

1. CASE NO. 980513CCC555		2. INVESTIGATOR'S ID [9] [0] [5] [7]		3. OFFICE CODE [8] [3] [0]		EPIDEMIOLOGIC INVESTIGATION REPORT	
4. DATE OF INCIDENT YR MO DAY [9] [7] [0] [7] [1] [9]		5. DATE INVESTIGATION INITIATED YR MO DAY [9] [8] [0] [8] [1] [9]					
6. SYNOPSIS OF INCIDENT OR COMPLAINT: A father was giving a bath to his eleven month old daughter and his 2 1/2 year old son. The daughter was placed in a baby bath seat. The children were left unattended and when the father returned he found his daughter floating face up in the bathtub. The baby seat was still suctioned to the bathtub and the seat safety bar was closed. The child died ten days later from Anoxic Encephalopathy due to near-drowning.							
7. LOCATION (Home, school, etc.) Home [1] [0]			8. CITY Monroe			9. STATE MI	
10A. FIRST PRODUCT Baby Bath Seat [1] [5] [5] [7]			11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Gerry Baby Products- Denver Co USA 80241 Huffy Company/Compagnie Huffy PN #029658130				
10B. SECOND PRODUCT Bathub [0] [6] [1] [1]			11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Unknown				
12. AGE OF VICTIM [2] [1] [1]		13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 [2] UNKNOWN- 3		14. DISPOSITION Fatal [8]		15. INJURY DIAGNOSIS Submersion [6] [9]	
16. BODY PART All body parts [8] [5]		17. RESPONDENT(S) (Mother, Friend) Police Department Medical Examiner [3]		18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [3] OTHER - 3		19. TIME SPENT Tr.: 2 hrs [1] [9] [1] [0]	
20. ATTACHMENTS multiple [9]		21. CASE SOURCE Death Certificate [1] [2]		22. REVIEWED BY YR MO DAY [8] [1] [3] [0] [10] [9]			
23. PERMISSION TO DISCLOSE NAMES (NON-NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [X]							
24. NARRATIVE (See Instructions on Page 2) See attached narrative.				25. REGIONAL OFFICE DIRECTOR REVIEW DATE			

MFR/PRVLR NOTIFIED 1/29/95
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested
 further notice

(USE ADDITIONAL SHEETS IF NECESSARY)

SUMMARY:

On 7/19/97 an eleven-month old female and her 2 ½ year old brother were placed in their bathtub at home. The father placed the female in a baby bath seat. The father left the children unattended and upon his return found his daughter floating face up in the bathtub. The victim was taken to the hospital by her father. She died ten days later of Anoxic Encephalopathy due to near-drowning.

PRE-INCIDENT:

Information from this report was obtained from the Lucas County, MI. Medical Examiner's Office and the Monroe Police Department. A copy of the police investigative report is attached as Exhibit "A." A copy of the autopsy protocol is attached as Exhibit "B."

The victim is an eleven-month old female. The father told the police officer that he was watching their three children while his wife worked at a restaurant. He stated that around 7:30 PM he took the middle son, (DOB 9/23/94) and his eleven-month old daughter up to the second story bathroom to give them a bath. He filled up the bathtub with about 18" to 2' of water. He placed both children into the tub. He placed his son directly into the tub and placed his daughter (the victim) into a baby bath seat suctioned to the bathtub that she had been in before. He stated that they had used the same type of seat with their other two children when they were younger. He forgot to bring in their clothes so he left the bathroom and went into his son's room just down the hall. He estimated he was gone for less than one minute. He then went into the bathroom to check on the children. At that time, everything was okay. He then went downstairs to the living room and set their clothes there. About one minute later he went back upstairs to the bathroom.

The son (DOB 9/23/94) was interviewed by a Child Protective Service worker. He told this person that his father was at the neighbor's house when he and his sister were in the bathtub together. He also stated that his dad was gone for what seemed to be a long time. He admitted that sometimes they were left alone in the bathroom. At times, his parents would leave them alone and shout from another room that it was time to get out of the tub.

INCIDENT:

At approximately 7:35 PM on 7/19/97 the father went back upstairs to the bathroom after placing the children's clothes downstairs in the living room. The father saw that the victim was out of the baby bath seat and was floating face up in the water. The baby was blue. The son that was also in the bathtub with the victim said to his father, "Look daddy, Isabella can't swim!" The father grabbed the victim from the bathtub. He took her to Mercy Memorial Hospital which is a block away.

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POST-INCIDENT:

At approximately 7:40 PM on 7/19/97 on Saturday, the father came into the Mercy Hospital emergency room holding the victim. The victim was not breathing but had a heart beat. The father had vomit on his shoulder of his shirt along with his clothing being wet. The victim was transferred to Toledo Hospital and was listed in critical condition as of 7/20/97. On July 29, 1997, ten days from the actual incident, the victim died of Anoxic Encephalopathy due to near drowning.

The father told the police officers that it is possible that the victim may have slipped out of the seat to reach for one of her toys and that his son may have helped her out.

The bath seat was still suctioned to the bathtub and the front bar was closed when the police arrived at the home.

Investigator, Michelle Grundy, went to the Monroe Police Department and examined the baby bath seat involved in this incident. The Monroe Police Department Detective would not allow pictures to be taken of the bath seat. The Detective did give Michelle Grundy Polaroids of the bath seat. (Exhibit C) It should be noted that when placed on a table top the Detective had difficulty unsuctioning the seat.

PRODUCT IDENTIFICATION:

The bath seat was at the Monroe Police Department Headquarters. It is tagged as evidence and placed in Property Locker #31.

Baby bath seat was labeled in part:
Gerry-Baby Product Company. (Stated on the right side of seat)
Denver, CO 80241 USA
A Huffy Company, Huffy/Compagnie Huffy PN 029658130

The seat is one piece and white in color. It is molded into a semicircle. The front bar opens allowing the child to be placed in the bath seat. At the point where the front bar attaches to the actual seat are two blue buttons which slide forward allowing the front bar to open and drop down. The front bar is in a shape of a T which allows the legs to be separate from each other. On the front bar are three attached plastic toy figures that rotate. The first figure is blue and resembles a boat. The second figure is a yellow fish. The third figure is a purple sea shell. There are four blue suction cups located on the four corners on the bottom of the bath seat.

The date of purchase is unknown.

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Located on the back of the seat are warning labels written in Spanish, French, and English. The labels state, "WARNING. TO PREVENT DROWNING ALWAYS KEEP BABY WITHIN ARMS LENGTH. USE ONLY AS BATHING AID WITH CHILD WHO CAN SIT UP. LATCH BAR WHEN IN USE. DO NOT USE IN WITH NON SLIP SURFACES."

ATTACHMENTS:

Exhibit "A" - Monroe Police Department Report.

Exhibit "B" - Lucas County Medical Examiner's autopsy protocol.

Exhibit "C" - Monroe Police Department Photographs (Polaroids will be submitted separately)

Photo #1 - A front view of the baby bath seat.

Photo #2 - A front view of the bath seat with the front bar ajar.

Photo #3 - The bottom of the bath seat; four blue suction cups.

Exhibit "D" - Original investigation request.

6/8

10313

MONROE POLICE DEPT. COMPLAINT: 970 1-241-1700

INVESTIGATION OF A DROWNING - 97005
314 COLONIAL CRT
SUNDAY 07/20/97 1507hrs

COMPLAINANT

Mercy Hospital
718 N. Macomb St.

Monroe MI

TX 241-1700

VICTIM

[REDACTED]

W/F 008-08 10/2/60
Monroe MI
Father

TX 354-1000

WITNESSES

[REDACTED]

W/F 008-05/20/60
Monroe MI

TX: 241-1700

[REDACTED]

W/F 008-10/05/64
Monroe MI

TX: 241-1700

NARRATIVE

Reporting officer was sent to Mercy Hospital on a report of a drowning which occurred on Saturday 07/19/97. Upon officers arrival officer spoke to Dr. Williams

Dr. Williams stated that at about 7:00pm on Saturday 07/19/97 a subject came in to the emergency holding a 11 month old baby. The baby was not breathing but had a heart beat. The subject with this baby was the father, Robert Gerbeck. The baby, identified as Isabella Gerbeck, was transferred to Toledo Hospital and was listed in critical condition as of 07/20/97 at 15:00hrs. Dr. Williams further stated that the father explained to them that he was giving the baby a bath and had the baby in some sort of sling. Dr. Gerbeck ran downstairs to get some clothing and upon returning to the bathroom he found Isabella laying in the water. Dr. Gerbeck picked Isabella up and ran her to Mercy Hospital. Isabella was treated and transferred to Toledo Hospital. Dr. Williams stated that he observed no signs of any abuse of the child and stated that the father was very emotional over this incident.

Officer spoke to Heidi Voss and she informed officer that she had taken the baby from the father and observed the father

SHIFT CHANGES

[Handwritten signature]

270 *Tanner*

X

10010

MONROE POLICE DEPT. COMPLAINT: 590-~~10010~~-97

to have vomit on his shoulder of his shirt along with his clothing being wet. The father also had no shoes on and the baby was not wearing any clothing and was still wet.

Officer then spoke to De [REDACTED] also stated that the father was wet and shoeless. Ms [REDACTED] further stated that the father stated that he had run downstairs for about a minute and upon returning found the baby floating face up and turning blue. The father then grabbed the baby and ran to the hospital. The father stated that the baby was in some sort of a sling when he left the bathroom.

Officer made numerous attempts to speak with the Father however was unsuccessful. Officer did speak with the neighbor at 312 and the manager at 310 Colonial Crt. Both persons had nothing bad to say about the mother or father and stated that the parents kept control of their children and watched them very carefully all the time.

CASE DISPOSITION

Turn over to Detective Bureau for further follow up.

CHIEF COMMANDER

Toma
P/O Turner

MONROE POLICE DEPT. SUPP# 97-10810

INVESTIGATION OF A DROWNING - 97005
314 COLONIAL CT.
MONROE, MICH
SUNDAY 07/20-97 1507 HRS.

24 JULY 1997

VICTIM

W/F

[REDACTED]
MONROE, MICH

[REDACTED]
D.O.B. 8-16-96

FATHER

[REDACTED] /M

[REDACTED]
MONROE, MICH

[REDACTED]
D.O.B. 6-21-61

[REDACTED]
EMPLOYMENT - MIESEL SYSCO SYSTEMS - SALESMAN
SS# [REDACTED]

MOTHER

[REDACTED] W/F

[REDACTED]
MONROE, MICH

[REDACTED]
D.O.B. 8-8-64

[REDACTED]
EMPLOYMENT - QUATROS RESTAURANT MONROE
SS# [REDACTED]

Original Officer: Tamsen

Detective: M. Porta

MONROE POLICE DEPT. SUPP# 97-10810

SIBLING BROTHERS

[REDACTED] III W/M
31 [REDACTED]
MONROE, MICH
TX [REDACTED]
D.O.B. 1-25-93

IAN [REDACTED]
MONROE, MICH
TX 3 [REDACTED]
D.O.B. 9-23-93

NARRATIVE

On this date this officer along with Child Protective Service worker [REDACTED] went to Toledo Hospital in Toledo Ohio to meet with the parents of the victim. A meeting was held with [REDACTED] and [REDACTED] Hospital Social Worker [REDACTED] TX 1-419-471-4000 PAGE 1153. This officer went to the Child intensive care unit and viewed the victim who was not conscious and was connected by a number of tubes and lines. The victim did not appear to be bruised and this was confirmed by [REDACTED] [REDACTED]. The victim appeared to be of normal size for her age and did not appear to be physically neglected.

