat in the bathtub.

Report Date: [illegible] Principal Officer(s) Pp Assmt. Rep. Off. Signature [illegible]

CONSUMER PRODUCT INCIDENT REPORT

1. NAME OF RESPONDENT State Crime Lab.	2. TELEPHONE NO. (Home) (Work) 501--227-5747 Work
3. STREET ADDRESS #3 Natural Resources Drive	4. CITY STATE ZIP Little ROck AR. 72215

5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary.) Attached copy of State Crime Lab Report indicates death to 7 month old female who drowned. Also indicated on the sheet is the reporting of a Rubber float found at the death scene.

6. DATE OF INCIDENT(S) 1/13/95	7. IF INJURY OR NEAR MISS, OBTAIN AGE 7 mos SEX F AND DESCRIBE INJURY	8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP
9. DESCRIPTION OF PRODUCT Unknown at this time		10. BRAND NAME
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE Unknown at this time		12. MODEL, SERIAL NO.'S 13. DEALER'S NAME, ADDRESS & PHONE
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED YES___ NO___ IF YES, BEFORE OR AFTER THE INCIDENT? Unknown Describe		15. PRODUCT PURCHASED NEW Unk USED___ AGE___ DATE PURCHASED-------- 16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE:

17. HAVE YOU CONTACTED THE MANUFACTURER?
YES_____ NO____Unknown
IF NOT, DO YOU PLAN TO CONTACT THEM? YES___ NO___
OTHER_____

18. IS THE PRODUCT STILL AVAILABLE? YES___ NO___ IF NOT, ITS DISPOSISTION From past experiences, product is probably in the custody of the State Med. Examiner	19. MAY WE USE YOUR NAME WITH THIS REPORT? YES___ NO___

FOR ADMINISTRATION USE

20. DATE RECEIVED 1/24/95	21. RECEIVED BY (Name & OFFICE) Bob R. Baxter, LIT Resident Post	22. DOCUMENT NO.
23. FOLLOW-UP ACTION 950207HWE7020 TYNNOS		24. PRODUCT CODE(S) F527007A
25. DISTRIBUTION D' FOUR		26. ENDORSER'S NAME & TITLE

IDI 950207 HWE 9020 EXHIBIT #3

ARKANSAS STATE CRIME LABORATORY

Case No.: ME 45-95

Exam Date: January 17, 1995

Date Sent: January 18, 1995

Jim Guy Tucker
Governor

James T. Clark
Executive Director

Sent to:

Leonard Krout, Coroner

Tom Kennedy, P.A.

* Bob Baxter

* Russellville Police Department

St. Mary's Regional Medical Center

CAUSE OF DEATH

[redacted] [redacted]

Name of Decedent (First, Middle, Last) Age/Race/Sex

January 13, 1995 January 13, 1995 [illegible]

[redacted] Pronounced (Date/Time)

Date of Death

[redacted]ville, Arkansas on January 13, 1995 @ apx. [illegible]

Incident Occurred or Found Dead (Location, Date/Time)

Cause of Death Determined by Investigation and: ___ Inspection X Autopsy

Pending

* please call Pat Calhoun [illegible]

Other Significant Findings: WELL DEVELOPED & NOURISHED EVIDENCE OF TERMINAL MEDICAL CARE

Manner of Death: Pending

If Pending (Reason): TOXICOLOGY, HISTOLOGY, CHEMISTRY, CAL. NA: ALSO NEED TO EXAMINE "RUBBERFLOAT"

X WITH DROWNING.

Investigating Agency:
___ Please send investigation report.
___ Please call this office.
___ Please send medical/hospital records.
___ Please send dental records.
X Further investigation needed.

NO DISEASE

NO TRAUMA

NO CONGENITAL DISEASE

[signature]
William Q. Sturner M.D.,
Chief Medical Examiner

3 Natural Resources Drive • P.O. Box 5274 • Little Rock, Arkansas 72215

Fax 501-227-0713
Phone 501-227-5747

Fax 501-221-1653
Phone 501-227-593

U.S. Consumer Product Safety Commission

U.S. CONSUMER PRODUCT SAFETY COM.
4815 W. MARKHAM STREET, SLOT #.
LITTLE ROCK, AR 72205-3867
(501) 324-6631

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.

☐ You are hereby authorized to disclose my name and address with the information collected on this case.