During the interview [REDACTED] told this officer that he was watching their three children while his wife worked at Ouatros Restaurant. He said that he fed all three children supper and that Ian did not eat his supper so he told him he could not go outside and play with the neighbor children. [REDACTED] said that around 7:30 PM that evening he took Ian and Isabella up to the second story bathroom to give them a bath for the evening. He said that he filled up the bathtub with about 18" to 2' of water. He said that this was not unusual as he has done this before. He said that he got both children undressed and put Ian and Isabella into the tub while the water was running. He said that he checked the temperature before he put them into the tub. Robert said that Isabella was put into a seat with suction cups as she has been in

Original Officer: Tamsen

Detective: M. Porta

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the past. He said that they have used the same type of seat with their other two children when they were younger. [redacted] said that he had forgot to bring Ian and Isabellas clothes into the bathroom so he left the bathroom and went into Ians room just down the hall to get his clothes. He said that he was gone for what seemed less than a minute. He said that he went back to the bathroom and checked to see how Ian and Isabella were doing. He said that everything was okay so he went dow the hall and got Isabella clothes. Again he was only gone for what seemed like a minute. He said that he went back to the bathroom again and checked on both children and everything was okay. Robert said that he went downstairs to the living room and set the clothes there and went back up to the bathroom to get Ian and Isabella form the tub. He said that he was only downstairs for what seemed like less that a minuet. Robert said that when he went back into the bathroom Isabella was out of the seat and was floating face up in the water. He said that she was blue and that Ian said to him "LOOK DADDY ISABELLA CAN'T SWIM." Robert said that he crabbed Isabella from the tub . He said that he ran with her to Mercy Memorial Hospital which was only about a block away.

Robert told this officer that he does not know how Isabella got out of the seat. He said that it is possible that she tipped over trying to reach for one of her toys and maybe Ian helped her out not realizing the danger due to his young age of 2 1/2 years. Robert said that he has left the two children alone in the past for a minuet or two . He said that is why he felt comfortable about doing it his time. Robert was very cooperative and remorseful through the interview. This officer asked [redacted] if they would allow this officer to enter their apartment to observe the scene of the near drowning and look at the seat that Isabella was sitting in when this occurred. Both agreed to do this. Robert said that he would call this officer on Friday 25 July 1997 to set up a time when this officer could enter the apartment.

Sarah told this officer that her two other children are staying in Adrian with the boys grandparents. Margaret Tabb from Child Protective Services said that she would be making contact with the two boys and get back with this officer.

28 JULY 1997

NARRATIVE

Original Officer: Tamsen

Detective: M. Porta

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On this date this officer went to the [redacted] residence 314 Colonial Ct. and met with [redacted] Robert took this officer to the second floor of his home and directed this officer to the bathroom which is at the South end. This officer observed the bathtub to be standard 5 ft tub. The child seat was on the South wall being held to the wall with the four suction cups on the bottom. The seat is a molded plastic construction. This officer removed the seat from the wall and took a color photo of it on the floor in the hallway. This officer also took a photo of the bathtub North end where the water is dispersed from. [redacted] said that the tub was filled just below the handle for the drain plug which is about 10 to 12 inches. He said that he recalls the seat still being stuck to the bottom of the tub when he found Isabella floating at the front of the tub near the water outlet. He said that he recalled Ian standing up between the seat and Isabella and telling him that Bella can't swim. He said that he did not recall if the seats safety latch was undone. [redacted] said that he was fairly certain he had secured it when he placed Isabella in the seat. This officer checked the seat and found the locking mechanism to work as it was designed too. If the locking mechanism is to be unlocked you have to push up on the releases on both sides of the seat. [redacted] said that Isabella had climbed out of the seat in the past. This officer checked the seat and found it to have several warnings on the rear of the seat. WARNING PREVENT DROWNING ALWAYS KEEP BABY WITHIN ARMS LENGTH. USE ONLY AS BATHING AID WITH CHILD WHO CAN SIT UP. LATCH BAR WHEN IN USE. DO NOT USE IN WITH NON SLIP SURFACES. The warning were in three languages including English. This officer asked Mr. [redacted] if he could take the seat as evidence. [redacted] was more than willing to have the officer take it from his home. The seat was taken to police headquarters where it was tagged as evidence Placed in Property Locker # 51.

This officer went to 320 Colonial Ct. and talked with [redacted] on 457-5002 D.O.B. 6-16-66. Mrs. Sampson is a friend of the DeRoock family and baby sits for them. She said that the night of the near drowning the two boys came running to her home and Ian told [redacted] "Can't swim." She said that she knew something was wrong because Ian was naked. She said that Robert III told her that his father had to take Isabella to the hospital. She said that she kept both boys at her home and they spent the night. [redacted] said that she has known the DeRoocks since they moved in around December 1996. She said that she has never seen anything that would have her believe that this was anything but a tragic accident. She said that she and Sarah have taken both their children to the beach and have gone other places with them. She said that Sarah was very watchful of the children and that her

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husband was very patient and good with the children. [REDACTED] said that she cleaned up the bathroom the next day. She said that as far as she could remember the seat was still stuck to the bottom of the back of the tub. She said that she felt that the safety latch was also still locked also. Mrs. [REDACTED] said that she could say nothing negative about the [REDACTED] and the way they raised their children.

This officer then went back to the [REDACTED] apartment and talked with Rob [REDACTED] told this officer that his two sons Robert and Ian are now in Norway. Mich in the upper Peninsula with his parents. He said that he and his wife would prefer to have a child Psychologist talk with Ian about what happened to Isabella in the tub if he is able to tell anyone. He said that he had no problem with this officer being present when and if this were done. Robert is still quite visibly shaken over this and had to stop several times to gain his composure. Robert said that he would contact this officer when this could be done.

This officer contacted Margaret Tabb from Child Protective Services. Mrs. Tabb said that she was going to call Norway and see if the branch of Child Protective Services could make a courtesy call to the [REDACTED] home in Norway and interview the two boys. Mrs. Tabb said that she was going to Adrian on Monday to interview the two boys but they had already left for Norway. Mich. Mrs. Tabb said that she would get back with this officer.

Case Inactive at this time.

Original Officer: Tamsen

Detective: M. Porta

MONROE POLICE DEPT. SUPP# 97-10810

30 JULY 1997

NARRATIVE

On this date this officer received a TX from Margaret Tabb Child Protective Services. Mrs. Tabb said that she was at Toledo Hospital to check of [REDACTED] when she was told that [REDACTED] died on Tuesday 29 July 1997. She was pronounced dead by Dr. Bruce Barnett at 3:45 PM on 29 July 1997. The body was sent to the Lucas County Medical Examiners officer for autopsy.

This officer called the Lucas County Medical Examiners office and talked with Dr. Diane Scala - Barnett. Dr. Barnett preformed a autopsy on [REDACTED] on Wednesday 30 July 1997. She said that she found no evidence of abuse or neglect. She said that she has ruled the death as accidental drowning. Dr. Barnett advised that she would sending this officer a copy of her autopsy report for this file.

Original Officer: Tamsen

Detective: M. Porta

MONROE POLICE DEPT. SUPP# 97-10810

2 SEPTEMBER 1997

NARRATIVE

This officer received a letter dated 18 August 1997 which was addressed to Margaret Tabb Family Independence Agency Dickinson County Mich , Iron Mountain, Mich. The letter says that [redacted] was interviewed by William Andrews Children PS Worker. Ian told Mr. Andrews that his father [redacted] was at the neighbors [redacted] Ct. when his sister and he were in the bathtub together. Ian said that his dad was gone for a long time. He said that Ian had no real sense of short or long time. He said that Isabella climbed out of the chair and her face went down into the water and then she dreamed. Ian said that he did not attempt to pick his sister up. He said that his father came back into the bathroom a little while later and pick her up.

Ian also said that sometimes they're are left alone in the bathroom . Ian stated that both his mom and dad leave them alone. ~~Mr. Andrews says~~ at this point Ian became restless and did wish to talk anymore.

This officer went to the Samsen residence and talked with both [redacted] about the day that [redacted] drowned. Both said that they had not seen [redacted] prior to Ian coming to their home. They both said that Ian came to their home naked and wet and told them that daddy was taking Bella to the hospital. Tim said that he step outside and saw Robert carrying Isabella and running toward the hospital . He said that Ians brother [redacted] came to their apartment and spent the night. Both [redacted] said that it was not true that [redacted] father was at their home while the children were in the bathtub. Both said that due to Ians young age they could see how he may have been confused.

This officer contacted Margaret Tabb and advised that due to any evidence that this was a criminal act this complaint is now closed. Mrs. Tabb advised this officer that her agency is putting [redacted] name on a state wide child neglect register and that

Original Officer: Tamsen

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they would not be seeking any criminal charges.

Original Officer: Tamsen

Detective: M. Forta

Coroner's Verdict

County of Lucas

The State of Ohio

Office of the Coroner
2025 Arlington Ave.
Toledo, Ohio 43609

NAME: [REDACTED]
DATE OF DEATH: 7/29/97

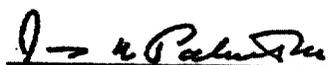
Be it remembered, that on 7/29/97, information was given to me, James R. Patrick, M.D., Coroner of said County, that the dead body of [REDACTED] has been found at THE TOLEDO HOSPITAL, 2142 NORTH COVE BOULEVARD, TOLEDO, OH, on 7/29/97.

I viewed, or caused to be viewed, the said body at the Lucas County Coroner's Office. After viewing the same, and inquiring into the circumstances that caused the death of the said person, I obtained the following information to wit: DROWNED IN BATHTUB (PLACE OF INJURY: HOME [REDACTED] MONROE, MI 48162 (MONROE COUNTY))

I, James R. Patrick, M.D., Coroner of said County, having diligently inquired, do true presentment make in what manner said person, whose dead body I examined, or caused to be examined at the Lucas County Coroner's Office on 7/30/97, came to his or her death. The age of [REDACTED] was about 11 MONTHS. The said resided at the following address: [REDACTED] MONROE, MI [REDACTED] (MONROE COUNTY). Upon full inquiry concerning all the facts, I find the said came to his or her death, officially on 7/29/97 at THE TOLEDO HOSPITAL, 2142 NORTH COVE BOULEVARD, TOLEDO, OH by reason of the following opinion:

IT IS MY OPINION THAT [REDACTED] DIED OF ANOXIC ENCEPHALOPATHY DUE TO NEAR-DROWNING. MANNER OF DEATH: ACCIDENT - DROWNED IN BATHTUB.

Alcohol: NOT DONE


James R. Patrick, MD
Lucas County Coroner - 7/30/97

LUCAS COUNTY CORONER'S OFFICE
2025 ARLINGTON AVE TOLEDO, OH 43609

CASE SUMMARY ON THE DEATH OF [REDACTED]

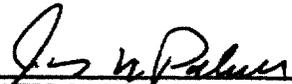
AUTOPSY: 401-97 Date of examination: 7/30/97
Age: 11 MONTHS Sex: FEMALE Race: WHITE Date of birth: 8/16/96
Home address: [REDACTED] CT., MONROE, MI 48162 (MONROE COUNTY)
Date of death: 7/29/97 Time of death: 3:45 PM
Place of death: THE TOLEDO HOSPITAL, 2142 NORTH COVE BOULEVARD, TOLEDO, OH
Date of injury: 7/19/97 Time of injury: 9:00 PM
Place of injury: HOME - 314 COLONIAL CT., MONROE, MI 48162 (MONROE COUNTY)
Comment: COMPLICATIONS OF NEAR-DROWNING EPISODE

Anatomic Diagnoses:
ANOXIC ENCEPHALOPATHY
PULMONARY EDEMA
PATCHY BRONCHOPNEUMONIA
DISTENTION OF URINARY BLADDER
MILD CEREBRAL EDEMA
FOCAL SUBGALEAL HEMORRHAGES (2), RT PARIETAL SCALP

Summary of toxicology results:
Alcohol level: NOT DONE

Cause of death: ANOXIC ENCEPHALOPATHY (10 DAYS)
Due to: NEAR-DROWNING (10 DAYS)
How injury occurred: DROWNED IN BATHTUB
Manner of death: ACCIDENT

Opinion: IT IS MY OPINION THAT ISABELLA DEROECK DIED OF ANOXIC ENCEPHALOPATHY DUE TO NEAR-DROWNING.
MANNER OF DEATH: ACCIDENT - DROWNED IN BATHTUB.



JAMES R. PATRICK, MD
CORONER
7/30/97



Examination performed by:
DIANE SCALA-BARNETT, MD
DEPUTY CORONER
7/30/97

LUCAS COUNTY CORONER'S OFFICE

Autopsy 401-97

REPORT OF AUTOPSY

Autopsy on the body [REDACTED] (date of death - July 29, 1997) was performed on July 30, 1997 at the Lucas County Coroner's Office, Toledo, Ohio by Diane M. Scala-Barnett, M.D., Deputy Coroner of Lucas County.

EXTERNAL EXAMINATION

The body is that of a well-developed, well-nourished white female child whose appearance is consistent with the recorded age of 11 months. The body measures 28 3/4" in length and weighs 23 pounds. Rigor mortis is present to an equal extent in all joints. Moderate posterior fixed lividity is present in the posterior dependent portions of the body. The temperature of the body is cold.

The head circumference measures 18.0", the chest circumference 17 3/4", the abdominal circumference 16 1/2", and the crown - rump length is 19 1/2".

The skin color is white and pale. The scalp hair is blond. The eyes are closed. The irides are blue. The corneas are clear. The conjunctivae are pale. The nose and nasal bones are intact. The ears and external auditory canals are clear. The mouth, tongue and oral mucosa are unremarkable. The frenulum is intact. The gums are clean. There is eruption of two teeth each, in the top and bottom jaws. There are no discharges from the nose, ears or mouth. External examination of the neck reveals no evidence of injury or other abnormalities. The skin turgor is normal. External examination of the chest and abdomen reveals no findings of special note. The abdomen is soft. The external genitalia is that of a normal female, infantile-type. There are no lesions on the back and no gross deformities of the spine.

EVIDENCE OF THERAPEUTIC TREATMENT:

1. In the left chest beneath the antecubital fossa, there is a subclavian catheter in place, i.e., central line.
2. In the left wrist, there is a 1/4" sutured cutdown incision.
3. Surrounding the left ankle is a hospital identification band.
4. Surrounding the right ankle is a morgue identification tag. Just beneath the tag is a recent needle puncture over the right ankle.
5. In the right antecubital fossa, there is an intravenous catheter.

EVIDENCE OF EXTERNAL INJURY:

1. Beneath the right antecubital fossa, there is a healing scabbed abrasion measuring approximately 0.5".

INTERNAL EXAMINATION

The body is opened through the usual anterior thoracoabdominal Y-shaped incision, and the chest plate is removed. There are no adhesions or abnormal collections of fluid in any of the body cavities. The organs of the body are present in their normal anatomical positions.

NECK ORGANS:

Examination of the soft tissues of the neck, including the strap muscles, thyroid gland and large vessels, reveals no evidence of injury or other abnormalities.

THYMUS:

The thymus gland weighs 18 gm. and has a thin translucent capsule. No petechial hemorrhages are noted on the external surface. The cut surface consists of pale gray-tan, lobulated parenchyma.

CARDIOVASCULAR SYSTEM:

The heart weighs 50 gm. and is of normal size and shape for the age. All vessels enter and leave the heart anatomically. The ductus arteriosus is closed. No petechial hemorrhages are noted on the epicardium, which is smooth and glistening, as is the endocardium. The myocardium is uniformly reddish-brown and firm. The valves are anatomical and free of abnormalities. The right coronary artery originates from its proper sinus. The left main coronary artery originates above the sinus of Valsalva immediately above the shelf. The foramen ovale is valve-like and closed. The aorta and great vessels are anatomical and free of lesions.

RESPIRATORY SYSTEM:

The upper airway is clear of debris and other foreign material. The mucosa of the pharynx, larynx and trachea is grayish-white and smooth. The bronchial tree is unremarkable. The right and left lungs weigh 105 gm. and 80 gm. respectively. The visceral pleura is smooth and glistening. The lung parenchyma is pale pink, subcrepitant and, on the cut surface, there are patchy areas of organizing consolidation which represents an early bronchopneumonia.

LIVER:

The liver weighs 45 gm. and has a smooth, glistening, intact capsule. It consists of two lobes which are of normal size, shape and configuration. Serial sections of the parenchyma reveal a homogeneous, finely lobulated, congested, dark reddish-brown parenchyma with no focal lesions. The consistency of the parenchyma is normal. The vessels of the liver are patent. The gallbladder is distended and contains 20 cc. of thick, greenish-brown bile. There is no thickening of the gallbladder wall.

SPLEEN:

The spleen weighs 42 gm. The splenic capsule is smooth, thin and intact. The vessels at the hilum are widely patent. Serial sections of the spleen reveal a soft, dark red parenchyma which oozes blood. Numerous small white dots, representing white pulp, and thin, delicate trabeculae are visible on close exam of the cut surface. No focal lesions are noted on any of the sections.

DIGESTIVE SYSTEM:

The esophagus is unremarkable. The stomach is empty. The gastric mucosa is grayish-white and smooth with normal rugal folds. The pylorus and duodenum are unremarkable. No congenital abnormalities are noted. The pancreas has a pale, gray-white lobular appearance, and no focal abnormalities are noted.

GENITOURINARY SYSTEM:

The right and left kidneys weigh 33 gm. and 30 gm. respectively. They are covered by a thin, translucent capsule which strips easily, revealing a smooth, external, reddish-brown cortical surface. The cortex is well-demarcated from the medulla. The calyces, pelvis, ureters and urinary bladder are unremarkable. The bladder is distended and contains 40 cc. of clear yellow urine.

The uterus, fallopian tubes and ovaries are of normal infantile shape and appearance.

SKELETAL SYSTEM:

The skeleton, including the vertebral column, exhibits no evidence of injury or other abnormalities. No rib fractures are present.

ENDOCRINE SYSTEM:

The pituitary, thyroid and adrenal glands are unremarkable. The right and left adrenal glands weigh 2.4 gm. and 3.0 gm. respectively.

LYMPHATIC SYSTEM:

The lymph nodes are discrete.

CENTRAL NERVOUS SYSTEM:

The scalp is reflected. The anterior fontanelle is partially open but small. The skull is examined for fractures, none of which are identified. Two focal areas of subgaleal hemorrhage are noted on the right parietal region. No epidural or subdural hemorrhages are present. There is mild cerebral edema, more prominent on the left convexity. The brain weighs 880 gm. The structures of the base of the brain, including the cranial nerves and blood vessels, are intact. Examination of the brain stem and cerebellum reveals no evidence of any abnormalities. Serial sections of the brain in the coronal plane reveal no lesions or anatomic defects on any of the sections. There is a good delineation between gray and white matter. The spinal cord is intact.

MICROSCOPIC EXAMINATION:

LUNG:

The usual alveolar spaces are obliterated. There is extensive acute inflammatory infiltrate and marked congestion. These changes are seen on every microscopic section.

BRAIN:

There is eosinophilia of neurons.

HEART:

Normal myocardial architecture.

CEREBELLUM:

There is marked eosinophilia, necrosis, and dropping out of Purkinje cells.

BOB OKARSKI
FOUR/CH10

INCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: 9739065276

DATE OF INCIDENT: 7/19/97 CATID: SECT RR 1998

FOLLOW-UP REQUESTED HAZARD ANALYSIS () SECT 15

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

HEADQUARTERS CONTACT: Renae Rauchschwalbe

ASSIGNMENT MESSAGE: Conduct section 15 investigation. Determine if bathseat was involved. Was other child involved either in the tub or in the room? Was the care taker in the room at the time of the incident? If not, what drew the care taker's attention away? Obtain any official reports and photographs.

SEARCHED INDEXED
SERIALIZED FILED

Person(s) to Contact: see attached

Guidelines:

Task Number: 980513CCC*5555 Date: 5/13/98

Assigned to: CH10 Requested by: C.D.

CPSR Form 324 (10/94)

MIS-32200

Product - 1557
Baby bathtub seat

98051300 5555

39 165276

Ohio Department of Health
VITAL STATISTICS
CERTIFICATE OF DEATH

211
117
JAGS

DECLERT
NEVER MARRIED

PARENTS

PROFESSION

Funeral Home

CRITERIA

CAUSE OF DEATH

2884

Female

July 29, 1997

AUG. 16, 1996 Toledo, Ohio

Children's Medical Center Toledo

Never Married

Michigan Monroe

314 Colonial Court Monroe, Michigan

White

Sarah Reach

Monroe, Michigan 48114

Norway Township, Mich.

August 2, 1997

3726

Bernicker-Scott Funeral Home
3653 Heatherdown Blvd.
Toledo, Ohio 43614

3745 July 29, 1997

4 Patrick

Patrick, M.D., Coroner, 2025 Arlington Ave., Toledo, OH 43609

Arabic encephalopathy

9104-1

10 days

7/19/97 9:00 p.m.

Decomed in bathtub

314 Colonial Court Monroe, Michigan

Photo #1

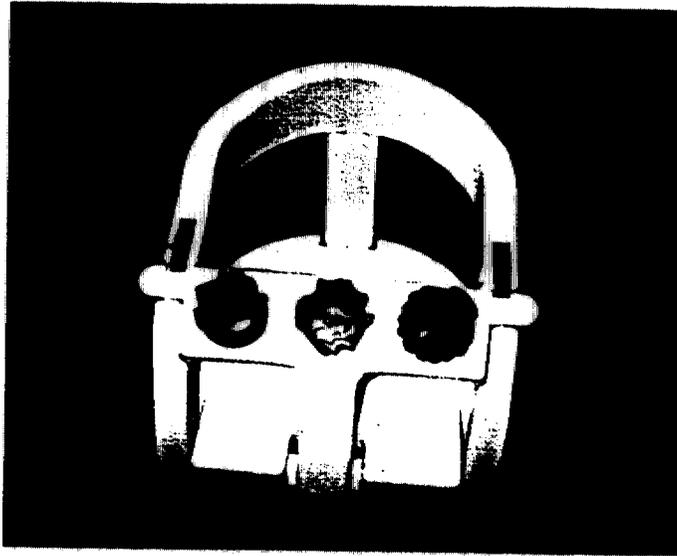


Photo #1

Exhibit C

IDI # 980513CCC5555

A front view of the baby bath seat.

Photo #2

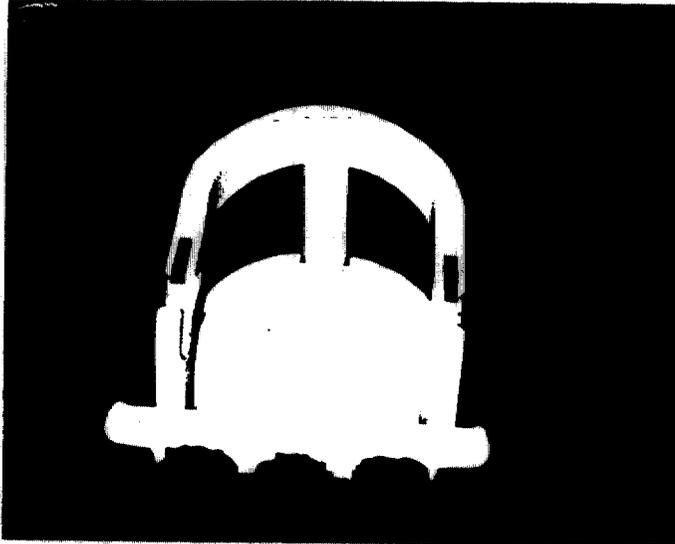


Photo #2

Exhibit C

IDI # 980513CCC5555

A front view of the bath seat with the front bar ajar.