☒ My identity is to remain confidential.

for the [redacted]

[redacted] 3-12-95

(Signature) (Date)

CPSC Form 322 (7/83)

Exhibit # 1

3-06-95

DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

U.S. CONSUMER PRODUCT SAFETY COM.
4815 W. MARKHAM STREET, SLOT #.
LITTLE ROCK, AR 72205-3867
(501) 324-6631

Location: Russellville AR.

Document#: F527007A

Product: Rubber float - Child's product. (Bath tub SEAT)

IDI #: 950207HWE7020

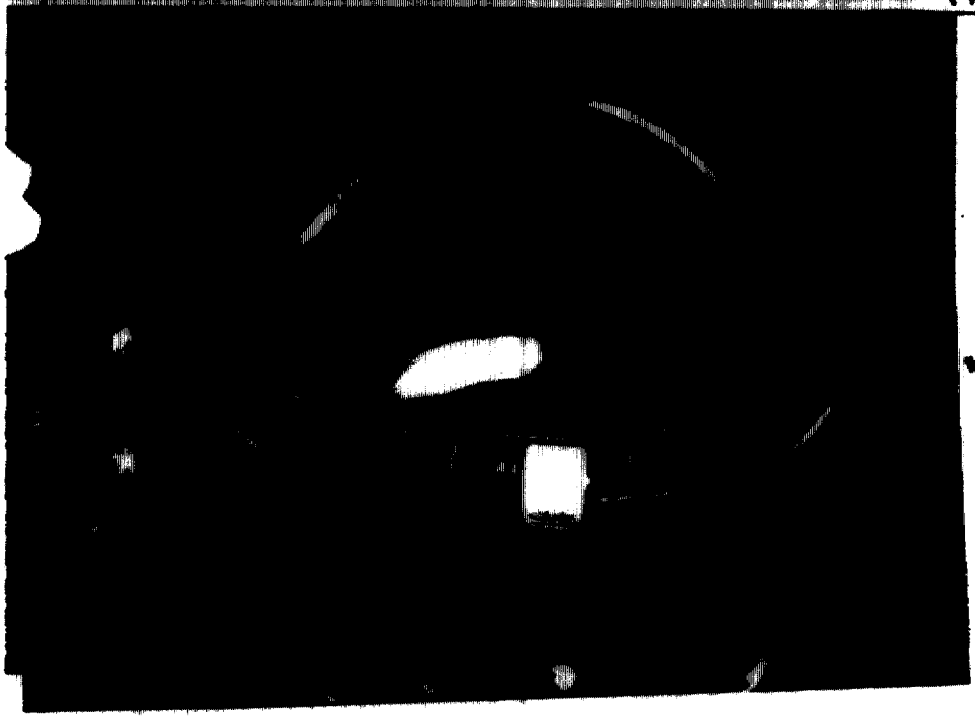
Picture No: 1

Description: The product - a child's seat - that was involved in a 7 month's old female - death.

Labeling can be seen on the top of the left side of the vertical frame

2

Frontal view of the product. Labeling Regarding "NOT LEAVING Child UNattended" is stamped on top of the encircling frame.



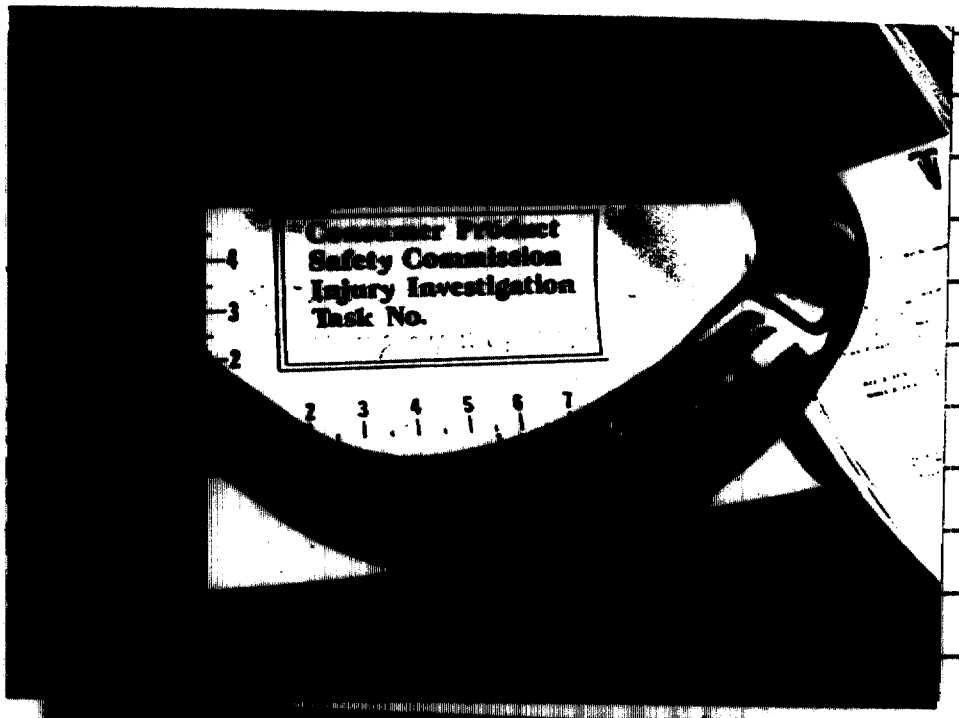
DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