Photo #3

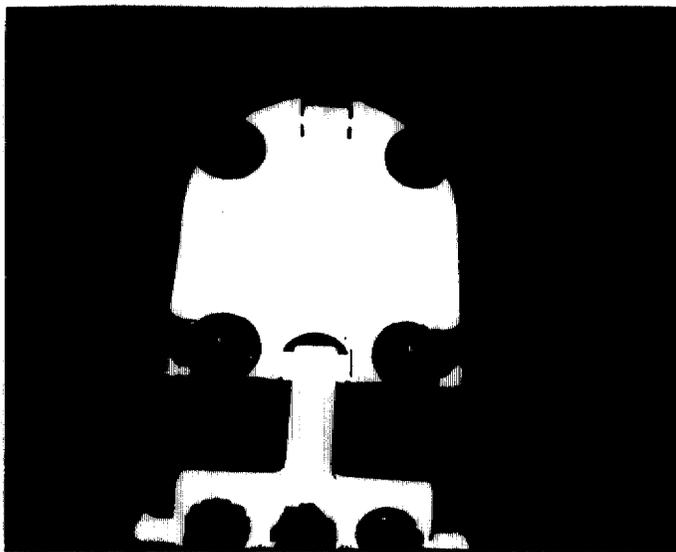


Photo #3

Exhibit C

IDI #9805130005555

The bottom of the bath seat; four blue suction cups

SECT 15

U 787

1. TASK NUMBER 980217CNE5086		2. INVESTIGATOR'S ID 8651		27 MAR 1998	
3. OFFICE CODE 800		4. DATE OF ACCIDENT YR MO DAY 970415		5. DATE INITIATED YR MO DAY 980219	
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC A six (6) month old male infant nearly drowned when the rear suction cups of a bath seat released while he was sitting in a tub of water. He died a month later as a result of injuries sustained during the accident.					
7. LOCATION (Home, School, etc.) City Shelter 51		8. CITY Bronx		<input checked="" type="checkbox"/> MFR/PRVLR NOTIFIED <input checked="" type="checkbox"/> No Comments made <input checked="" type="checkbox"/> Comments attached <input checked="" type="checkbox"/> Excisions/Revisions requested <input checked="" type="checkbox"/> Firm has no further notice 2/4/98	
10A. FIRST PRODUCT Bathtub Seat 1557		10B. TRADE/BRAND NAME Safety First, Inc.		10C. MODEL NUMBER Unknown	
10D. MANUFACTURER NAME AND ADDRESS Safety First, Inc. 210 Boyston Street Chestnut Hill, MA 02167					
11A. SECOND PRODUCT Bathtub 0611		11B. TRADE/BRAND NAME Unknown		11C. MODEL NUMBER Unknown	
11D. MANUFACTURER NAME AND ADDRESS Unknown					
12. AGE OF VICTIM 206		13. SEX 1		14. DISPOSITION Fatalities 8	
15. INJURY DIAGNOSIS Drowning 69		16. BODY PART (S) INVOLVED All Parts of Body 85		17. RESPONDENT Eyewitness 2	
18. TYPE OF INVESTIGATION Other FOER Office		19. TIME SPENT (OPERATIONAL HOURS) 12		20. ATTACHMENT (S) ME's Report, PD Report 9	
21. CASE SOURCE Law Firm 11		22. SAMPLE COLLECTION NUMBER None			
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) Yes					
24. REVIEW DATE		25. REVIEWED BY #8969 [Signature]		26. REGIONAL OFFICE DIRECTOR [Signature]	
27. DISTRIBUTION O:EHDS CC:					

NOTE:

The investigation was conducted in the Regional Office at the Attorney's request as his client now lives in Covenant House. The Attorney for the client remained for the first half of the interview.

PRE-INCIDENT:

According to the mother of the victim, at 10:30 AM on the morning of the incident, she awoke later than usual and went downstairs to pick up her mail. She was upset when she found that the mail contained a notice of an appointment with Housing for 9:00 AM that same morning. She put her six (6) month old and two (2) year old in her twin stroller and went upstairs to the social worker's office. The social worker rescheduled her with Housing for later that day. She rushed back to the apartment and put her two (2) year old in the tub near the faucets and started the water running. She put some Johnson & Johnson baby bath in the water. She then put the bathseat into the tub, tested it to be sure that the suction cups held, and placed the victim in the bathseat. She said that there was very little water in the tub at that point. She put a sock in the drain as she had no plug and told the boys she'd be right back. The mother does not remember whether or not the tub surface was smooth or non-smooth.

The victim's mother then went to the kitchen, where she took plantains from the refrigerator, peeled them and sliced them into a pan on the stove. She thinks that this took only three (3) to four (4) minutes. Her two (2) year old came into the kitchen with his thumb in his mouth and the other hand holding his penis. She took him back to the bathtub and found the baby, still in the seat, but leaning forward into the water.

The victim's mother said that she had left the boys unattended in the tub once before when she ran to the bedroom for a towel she had forgotten.

The victim's mother is in the 10th grade and is receiving Public Assistance. She is of mixed ancestry, Afro American and Hispanic. She is now living at Covenant House, which she may have to leave at the end of the month if she does not get a weekend job. She had obtained a job at McDonald's four (4) days before the baby's death so that she could get him good nursing care. She had stayed in the hospital with him for the month that he survived after the accident.

PRE-INCIDENT: (Cont.)

The victim was six (6) months old when the accident occurred. According to the ME's report he was 27" tall and weighed 18 pounds. His mother said he was unusually active for his age and able to remain upright in the bath aid without assistance. He could stand alone if she put him in a standing position and his hands were placed on bars. She said that he had very strong arms and legs.

The two (2) year old male brother was estimated by the mother to be 3 1/2' to 4' tall and weigh about twenty-five (25) pounds. She said that he was tall for his age.

INCIDENT:

A six (6) month old male baby nearly drowned when the rear suction cups of a bath seat released while he was sitting in it in a tub of water. He died a month later as a result of injuries sustained during the incident.

POST-INCIDENT:

The victim's mother picked him up and ran to her friend's unit who tried to do Cardiac Pulmonary Resuscitation (CPR). While the friend was working on him she called 911. But she was screaming and the friend took the phone from her and talked to 911. The friend had been trained for day care work but the mother of the victim was not sure she knew how to do CPR.

The mother of the victim went downstairs to get Security to get them to do CPR, and when she tried to go back upstairs to her friend's unit, Security had locked the elevators so that they would be available for the Police when they arrived.

According to the Medical Examiners's (ME) report, the Emergency Medical Service (EMS) arrived and found the baby without vital signs but gave CPR for thirty (30) minutes. (The mother of the victim believes that it took them twenty (20) to twenty-five (25) minutes.) The baby was taken by ambulance to Montifiore Hospital where he was admitted with a diagnosis of "near drowning". After an additional thirty (30) minutes of resuscitation treatment, the baby's vital signs returned but he was neurologically dead. He remained in the hospital in a comatose state until May 12, 1997 when he developed bradycardia and arrested.

POST-INCIDENT: (Cont.)

The case was reported to Bureau of Child Welfare where a case had been filed on the mother previously. According to the mother, her two (2) year old was taken from her that same day and is now living in a foster home.

THE PRODUCT:

The product is a bathtub seat manufactured by Safety First, Inc. It was purchased at a Toys 'R Us in June 1996. The consumer believes that she paid \$10 to 15 for it. She said that the seat had no restraints on it, but 3 or 4 plastic bars around the sides. She said the condition was excellent and that there were no missing suction cups. In fact, she said that she usually had a problem with getting the suction cups to release when she wanted to remove the seat from the tub. She believes that the seat may have carried a warning label to not leave the child unattended.

ATTACHMENTS:

1. Photocopies of victim in bathseat in the bathtub with two (2) year old brother.
2. Authorization for Release of Name signed in the affirmative.
3. Photocopy of death certificate of victim.
4. Medical Examiner's Report # BX97-1629.
5. Investigation Guideline on Bathtub incidents involving children less than 18 months old dated April 19, 1995.
6. Letter to Medical Examiner's Office dated February 19, 1998.
7. Letter to New York City Police Department dated February 19, 1998.
8. Letter to Montifiore Hospital dated March 16, 1998.
9. Letter from New York City Police Department dated March 9 requesting address of occurrence.

C. Kalk - 02/18/98

Raskin & Gerstman, LLP

ATTORNEYS AT LAW

191 EAST 161ST STREET
BRONX, NEW YORK 10451
718-681-2680 FAX 718-293-2891

MICHAEL A. RASKIN
BRADLEY L. GERSTMAN
ADMITTED IN NY & NJ

GP II
B. Collier
AS handle
File
2-17-98

MANHATTAN
212-962-0866
FAX 212-608-1659

February 9, 1998

U.S. Consumer Product Safety Commission
6 World Trade Center
Room 350
New York, NY 10048

Attn: Martin Bennett

Dear Mr. Bennett:

Pursuant to our conversation below please find the information you requested regarding the death of my client's son Jonathan Turner.

1. Manufacturer of Product

Safety 1st, Inc.
210 Boylston Street
Chestnut Hill, MA 02167
Product: Safety First Bathtub Seat

2. Background Information

Client Name: Chantilly Joachim-Turner as parent and natural guardian of Jonathan Turner (DOB—10/28/96)
Date of Accident: 4/15/97
Date of Death: 5/12/97
Hospital: Montifiore North Central, Bronx, NY
Police Precinct: 52nd Precinct, Bronx, NY—911 call on 4/15/97
Location of Accident: 2751 Grand Concourse, Apt. 204AB, Bronx, NY

3. Facts

On above date infant child was in bathtub when the seat tipped over and baby was face-down in the bath water. Baby was rushed to hospital and remained in a comatose state until death.

→ collect sample of available.

Very truly yours,

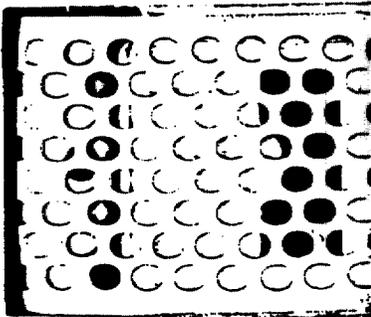
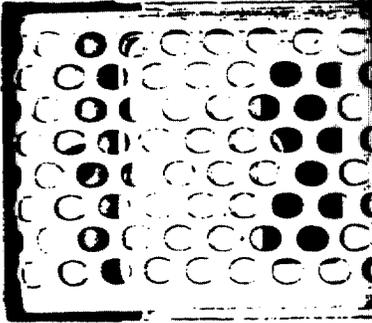
[Signature]
Bradley L. Gerstman, Esq.
Raskin & Gerstman, LLP

N982-0027A

980217CNE5086

EHDS/FOERCF/GP.II

CYRIL 1
98631 TX 2 5286
3/16/98 UAF



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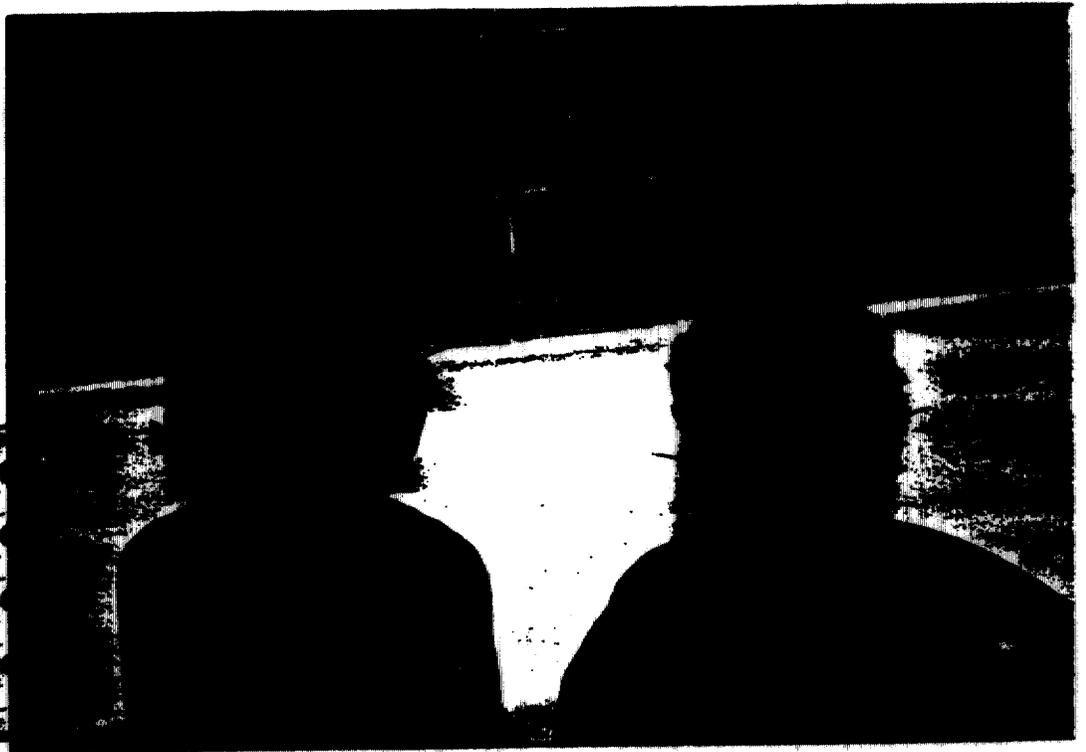
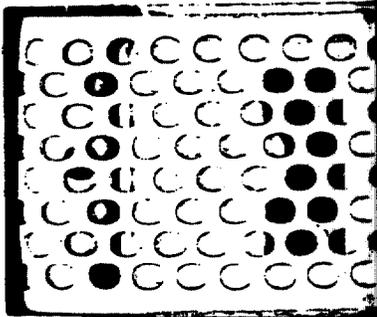
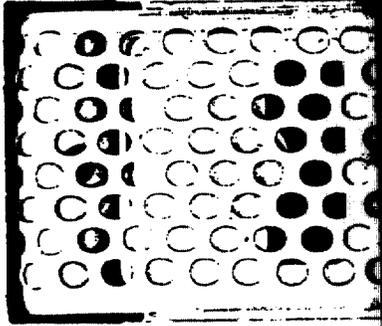


Exhibit 2
9802170NE.S086
3/16/98 CKF

U.S. Consumer Product Safety Commission

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.

Charity Jones
(Signature)

3-12-98
(Date)

Date of Occur. **04-15-97** Surname **TURNER** **SPRINT 3** **10-28-96**
 Time of Occur. **1140** Address **2751 Grand Concourse 10468** **37078**
 Place of Occurrence **S/R/A** **bathroom** **204 AB 1315**

Check One <input type="checkbox"/> Abandoned <input type="checkbox"/> Neglected	<input type="checkbox"/> Dead	<input type="checkbox"/> Sick	<input type="checkbox"/> Abused Child	Nature of illness or injury Drowning
	<input type="checkbox"/> Injured	<input type="checkbox"/> Lost	<input type="checkbox"/> Mentally Ill	
Referred To NC3				Admission No.
<input type="checkbox"/> Home	<input type="checkbox"/> Hospital	If Yes, indicate their disposition on reverse side under "Details"		Responding E.M.T. Paramedic 1707
Children or Dependent Adults Uncaared For <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	Log Entries	Pct. 5631
Treated by (Name) Dr. Hafeez			Complaint No.	M.P.S. No.

NOTIFICATIONS: (Enter name, address and relationship of friend or relative notified. If a good is unidentified, list who at P.S. was notified. In either case, list date and time of notification.)
Dachin Chantilly (mother) **(718) 589-4800**
18415 **07-31-78**

City Involved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	To Dept. or Agency	Sent By
Prepare form Accident Report - Cr; involved (PD 381-158)		<input type="checkbox"/> Arrest <input type="checkbox"/> Summons
DUPLICATE REPORTS TO: <input type="checkbox"/> Runaway Unit <input type="checkbox"/> Harbor Unit <input type="checkbox"/> Emer. Svc Unit		No. <input type="checkbox"/> Pct. Youth Services Officer

AIDED REPORT

980217CNE 5086
3/16/98 CKF



OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK



REPORT OF AUTOPSY

Name of Decedent: Jonathan Turner

M.E. Case #: BX97-1629

Autopsy Performed by: Dr. Heda Jindrak

Date of Autopsy: May 13, 1997

FINAL DIAGNOSES

- I. MALE INFANT, APPROPRIATE FOR AGE, WITH:
- A. DROWNING (4/15/97).
 - B. ANOXIC ENCEPHALOPATHY.
 - C. RESPIRATORY SUPPORT.
 - D. PARENTERAL NUTRITION AND HYDRATION.

CAUSE OF DEATH:

ANOXIC ENCEPHALOPATHY DUE TO DROWNING.

MANNER OF DEATH:

UNDETERMINED (DROWNED WHILE BATHING WITH TUB SEAT).

980217 CNE5086

OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

REPORT OF AUTOPSY

CASE NO. BX97-1629

I hereby certify that I, Heda Jindrak, M.D., City Medical Examiner-II, have performed an autopsy on the body of Jonathan Turner, on the 13th day of May, 1997 commencing at 8:40 AM, in the Bronx Mortuary of the Office of Chief Medical Examiner of the City of New York. This autopsy was performed in the presence of Dr. Levy.

EXTERNAL EXAMINATION:

The body is that of a moderately well developed, well nourished Black male infant, appearing consistent with the given age of 6 months, measuring 27" in length, with a scale weight of 18 lb. There is weak rigor mortis and faint, posterior livor mortis. The body is cold to touch without signs of decomposition. The head is normocephalic and atraumatic. The scalp hair is fine, black, curly, approximately 3" in length. The eyes are brown with equal pupils. The sclerae and conjunctivae are pale, anicteric and free of petechiae. The ears are unremarkable. The nose and posterior cornea are patent. The ears are in normal position and shape. The lips, oral cavity and tongue are unremarkable. The mouth is edentulous. The neck is symmetrical without masses. The chest is symmetrical and of normal configuration. The abdomen is round without scars. The external genitalia are those of a normal, uncircumcised infant male. The anus is unremarkable. The back is unremarkable. The extremities are well developed and symmetrical without deformities. The fingernails and toenails are well trimmed and clean.

THERAPEUTIC PROCEDURES:

There is an endotracheal and nasal gastric tube. There is an intravenous catheter in the dorsum of the right hand. The body is clad in a diaper.

INTERNAL EXAMINATION:

HEAD: There are no injuries to scalp or skull. There is no epidural, subdural or subarachnoid hemorrhage. The anterior fontanelle measures 3 x 2 cm. It is soft without bulging or being depressed. The brain is markedly soft with flattening of gyri. It will be fixed in formalin prior to further examination.

NECK: The cervical vertebrae, hyoid bone, tracheal and laryngeal cartilages and paratracheal soft

tissues are unremarkable. The upper airway contains a small amount of light brown mucous. The tongue is unremarkable.

BODY CAVITIES: The pleural, pericardial and peritoneal cavities are free of fluids, blood or adhesions. All thoracic and abdominal viscera are in their usual anatomical positions.

CARDIOVASCULAR SYSTEM: The heart weighs 50 gm. The pericardium and epicardium are smooth. No emboli are noted in the atria or the pulmonary trunk. The valves are normal. The foramen ovale and ductus arteriosus are closed. The atrial and ventricular septa are intact. The myocardium is dark brown, soft and free of focal abnormalities. The coronary arteries have their usual anatomical distribution. The aorta is patent and intact and the vessels of aortic branch normally. The inferior and superior venae cavae are unremarkable.

RESPIRATORY SYSTEM: The lungs weigh 170 gm together. The pulmonary blood vessels are unremarkable. The bronchial tree contains a small amount of brown mucus. The mucosa is slightly erythematous. The pleural surfaces are smooth and shiny. The parenchyma of both lungs is moderately congested and erythematous with slight diffuse consolidation.

GASTROINTESTINAL TRACT: The esophagus is unremarkable. The stomach contains approximately 3 cc of yellow, mucoid fluid. The gastric mucosa is unremarkable. The small and large intestine and the vermiform appendix are unremarkable with normal position, rotations and attachments. There are no reduplications or atresias.

LIVER, GALLBLADDER AND PANCREAS: The liver weighs 400 gm. The capsule is smooth and intact. The parenchyma is dark purple/brown and granular, without fatty or fibrous texture. The gallbladder is thin walled and contains a minuscule amount of bile. The mucosa is unremarkable. The biliary ducts are patent. The pancreas is unremarkable.

HEMIC AND LYMPHATIC SYSTEM: The spleen weighs 45 gm. The capsule is smooth and intact. The parenchyma is dark purple/red and firm. The lymph nodes are not enlarged. There is 25 gm, soft brown thymus without visible petechiae.

GENITOURINARY SYSTEM: The right kidney weighs 35 gm. The left kidney weighs 40 gm. The cortical surfaces are smooth. The parenchyma is dark purple with normal proportion of cortex and medulla. There are no corticomedullary cysts. The collecting systems are patent and undilated. The urinary bladder is empty; the ureters enter normally. The mucosa is unremarkable. The prostate gland is unremarkable for an infant male. The testes are of appropriate size. They are located in the inguinal canal bilaterally.

ENDOCRINE SYSTEM: The pituitary, thyroid and adrenal glands are unremarkable.

MUSCULOSKELETAL SYSTEM: The vertebral column, clavicles, sternum, ribs and pelvis are free of fractures and deformities. The musculature is normally distributed and light pink. There are

980217 CNE 5086

JONATHAN TURNER

BX97-1629

Page 4

no injuries to the long bones by x-ray and palpation.

STUDIES:

Samples of blood, bile, urine, gastric contents, liver and vitreous humor are submitted for toxicology. Representative tissue sections are submitted for histopathology.



Heda Jindrak, M.D.
City Medical Examiner - IL

8/11/97

HJ:cti
5/30/97:vc
7/18/97:rcm

980217 CINE 5086

OFFICE OF CHIEF-MEDICAL EXAMINER

CITY OF NEW YORK

NEUROPATHOLOGY REPORT

CASE NO. BX97-01629

JONATHAN TURNER

Dr. Mastri dictating Neuropathology Report

The autopsy was done by Dr. Jindrak on May 13, 1997

The brain is examined by Drs. Jindrak and Mastri on June 10, 1997

GROSS EXAMINATION:

The brain is that of an infant. The cerebral dura is not available for examination. The cerebral hemispheres are markedly congested, soft and distorted. The cerebral gyri are of normal configuration. The external aspects of the brainstem and cerebellum are not remarkable except for narrowing of the folia in the cerebellar hemispheres. The arteries at the base of the brain follow a normal distribution and are free of occlusion.

In coronal sections of the cerebrum, there is extensive cystic necrosis of the cortex, white matter and deep nuclear structures. These structures are also very congested. The ventricles are small. Sections of the brainstem and cerebellum show cystic changes in the tegmental nuclei in the brainstem and marked narrowing of the cerebellar folia.

Sections are taken for histology.

DIAGNOSIS:

ANOXIC ENCEPHALOPATHY, OLD, SEVERE.

Angeline R. Mastri MD
Angeline R. Mastri, M.D.
6-23-97

A.M. 6/11/97
E.G.B.
ARM 6/23/97

980217 CNE5086

OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

NEUROPATHOLOGY REPORT
MICROSCOPIC EXAMINATION

Name of Decedent: **Jonathan Turner**

Bx 97-01629

Date of Report: June 23, 1997

Frontal lobe: Extensive necrosis with focal cystic changes.

Cerebellum: Marked loss of Purkinje and granule cells and of dentate neurons.

Medulla: Cystic necrosis of tegmental nuclei.

Angeline R. Mastri MD

Angeline R. Mastri, M.D.

6-23-97

980217CNE 5086

SUPPLEMENTAL CASE INFORMATION

OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Name of deceased JONATHAN TURNER M.E. # Bx-97-1629

Supplemental Information Date 12 MAY 1997 TIME 5³⁰ PM

Information Source: DR. ASUNCION

Address: MONTFLORE HOSPITAL Tel. (718) 920-4509

Contact via: Telephone Personal Interview Correspondence

Contact Initiated by: Informant Undersigned

The deceased is a 6 month old black male infant who was admitted to Montefiore Hospital with a diagnosis of near-drowning on April 15, 1997.

Mother was bathing the deceased and the 2 year old sibling together in an adult sized bathtub, and left both children unattended "for a few minutes" to "check on something" and when she returned found the deceased floating face down. The other child was still in the tub. She called 911, EMS responded, and found the child without vital signs. CPR given in the field for 30 minutes. Upon presentation to the ER, the child was intubated, and had received one round of epi, glucose, bicarb and atropine and was without vital signs. After an additional 30 minutes of ACLS, the child HR, BP responded. After at least one hour of resuscitation, with successful return of vital signs, doctors noted that the child was neurologically dead. For most of the hospitalization the child required Dopamine drip, respirator and NG feeds. The last few days, the child was successfully weaned off Dopamine. This morning, the child developed bradycardia and arrested. He could not be resuscitated. The incident occurred in a homeless shelter. The case was reported to BOM; there was a case filed on the mother previously. The doctor isn't sure, but she thinks the NYPD is already involved.

Milvosh.



POLICE DEPARTMENT

NEW YORK, N. Y. 10018



980217CNE 5:086

DATE: 4-18-97

DOCTOR: Jindrak

M.E.# BX97-1629

FROM: DETECTIVE Tully

MISSING PERSONS SQUAD, MEDICAL EXAMINER'S UNIT

TO: OFFICE OF CHIEF MEDICAL EXAMINER

DECEASED: Jonathan Turner M B 5mth.

ADDRESS: 2751 Grand Concourse

DATE & TIME: 4-15-97 11:40hrs

PLACE OF OCCURRENCE: residence

DETAILS: At the above t/p/o the subject was found in the bathroom tub face down. The above residence is a shelter where the mother and her children reside. The mother placed the above subject and his 2yr old sibling in the tub to bath them. The subject was in a child tub seat but two of the four suction cups on the bottom of the seat were missing. The mother went out to the kitchen and start to fry some food. The 2yr old came into the kitchen so the mother took him back to the tug and that is when she discovered the other child face doen in the water. The mother picked up the child and called 911 for the ambulance adn the police to respond. There is one open BCW report on the family. Esther Estevez is the case worker and ADA Koenderman is aware of the event and is talking to the Sqd.. This case is pending the autopsy, ADA and further investigation.