Location: Russellville, AR. Document#: F 527 007 A

Product: Rubber float-Bath tub Seat IDI #: 950207 HWE 7020

Picture No: 3

Description:



Dorsal view of the product showing the ID CARD

#4

The WARNING Regarding potential drowning and not leaving child unattended found on the top of this frame.

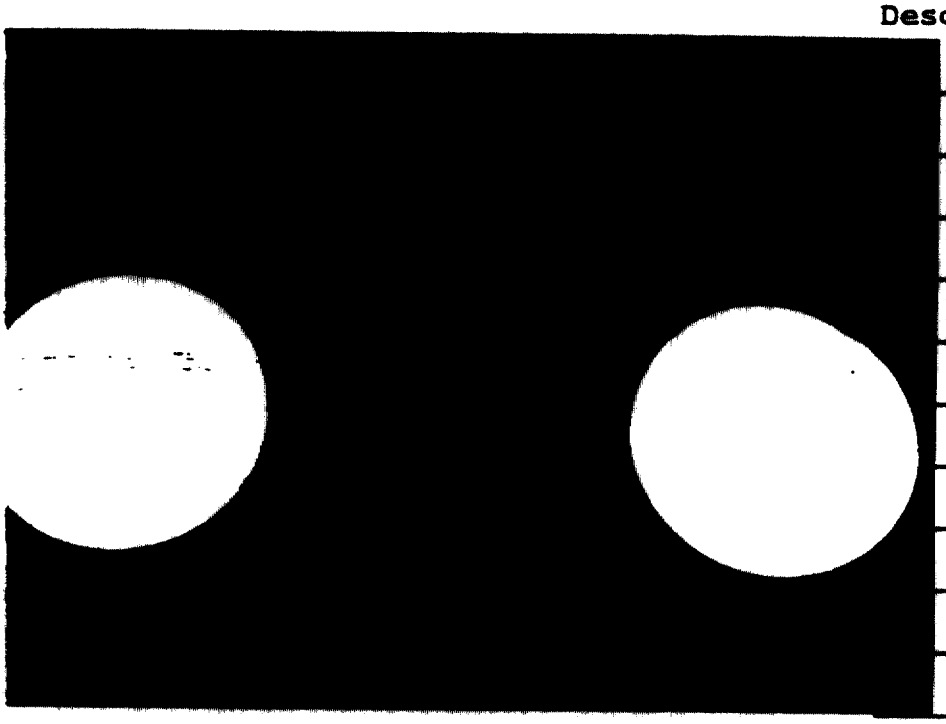
DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