ACCIDENT # _____

AIDED # _____ U.F. 61# 4631

DETECTIVE ASSIGNED: Rice case# _____ PRECINCT 52

INFORMATION RECEIVED FROM: _____ COMMAND: 52



980217CNE5086

U.S. CONSUMER PRODUCT SAFETY COMMISSION
EASTERN REGIONAL CENTER

6 World Trade Center, Room 350
New York, New York 10048
February 19, 1998

Mr. David R. Schomberg, R PA-C
Director, Medicolegal Investigations

~~Records Department~~

New York City Medical Examiner's Office
520 First Avenue
New York, New York 10016-6402

Dear Mr. Schomberg:

I would appreciate copies of your investigation and autopsy reports, and the names of other officials which may have been received such as Police Department officials. The identifying information of the decedent is as follows:

Name of Decedent: Jonathan Turner, 2751 Grand Concourse, Apt. 204AB, Bronx, NY
Date of Death: 5/12/97 **BX 97-1629**

I would also appreciate name, address and telephone number of next of kin if your office approves. **OK**

Thank you once again for cooperation. Please feel free to call if you have any comments, questions and/or information.

Sincerely,

Carolyn K. Falk
Product Safety Investigator
(212) 466-1619

- Connecticut
- Delaware
- District of Columbia
- Florida
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- North Carolina
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- Vermont
- Virginia
- Virgin Islands
- West Virginia

2/11/95
980217CNE5086
3/16/98 CKF



INVESTIGATION GUIDELINE

Appendix 111

April 19, 1995

BATHTUB INCIDENTS INVOLVING CHILDREN LESS THAN 18 MONTHS OLD

I. Introduction

A. Background Information

CPSC staff will study incident scenarios involving drownings, near drownings, scaldings, and other serious injuries associated with bathing.

Over fifty infants a year drown in bathtubs. In its attempt to decrease this number, the CPSC is conducting a study to learn the circumstances surrounding drowning deaths of children aged 18 months or younger. Of particular interest are drownings associated with bath rings and bath seats. In these cases, the drowning deaths appear to be caused by:

- Tip over - The suction cups unexpectedly releasing, allowing the device AND baby to tip over in the water.
- Entrapment - Babies slipping between the legs of the bath ring and becoming trapped under water.
- Climbing out - Babies over 8 months climbing out of the product and drowning.

In addition, the study will include incidents involving scaldings occurring when the temperature of tap water is set too high (above 120 degrees F.) and serious injuries occurring when infants fall in the tub and receive head or trunk injuries leading to impairment.



INVESTIGATION GUIDELINE

B. Product Description

Specific products of concern are bath rings, seats, and infant bath tubs. Bath rings and seats are intended for babies over 6 months and are used to help support babies during bath time. These devices usually have three or four legs with suction cups that attach to the bottom of bathtubs. Infant bath tubs are used for babies younger than 6 months. Some bath aids have restraining belts while others contain sponge seats.

C. Specific Items of Interest

*Brought at Toys R Us
17 June '96 \$10-15*

Determine the general condition of the bath aid and determine if any product feature or failure contributed to the incident. *good
Suction cups released*

Identify any labeling including location of labels. *Some on seat + one on box*

Specifically, on bath rings or seats, note missing suction cups and/or suction cups which do not stick to bath tub surfaces or adhere to the base of the ring or seat. *NO
no problem before report
sticking - but usually problem w/ pushing it up*

Additionally, describe the restraining belt on the bath aid, whether it was used properly during the incident, and describe any problems with the restraint system. *NO rest belt.
3 or 4 plastic bars around sides*

Determine if the bath aid remained upright or turned over during the incident. Describe in detail the position of the infant (and other children) in relation to the bath seat, bath ring, or infant tub. *tipped forward*

D. Headquarters Contacts

Leonard Schachter, EPHA, 301-504-0470 ext. 1273
Renae Rauchschaube, CECA, 301-504-0608 ext. 1362
Kate Sedney, EPHF, 301-504-0468 ext. 1282



INVESTIGATION GUIDELINE

II. Instructions for Collecting Specific Information

A. Synopsis

Describe in the synopsis the sequence of events which occurred in the incident, indicating if any product component failed. Also indicate if the infant was left unattended by a parent or care giver prior to the injury, the reason for leaving the infant unattended, and the time elapsed if the infant was alone in the bathtub. Note if a sibling or caregiver was involved.

B. Description of the Incident Environment

Determine if the incident occurred in the child's home, a daycare center, the daycare provider's home, or some other location. Describe the incident environment as a single family home, a townhouse, an apartment building, a school, or some other location. *Slitter*

Characterize the parent's/care giver's socio-economic stratum by determining the educational level and total annual income level. If this information is unavailable, please indicate the lack of information in your report. *10th grade PA*

C. Description of the Injured Person(s) and Product Interaction

Determine the infant's age, sex, height, and weight at the time of the incident. Indicate if the infant was of Hispanic origin; white (non-Hispanic); Black; American Indian, Eskimo, or Aleut; or and Asian or Pacific Islander. Determine the infant's health status at time of the incident. *6/12 mo m mixed*

Indicate if the infant was unusually active for his/her age. Indicate if the infant was able to remain upright in the bath aid without assistance, if a bath aid was used. Determine child's ability to stand alone. *Couldn't stand alone but could once put in position Very strong legs + arms*

980217CNE 5086



INVESTIGATION GUIDELINE

Determine the relationship of the care giver to the injured infant. Determine if the care giver was within arm's reach when the incident occurred, was in the same room, or had left the room. Determine if anyone was a witness to the incident.

Mother
2 yr old saw it

Determine if any other child was placed in the tub with the injured child and describe their age, sex, height, weight, and activity during the incident.

Christopher
2 yrs + 2 wks
m 12" tall, 3 1/2 - 4
WT 25 lbs
was in front of tub.
Left - front
Regular

Determine the orientation of the child or children in the tub in relation to the tub faucets and describe faucets. Indicate the depth of water in the tub and (temperature, if a scalding occurred). Determine if there were any problems with the tub prior to the incident such as a leaking faucet or problems with the stopper.

→ suck

If the parent or care giver left the room or was distracted, indicate the reason for leaving or being distracted. Determine what event occurred to alert the parent or care giver to return to the bathroom, i.e., did the infant stop making noise or began screaming?

2 yr old came into kitchen

D. Description of the Product

Safety First
3 legs in front

Determine the tub dimensions (length, width, and depth) in inches. Indicate if the tub had a smooth or non-smooth (slip-resistant) surface. Indicate if the tub used appliques to prevent slippage.

Reg under.

Determine if any modifications were made to the bathtub or bath aid and describe these modifications.

under none

If a path aid was involved, describe it completely including overall dimensions. Determine the bath aid's brand name and model number. Determine if it was purchased new, received as a gift, or purchased used. Determine place of purchase.

Safety 1st
antib
new
2 yrs R 4
June 96

Was something on the seat
"Caution Do not Leave Child Unattended"
(Notice do not use on staked? tub" on boy

G80217CNE 5086



INVESTIGATION GUIDELINE

Describe the general condition of the bath aid and the wording and location of any product labeling.

*excellent
something on the
seat*

Determine if any restraining devices, suction cups, or sponge inserts were on the bath aid and in use at the time of the incident.

Determine if bubble bath, bath salts, or bath oil were used to bathe infant. If in use, did these affect the incident in any way?

*Johnson-Johnson
Baby bath*

E. Product Safety Standards

There is an ASTM voluntary standard under development for infant bath rings and bath seats. Information derived in these investigations will be used in development of the standard.

III. Instructions for Photographing and/or Diagraming Factors Related to the Investigation

For on site investigations, if possible, reenact the positions of the bath aid and child using a doll and photograph reenactment. If photographs cannot be taken, please diagram these positions. For telephone investigations, obtain verbally the positions of the child, the bath aid, and faucet location in the bath tub.

IV. Instructions for Obtaining Samples and Documents Related to the Investigation

Collect any reports from attending officials including police investigations, paramedic reports, fire department reports, emergency room reports, and social worker reports.

For fatal incidents, collect medical examiner's or coroner's investigations and copy of death certificate.

980217CNE5084



INVESTIGATION GUIDELINE

> From investigating officials, determine if the parent or care giver had left the infant alone and, if so, for what length of time? Determine if the parent or care giver had left the infant alone previously in the bathtub and what, if any, incident had occurred when the infant was left alone? Determine the circumstances and products involved.

she says
3 or 4 min
once when
forgot a towel
in bedroom

Determine if parent or care giver attempted cardio-respiratory resuscitation (CPR) or other first aid and indicate if the parent or care giver was certified to administer CPR or was guided by emergency response officials. Indicate the elapsed time in minutes from when the parent or care giver summoned assistance until their arrival. Indicate the time interval from the incident until emergency room treatment was administered. Indicate the time interval the infant was hospitalized. Indicate the time interval from the incident until the infant was pronounced dead by medical officials.

NO, so brought to
friend
Had classes but
may not have
been certified
(Classes on baby
a day care
provided)
30 - 25 min
10-11 30-35 min

From investigating officials, determine if there was any indication of child abuse. If so, indicate the source of this finding and provide documentation.

If the bath aid is available for collection as an official sample, and there was an indication of a component failure, contact Renae Rauchschalbe, CECA, 301-504-0608 ext. 1362, for instructions in obtaining the bath aid.



Exhibit 4
980217 CNB 5086
3/16/98 CKP

U.S. CONSUMER PRODUCT SAFETY COMMISSION
EASTERN REGIONAL CENTER

6 World Trade Center, Room 350
New York, New York 10048
February 19, 1998

Mr. David R. Schomberg, R PA-C
Director, Medicolegal Investigations
Records Department
New York City Medical Examiner's Office
520 First Avenue
New York, New York 10016-6402

Dear Mr. Schomberg:

I would appreciate copies of your investigation and autopsy reports, and the names of other officials which may have been received such as Police Department officials. The identifying information of the decedent is as follows:

Name of Decedent: Jonathan Turner, 2751 Grand Concourse, Apt. 204AB, Bronx, NY
Date of Death: 5/12/97

I would also appreciate name, address and telephone number of next of kin if your office approves.

Thank you once again for cooperation. Please feel free to call if you have any comments, questions and/or information.

Sincerely,

Carolyn K. Falk
Product Safety Investigator
(212) 466-1619

- Connecticut
- Delaware
- District of Columbia
- Florida
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- North Carolina
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- Vermont
- Virginia
- Virgin Islands
- West Virginia



Exhibit 7
9802170NE506
3/16/98 CKP

U.S. CONSUMER PRODUCT SAFETY COMMISSION
EASTERN REGIONAL CENTER

6 World Trade Center, Room 350
New York, New York 10048
February 19, 1998

New York City Police Department
1 Police Plaza
New York, New York 10038

- Connecticut
- Delaware
- District of Columbia
- Florida
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- North Carolina
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- Vermont
- Virginia
- Virgin Islands
- West Virginia

To whomever it may concern:

The Consumer Product Safety Commission (CPSC) has been charged by law with the task of investigating the causes of death or injury incurred through the use of consumer products.

Recently we learned of the death of Jonathan Turner, 2751 Grand Concourse, Apt. 204AB, Bronx, NY, Date of Death: 5/12/97. Under FOIL I would like to request copies of all reports, including the investigators' reports, as soon as possible. As a federal government agency, any fee is usually waived.

My mailing address is:
U.S. Consumer Product Safety Commission
6 World Trade Center-Room 350
New York, N.Y. 10048
Attn: Investigator Falk

Anything that you can do to expedite this request will be greatly appreciated. Thank you for your cooperation.

Sincerely,

Carolyn K. Falk
Product Safety Investigator
(212) 466-1619



241118
580317CNE5086
3/16/98CKF

U.S. CONSUMER PRODUCT SAFETY COMMISSION
EASTERN REGIONAL CENTER

6 World Trade Center, Room 350
New York, New York 10048
March 16, 1998

- Connecticut
- Delaware
- District of Columbia
- Florida
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- North Carolina
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- Vermont
- Virginia
- Virgin Islands
- West Virginia

Montifiore Hospital
Medical Record Department
111 210th Street
Bronx, New York 10467

RE: Our No.: 980217CNE5086

Attention: Records Department

I am respectfully requesting the medical records of Jonathan Turner, 2751 Grand Concourse, Apt. 204AB, Bronx, NY, Date of Death 5/12/97 who was treated in your hospital for drowning on Ajpril 15, 1997. I have enclosed an Authorization for the Medical Records signed by the victim's mother. As a federal government agency we are not generally required to pay for a copy of records. We would hope that you will be able to honor this request.

Thank you again for your kind attention to this matter. If you have questions, please feel free to contact me from 8:30 AM to 6:00 PM Monday through Friday at (212)466-1619. Thank you for your cooperation.

Yours truly,

Carolyn K. Falk
Product Safety Investigator

The
City
of
New York



POLICE DEPARTMENT
LEGAL BUREAU
F.O.I.L. UNIT ROOM 110C
ONE POLICE PLAZA
NEW YORK, NEW YORK 10038

March 9, 1998

Exhibit 9.
980217CNE586
3/16/98 C/PK

Carolyn Falk
U.S. Consumer Product Safety Commission
6 World Trade Center Room 350
New York, NY 10048

RE:98PL100372

Juner

This is in receipt of your Freedom of Information
Law request.

Please be advised that your letter was received by
this unit and has been assigned the above referenced file
number. This letter is to acknowledge your request and to
inform you that the New York City Police Department will be
unable to estimate the date by which we anticipate a
determination can be made by until we receive the following
additional information:

Address of Occurrence 2751 Grand Concourse Apt 204AB
Bronx, N.Y.

You must provide this information to this unit within
30 days of the date of this letter. Failure to do so will
result in this file being CLOSED.

You must notify this unit of any change of address.
Failure to do so will render this unit unable to provide you
with the document(s) you requested.

Sincerely,

G. Suarez
Glen Suarez
Lieutenant

MONTEFIORE MEDICAL CENTER
HEALTH INFORMATION MANAGEMENT DEPT
INFORMATION UNIT
111 E. 210th STREET
BRONX, NY 10467

980217CNE5086

0611

[REDACTED] / 1557
[REDACTED]

+ U.S. CONSUMER PRODUCT SAFETY
COMMISSION EASTERN REG. CT
6 WORLD TRADE CTR/RM 350
NEW YORK, NY 10048-
ATTN : CAROLYN K. FALK
+

RE.: JONATHAN TURNER
OUR NO. : 02005409
YOUR NO.:
Log ID #: MR677
DATE : 04/18/98

In answer to your request of March 19, 1998 , we are
attaching a photocopy of the requested information.

Prepared by: Ella Kansley
Medical Information Unit

This information has been disclosed to you from confidential records which are protected by state law. State law prohibits you from making any further disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law. Any unauthorized further disclosure in violation of state law may result in a fine or jail sentence or both. A general authorization for the release of medical or other information is not sufficient authorization for further disclosure.

Further Files
Available in the
Clearinghouse

Room 504



U.S. CONSUMER PRODUCT SAFETY COMMISSION
EASTERN REGIONAL CENTER

RECEIVED
MAR 19 10 19 PM '98
H.I.H.

6 World Trade Center, Room 350
New York, New York 10048
March 16, 1998

- Connecticut
- Delaware
- District of Columbia
- Florida
- Maine
- Maryland
- Massachusetts
- New Hampshire
- New Jersey
- New York
- North Carolina
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- Vermont
- Virginia
- Virgin Islands
- West Virginia

Montifiore Hospital
Medical Record Department
111 210th Street
Bronx, New York 10467

RE: Our No.: 980217CNE5086

Attention: Records Department

I am respectfully requesting the medical records of Jonathan Turner, 2751 Grand Concourse, Apt. 204AB, Bronx, NY, Date of Death 5/12/97 who was treated in your hospital for drowning on April 15, 1997. I have enclosed an Authorization for the Medical Records signed by the victim's mother. As a federal government agency we are not generally required to pay for a copy of records. We would hope that you will be able to honor this request.

Thank you again for your kind attention to this matter. If you have questions, please feel free to contact me from 8:30 AM to 6:00 PM Monday through Friday at (212)466-1619. Thank you for your cooperation.

Yours truly,
Carolyn K. Falk
Carolyn K. Falk
Product Safety Investigator

980217CNE5086

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR MEDICAL RECORDS DISCLOSURE

TO WHOM IT MAY CONCERN:

You are hereby authorized to furnish the United States Consumer Product Safety Commission all information and copies of any and all records you may have pertaining to (my case)

(the case of Jonathan Turner
Name
Son
Relationship to you

including, but not limited to, medical history, physical reports, laboratory reports and pathological slides, and X-ray reports and films.

3/12/98
(Date)

X Jonathan Turner
(Signature)

(Witness)

MED REC #: 02005409 **SUMMARY SHEET**
ACCT NO: 080460017 **MONTEFIORE MEDICAL CENTER**
MMC MOSES DIVISION
INPATIENT

*Expire 5/12/97
3:06 pm*

ADM DT & TIME: 04/15/1997 3:00pm DISCHARGE DATE & TIME:
UNIT: NW6P RM #: 612-A READM: N
PATIENT NAME: JOACHIN, Jonathan SSN #:
ADDR: 2751 GRAND CONCOURSE 204 DOB: 10/28/1996 SEX: M MS: S
CITY: BRONX ST: NY ZIP: 10468 MOTHER'S MAIDEN NAME: AGE: 5M REL: CA
PHONE BUS: HOME: (718)584-4400 BIRTH PLACE:

Spouse Name & Employer	Next of Kin	Emergency
	JOACHIN, Chantilly	JOACHIN, Chantilly
	2751 GRAND CONCOURSE	2751 GRAND CONCOURSE
	BRONX NY 10468 M	BRONX NY 10468 M
	(718)584-4400	(718)584-4400

SERVICE: PED	ADM SOURCE: CLINIC REFERRAL	PREVIOUS HOSPITAL ADMISSION
ATTEND MD: KING, DIANA	G/P/S: P	DATE FROM: TO:
ADMIT MD: KING, DIANA		HOSP NAME:
ADMIT DIAG: DROWNING		ADDR:

PATIENT OCCUPATION: PRIM INSUR: SLF
EMPLOYER: SEC INSUR:
ADDR: TER INSUR:
CITY: ST: ZIP:
PHONE:



DISCHARGE DISPOSITION:
REGULAR AMA TRANSFERRED WHERE? _____
EXPIRED AUTOPSY? YES NO ME CASE? YES NO

ALLERGIC: _____



OPERATIVE REPORT DICTATED DISCHARGE SUMMARY DICTATED PHYSICIAN'S SIGNATURE _____ M.D. DATE _____

Assembled: *CB*
Analyzed: _____
Coded: _____

Printed: 29Jul97 11:47

By: WILLIAMS, N.

Coder: WILLIAMS, N.

Abstractor: WILLIAMS, N.

Abs-Date: 29Jul97

MMC ABSTRACT SUMMARY-INPATIENT
MONTEFIORE DIVISION

Patient: TURNER, Jonathan

DOB:28Oct96

AGE:9M

SEX:M

MRN:02005409

ACCT #:080460017

SSN:

FC:A

Admit Date: 15Apr97

Admit Type: Inpatient

Disch Date: 12May97

Disposition: EXPIRED

Admit Diag: DROWNING/NONFATAL SUBMER

Admitting MD: KING, DIANA

#: 7179

Attending MD: KING, DIANA

#: 7179

Admit Source: Clinic Referral

DRG:582

GROUPER: AP

ICD-9-CM
Narrative description
=====

ICD-9-CM
Code
=====

DIAGNOSES

Principal: DROWNING/NONFATAL SUBMER

994.1

Secondary: ACIDOSIS
DROWNING IN BATHTUB
ACCIDENT IN HOME
HYPOTHERMIA
BRAIN CONDITIONS NEC
ANEMIA NOS

276.2
E910.4
E849.0
991.6
348.8
285.9

PROCEDURES

Provider

Date

Principal: ENTERAL NUTRITION

KING MD , DIANA

15Apr97 96.6

Secondary: CONTINUOUS MECH VENTILAT
INSERT ENDOTRACHEAL TUBE
VENOUS CATHETER NEC
VIDEO/TELEMETR EEG MONIT
HEAD SCAN NEC
CARDIOPULM RESUSCITA NOS

KING MD , DIANA
KING MD , DIANA

15Apr97 96.72
15Apr97 96.04
15Apr97 38.93
16Apr97 89.19
17Apr97 92.12
15Apr97 99.60

CPT4

TO BE COMPLETED BY INTERN BEFORE DISCHARGE

CONSULTANTS (by specialty)

Social Service Rehabilitation Pediatric Subspecialty 1 PCU 2 Neurology 3 _____ 4 _____
 Surgical Subspecialty: 1 _____ 2 _____ 3 _____ 4 _____ Psychiatry
 Other

ROUNDING ATTENDING PHYSICIANS (by name)

Weinberger, King

HOSPITAL COURSE (include significant laboratory and x-ray results)

6mo old ♂ near drowning admitted 4/15/92 from MCHC
 when pt arrived in ERS asystolic, intubated & CPR in progress. Pt received multiple rounds of Epinephrine + Bi-carbonate. Pt required ventilator support throughout entire hospitalization. Pt initially required Epinephrine, Dopamine & Dobutamine but was weaned. Pt had cerebral flow studies on 4/17, 4/21 & 4/23/92 which showed severe cerebral flow. Neurologically, Abnormal DTR, pupils fixed & dilated, @ doll's, @ gag reflex, @ withdrawal to pain @ breathing. Pt had episode of heart rate of 40's (40-40's)

PRINCIPAL DISCHARGE DIAGNOSIS

Neon. Drowning

SECONDARY OR COMPLICATING CONDITIONS (include all hospital acquired infections, injuries, and drug reactions)

NO YES (specify)

CONCURRENT DISEASES

Chest compressions & Arterial 100% O₂ given. Epinephrine, Atropine, CaCl₂ & NaHCO₃ given but pt expired at 2:10 P.M.

MAJOR MEDICAL AND SURGICAL THERAPEUTIC AND DIAGNOSTIC PROCEDURES

Flow studies
Apnea test
CVP

CONDITION ON DISCHARGE

expired

LIMITATION OF ACTIVITY

NONE OTHER (specify)

DISCHARGE MEDICATIONS AND TREATMENTS

DIET

REGULAR FOR AGE OTHER (specify)

PLANS FOR FUTURE CARE

O.P.D. _____ DATE _____ Private M.D. Other _____

Transfer to _____ Communications initiated with referent? YES NO

Indicate demonstrated degree of understanding of explanations and instructions: GOOD FAIR POOR

INSTR. CONS TO PATIENT

CR - L. J. ...