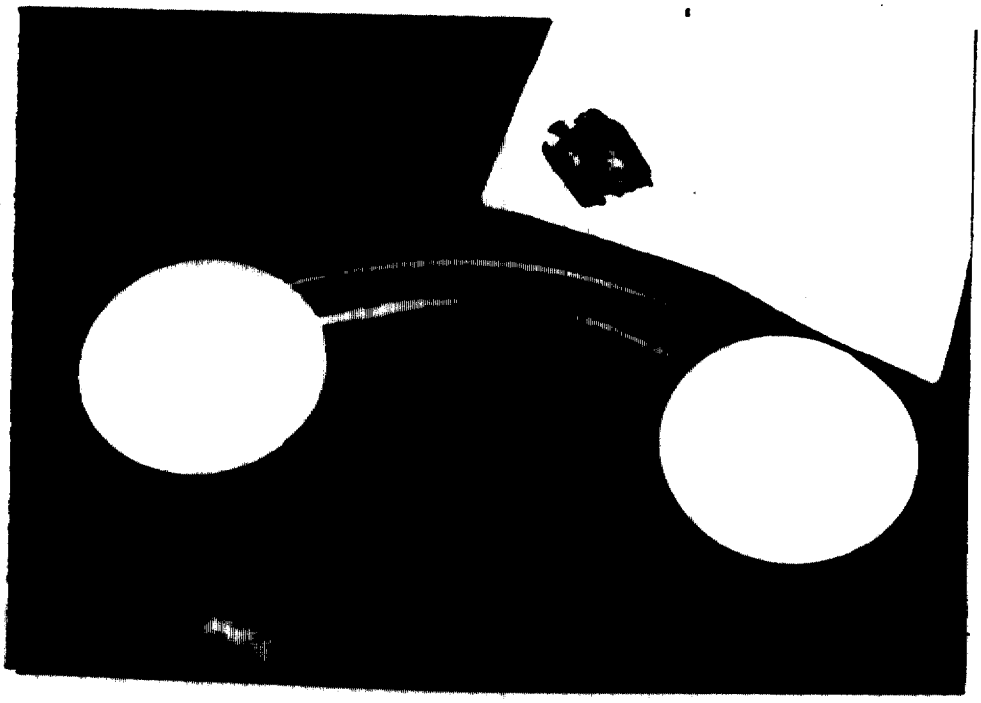
Location: Russellville, AR. Document#: F527007A

Product: Rubber float Bath tub Seat IDI #: 950207 HWE 7020

Picture No: 5

Description: Two of the Rubber Suction pads designed to attach the Seat to the bath tub





#6

Labeling pertaining to the manufacture of the product.

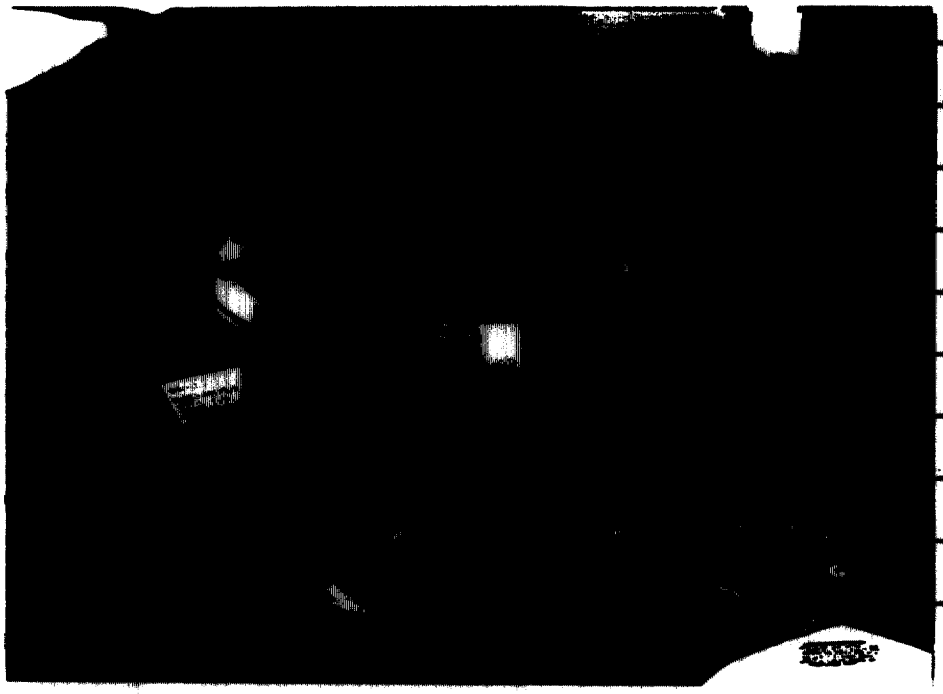
DALLAS SATELLITE OFFICE-FOWR
PHOTO SHEET

Location: Russellville, AR

Document#: F. 527001A

Product: Rubber float Bath tub Seat

IDI #: 950207 HWE 7020

Picture No: 7

Description: Another view of the product.