NEW YORK CITY FIRE DEPARTMENT AMBULANCE CALL REPORT

SOCIAL SECURITY #

CHECK ONE

Date: 02/27/97 Time: 2:51 Crew: Lt driver first And 3017 Message: 118
 Call Location: 2751 GCC Apt. 201 Cross Street: 197 Type of Call: UCI
 Patient's Name: JOACHIN, S. Cross Street: 197 Apt. 201
 Address: SA JOHANNAN 154 10968
 Prior Treatment at Scene:
 Heat of Life & Telephone: 584-4400
 Prior CPR at Scene: Adequate? Minutes: By: PD FD Other: PD Badge # Pat:

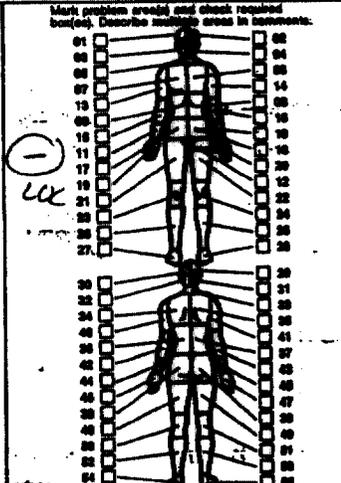
BATCH #: 0-14

REC'D	0	1
1000	0	1
1001	0	1
1002	0	1
NOBP	0	1
1000	0	1

CHIEF COMPLAINT: "Mom States Baby From Face to Body"

MEDICAL: *If more than one checked, attach primary problem.*
 01 Airway Obstruction 02 Allergic Reaction 03 Altered Mental Status 04 Behavioral Disorder 05 Cardiac Arrest 06 Diabetes
 07 Cold 08 Heat 09 Hx. Inf. 10 General Malaise 11 G.I. Distress/Blood 12 Headache/Vision 13 O.C.
 14 Ch. Dys 15 Labor 16 Delivery 17 Pain 18 Poison 19 Respiratory Arrest
 20 Other: 21 Respiratory Distress: 101-170 Indicate Type 22 Seizure 23 Shock 24 Stroke/C.V. 25 Syncope

119-120
 TRAUMA: 171-182 01 Amputation 02 Thermal 03 Chemical 04 Elec. 05 Cardiac Arrest
 06 C.N.S. 07 Crush 08 Impaled Object 09 Soft Tissue Injury 10 Paralysis 11 Fracture 12 Shock 13 Trauma: Penetrating
 Mechanism of Injury: 1 Fall 2 S.B.W. 3 Knife 4 Machinery 5 M.V.A. 6 Unarmed Assault 7 Other
 History: 1 Asthma 2 COPD 3 Diabetes 4 Hypertension 5 Seizure
 Medications: *None*
 Allergies: *None*
 Preemptive Diagnosis: STI Patient Condition: Critical Serious Minor
 COMMENTS: *5 mos old female in mother's arm, mom states child was witnessed - fell on his face w/o LOC slight bleeding to upper lip, pt cried immediately. Precipitous, RT. bleeding, minimal to mother. P.E. - Nostrils Patent, edema to upper lip, LS.*
 Mark problem areas and check required body. Describe multiple areas in comments.



TIME	S.P.	PULSE	RESP.	GCS	TRAUMA	SKIN MOISTURE		SKIN TEMP.		SKIN COLOR		PUPILS		MENTAL STATUS	
						1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
01:30	100	80	-	-	1	1	1	1	1	1	1	1	1	1	1
01:35	100	80	-	-	1	1	1	1	1	1	1	1	1	1	1

ALS TREATMENT: 01 Abdominal/Thorax 02 BNTA 03 Hypotension 04 Mandibular Jaw Thrust 05 Oral Airway 06 Suction
 07 Bag Valve Mask 08 Mouth to Mouth 09 Positive Pressure 10 Control Bleeding/Bandaging 11 CPR 12 OSG Delivery/Time
 13 Consume 14 Partial Rebreathing Mask 15 Ventmask 16 Other: *PE vs MONITOR*
 17 Irrigation 18 Specimen (20-22) on P.O. 19 BACT 20 Retaining Tourniquets
 21 Bandboard L.S. 22 Cervical Collar 23 Flotation Splint 24 Band Slings 25 Traction Splint

1 LV. 2 Drug Therapy 3 Monitor 4 Cardiac 5 Defibrillator 6 ET Tube 7 NG Tube 8 Draw Blood
 TIME: 01:30 01:35 01:40 01:45
 BASIC EKG RHYTHM: *BB* OTHER FINDINGS: *Consistent, cup shaped 22, pt + norm re*
 TREATMENT / RESPONSE: *up to 2000 to RCP*

Transport: Removed to Vehicle by: *01* No. of Pts. Removed: *01* Transport Position: 1 Prone 2 Supine 3 Shock 4 Head Elevated 5 Left Lateral 6 Recumbent 7 Sitting 8 Head Elevated
 Disposition: 1 Transported by: 2 Transported by: 3 Stand-by Only 4 Other: *704-708*
 Hospital Selection: 1 Inpatient Facility 2 Patient Choice 3 Specialty Referral 4 Diversion

Insurance: 1 Medicare 2 Medicaid 3 Blue Cross 4 Commercial Insurance 5 Self-Pay
 Hospital: 1 BSA 2 Expired 3 Transferred to other hospital 4 Admitted - Inpatient Chart #:
 HOSPITAL RECEIVING AGENT: *[Signature]*
 AMBULANCE SUPERVISOR ONLY: *[Signature]*
 Retrieved By (Signature): *[Signature]* Badge #:

0414

MONTEFIORE MEDICAL CENTER

- MOSES DIVISION
- WEILER/EINSTEIN DIVISION

DEPARTMENT OF PEDIATRICS

HISTORY & PHYSICAL RECORD

JONATHAN JONATHAN

2005409

DATE 4/15/57

SOURCE	PRIVATE AND/OR REFERRING M.D.	TELEPHONE NO.	AGE ^{yr} 7 _{yr}	SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F
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CHIEF COMPLAINT

DROWNED IN BATH

PRESENT ILLNESS

History obtained as per ER sheet since mother not currently available. More Hx to be obtained later.

6 months old who was found face down in a bath with some water. CPR done in the field for about 20-30 minutes without any response.

According to ER report the pr was bathing in a tub with water to chest level in a baby seat. Apparently was in tub with 2 yo siblings; they were left for about 10 minutes. The child was found by mother face down in the tub.

EMTS called pr given Epinephrine in the field

In ER: pr received 5x 0.1mg 1:10000 Epi-TO
 x1 glucose 50% TO
 x1 Na HCO₃ TO

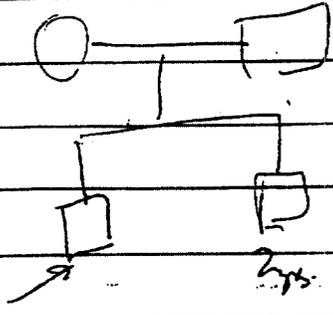
Also received Atropine x1 and Dopamine 60mg IVSS at 3:40

He also received ceftriaxone 250mg x1 and Albumin 60cc x1

PEDIATRIC RECORD

FAMILY HISTORY

	NAME	AGE	NATIVITY	PAST ILLNESS	PRESENT HEALTH
MOTHER	MOTHER	18			
FATHER	FATHER	21			Brain tumor (Went to hospital) M.G. died of brain tumor
SIBLINGS					
FAMILY ILLNESS					



PREGNANCY & BIRTH

MATERNAL ILLNESS	⊕ P.D. during pregnancy
DRUGS	⊕
X-RAYS	⊕
HOSPITALIZATION (PLACE & DATES)	

TYPE OF DELIVERY, APGAR SCORE, COMPLICATIONS

FT, NSVD

BIRTH WEIGHT	GESTATIONAL AGE
7 1/2 lbs	FT NSVD

PERINATAL COURSE

⊕ prep. de concentration O.M.
immuntation: UTD.

GROWTH AND DEVELOPMENT

SMILED	HELD HEAD	ROLLED OVER	SAT UP	STOOD	WALKED	FIRST TEETH	WORDS	SENTENCES	BLADDER CONTROL	BOWEL CONTROL
SCHOOL GRADE & PERFORMANCE										
SOCIAL DEVELOPMENT										
OTHER										

Sits with support, walks in room

Spine pain, Bubbles, joints, blisters in feet

Check if Developmental Evaluation is appended

PHYSICAL EXAMINATION

WEIGHT		HEIGHT		HEAD CIRCUMFERENCE		TEMP.	PULSE	RESPIRATIONS	BLOOD PRESSURE
kg	%ile	cm	%ile	cm	%ile	°C	/min.	/min.	mmHg

Gen: 1SD child lying in crib - Vent support in place
unresponsive

VENT: NCAT pupils dilated and unreactive Bilateral
fundas unable to be well visualized

COE: Tachycardic Co

LUNGS: good breath sounds bilateral for the ventilator.

ABSD: distended bowel occasionally seems to be gutt
Sph

EXY: (Chest) - tachicardic to palpate any peripheral
pulses intermittent heaves - apneustic noted

NEURO: unresponsive, dilated & fixed pupils

APR I/vent still admitted during possibly Near.
during PE exam significant for unresponsiveness

(i) Spont/ventil pressure supports
Dobutamine, Dopamine, Pylorolamine

(ii) Vent support - & CR monitoring

(iii) Follow LS OS

(iv) Measure ICF - & Calan given

(v) X ray of child for subdural

(vi) Optic consent for possible retinal hemorrhage

(vii) Will continue ABG

(viii) Follow ABG & Electrolytes

[Signature]

MONTEFIORE MEDICAL CENTER
HENRY AND LUCY MOSES DIVISION
THE JACK D. WEILER HOSPITAL OF THE
ALBERT EINSTEIN COLLEGE OF MEDICINE

PATIENT PROGRESS
OBSERVATION RECORD

EVERY ENTRY MUST BE DATED & SIGNED

0414

010-A
100 JUN 1 1997
NEW YORK, NY 10029-4403
GRAND CONCOURSE
Joachim Jonathan
If no plate, patient's name, adm. no., sex & Doctor

DATE	OBSERVATION
4/15/97 5PM	PCW Attending Admission Note
	<p>6-month old boy who was found face-down in a bath tub, unresponsive. He was placed in a bath tub (in a seat with suction cups) and the mother left to attend to something and found him face-down in the water when she returned. EMS was called and he was intubated and given epinephrine via ET tube. On arrival to The Peds ED he was asystolic and CPR was in progress. He received multiple doses of epinephrine and sodium bicarbonate and regained a heart rate and central pulses. He was hypothermic on arrival and was warmed externally. His pupils were fixed and dilated on arrival to the ER.</p>
	T 34.4 P 176 RR 15 BP 124/76
	Equal breath sounds; no consolidation on X-ray.
	To be... dial... central... 70... low... neurological

1605MFE REV. 3/72

PLEASE DATE AND SIGN ALL ENTRIES

DATE

OBSERVATIONS

pulses palpable; cap. refill > 5 seconds;
hands and feet cool; on dopamine 6 mg/kg/hr.
on IVF - severely acidotic with lactic
acidosis.

Received ceftriaxone

Neuro: pupils 6mm and unreactive; no
gag or corneals; occasional apneal apneustic
breaths; unable to elicit DTRs.

Skin: no bruises; no signs of trauma.

Imp: Near drowning with long down time
and no signs of cerebral function
at this time. Severe anoxic-ischemic

Plan:

- Cardiorespiratory support.
- Pressors as needed.
- Follow CVP (placed by Dr. Lopez) and
adjust volume/diuretics accordingly.
- Continue to correct acidosis.
- Follow neuro exam.

Phin

MONTEFIORE MEDICAL CENTER
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PATIENT PROGRESS
 OBSERVATION RECORD

EVERY ENTRY MUST BE DATED & SIGNED

041497
 1-21-84-4415
 0415/1997
 If no plate, patient's name, adm. no., sex & Doctor

DATE	OBSERVATION
4/15/97 4:20 pm	<p>PCCM Fellow - Admit Note Dr. Lopez 6m/o ♂ brought in by EMS to NCB ER after being found in bathtub. Face down at the end. EMS was called to shelter where mother lives and infant was found in asystole. Pt was intubated in the field & given two rounds of epi - response. Pt transported to NCB & CPR in progress. At NCB pt given 5 rounds of Epi and 1 round of NaHCO₃ and then started on epi and dopamine drip. HR and BP returned after 5 rounds of medicine. Initial ABG revealed pt 6.5 / 111 / 28 / 8.1 / 10.8% Pt re intubated @ 4.5 ETT @ NCB. Pt transported to complete. On arrival to Montefiore's PCCM pt is HR 180 BP 160/80 RR 15/min. Pt is apneic breathing PE: HR 180 BP 160/80 RR 15/min Good umbilical infant is apneic breathing</p>

RI605ME REV.3/72

PLEASE DATE AND SIGN ALL ENTRIES

DATE

OBSERVATIONS

HEENT	<u>Head</u> Normocephalic, Atraumatic, No trauma noted
	<u>Eyes</u> m clear bil <u>Eyes</u> pupils fixed @ 5mm, on funduscopos exam NO retinal hemorrhage seen. No corneal reflex. Nose clear. No discharge.
	Throat Normal
Neck:	supple No adenopathy
Lungs:	CTA Good air exchange bil. CXR pending. Vent setting moderate = PEEP of 8
Ht:	S, Sp, and no @ pulses full and equal. Current on 5mcg/kg/hr of dopamine
Abd:	Don't smell gas being passed. Abd soft distended.
Gluc:	nil 3 vials
Neuro:	No corneal, No gag, No Doll No response to pain. Agonistic breathing. No reflexes.
Asst:	Unfortunate to be near showing resuscitated in the field and @ NCB after multiple rounds of medication. Pt also hypotensive