

38

91

1. CASE NO. 961129CCC5084		2. INVESTIGATOR'S ID 8554		3. OFFICE CODE 860		EPIDEMIOLOGIC INVESTIGATION REPORT	
4. DATE OF INCIDENT YR MO DAY 93 10 27		5. DATE INVESTIGATION INITIATED YR MO DAY 97 01 06					
6. SYNOPSIS OF INCIDENT A 6 month old female was placed in an infant seat and given a bath by her father in the family tub. He had a monitor in the bathroom with a listening unit in the kitchen. The father stepped away from the bathroom in order to answer the telephone. The bath seat connections came loose from the bottom of the tub and the seat turned on its side with the child's face down in the water. She drowned.							
7. LOCATION (Home, school, etc.) home 10		8. CITY Phoenix			9. STATE Arizona (AZ)		
10A. FIRST PRODUCT bath seat 1557			11A. TRADE/BRAND NAME, IMPORTER Gerry Baby Products - The Huffy Company Boulder, Colorado				
10B. SECOND PRODUCT bath tub 0611			11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Unknown				
12. AGE OF VICTIM 206		13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 2 UNKNOWN - 3		14. DISPOSITION fatality 8		15. INJURY DIAGNOSIS drowning/ submersion 69	
16. BODY PART all parts 85		17. RESPONDENT(S) (Mother, Friend) Police & Medical personnel [3]		18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [3] OTHER - 3		19. TIME SPENT [] [5] [5] []	
20. ATTACHMENTS multiple [9]		21. CASE SOURCE State Health Dept. Death Cert. [0] [2]		22. REVIEWED BY [9] [0] [3] [5]		YR MO DAY [9] [7] [0] [2] [0] [3]	
23. PERMISSION TO DISCLOSE NAMES (NON-NESS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [x]							
24. NARRATIVE (See Instructions on Page 2)				25. REGIONAL OFFICE DIRECTOR REVIEW			
DATE							
NARRATIVE NOTE: Information in this investigation report was obtained from the Phoenix Police and Maricopa County Medical Examiner personnel. The narrative report and exhibits are attached.							
<p style="text-align: right;"> MFR/PRVLER NOTIFIED 1/29/99 No Comments made Comments attached Excisions/Revisions Firm has not requested further notice </p>							

PRE-EVENT

This incident involves the drowning death of a 6 month old girl who was being given a bath in the family tub while sitting in a bath seat. Contacts were limited to local officials in accordance with assignment instructions.

The Medical Examiner, Dr. A.B., reported that the victim weighed 20 pounds and was 28 inches tall. She had a head circumference of 18 inches, a chest circumference of 17 inches, an abdominal circumference of 17 inches and a crown-rump length of 19 inches, see exhibit # 3.

The victim was born on April 13, 1993. She lived with her mother and father, Mr. and Mrs. V, in Phoenix, Arizona. Mr. V was 23 years old while Mrs. V was 21 years old.

This incident took place during the afternoon of October 27, 1993. It was investigated by Phoenix Police Detective P and Detective H. Detective P spoke with the child's parents while Detective H visited the apartment.

Detective H described the victim's home as a two bedroom apartment which faced south. Upon entering the front door you walk into a combination livingroom and kitchen. The northeast corner of the apartment had a full bath with a bedroom in the southeast corner. A second bedroom was in the southwest corner of the apartment with a second bath in the northwest corner.

Mr. V indicated to Detective P that he was home alone with the child while his wife was at work. Around 6:30 p.m. he said that his wife called and she said she was about to leave work.

Mrs. V said that her husband told her that they were out of diapers. She decided that rather than have the child in a wet diaper, her husband might as well give the child her nightly bath.

The mother told Detective P that her daughter liked to play in the water. ~~She told her husband to let the child play in the tub~~ and she would purchase a box of disposable diapers on the way home.

The father decided to give the child a bath in the tub located in the northeast corner of the apartment. A baby monitor was placed on the top of the toilet tank, right next to the tub. Detective H reported that the other end to this monitor was sitting on the counter in the kitchen.

Mr. V filled the tub with water and placed his daughter in an infant bath seat that was secured to the bottom of the tub. The bath seat was examined by Detective H. He reported that this seat had suction cup type connections on the bottom which were used to secure it to the bottom of the bathtub.

He measured the tub and reported that it was 55 inches long and 23 inches wide. Detective H noticed that the water in the tub was about 9 1/2 inches deep at the drain end of the tub and roughly 9 inches deep in the middle area of the tub.

The objects he saw in the tub included the plastic child bath seat, a rubber duck type toy and a rubber fish type toy. A soap dish with a bar of soap on it was on the edge of the tub near the spout. A bottle of baby shampoo was at the other end of the tub. There was a shower curtain hanging at the spout end of the tub with the end of the curtain in the water.

The father told Officer T and Detective P that his daughter was in the tub for about 25 - 30 minutes. During that time he left the room about three times in order to answer the telephone.

The last telephone call came at about 7:05 p.m. The father left his daughter in the tub, walked into the livingroom and answered the telephone. The call was from a phone solicitor about portraits.

The exact sequence of events which occurred in the bathroom are unknown. Mr. V told Detective P that the suction cups on the bottom of the bath seat apparently let go. The seat tipped over to the side causing his daughter to go face down into the water while she was still in the chair.

EVENT

The victim's face became submerged in the bath water.

POST-EVENT

According to Detective H, the telephone used by Mr. V was located on an old chest up against the north end of the east wall in the livingroom. The telephone had an eight foot cord.

~~Detective H estimated that the distance between the telephone and the bath tub in which the victim was sitting measured about 13 feet.~~ He reported that there was a clear line of sight from the area of the telephone into the bathroom where the child was sitting.

Mr. V indicated to the Police Officers that the telephone call from the person selling portraits lasted about two minutes.

After the call he returned to the bathroom and found his daughter floating face down in the water. The bath seat was no longer connected to the bottom of the tub. It was floating on its side and the child's face was in the water.

He pulled her from the tub, went into the livingroom and called 9-1-1 for medical assistance. Mr. V placed the child on the floor and attempted to perform cardiopulmonary resuscitation (CPR).

Officer T and Officer V were the first emergency units to arrive on the scene. They entered the apartment around 7:10 p.m.

The Officers noticed that a clear, slightly blood tinged fluid, was around the child's mouth. She was pale and motionless. Officer V began mouth to mouth respirations while Officer T performed chest compressions. Fire department paramedics arrived about two minutes later and took over CPR activities.

The child was transported by air to St. Joseph's Hospital in critical condition. She was admitted to the Pediatric Intensive Care Unit.

Detective H went to the apartment and met with Officer T and Officer V while Detective P interviewed the child's parents at the hospital.

The Police Officers indicated that the general condition of the apartment was messy with clothing and things on the floor in all the rooms.

While in the apartment the Officers and Detective H checked the effectiveness of the monitoring device. They splashed the water in the tub and established that the monitor was in working order.

Detective H examined the tub and reported that the plastic baby seat was floating in the water near the spout end of the tub. He indicated that if the baby was sitting in the seat she would have been facing the foot of the tub, away from the spout.

Officer B arrived at the scene and took snap shots (polaroids) of the bathtub and the bath seat.

The child died two days later. She was pronounced dead by Dr. T on 10-29-93 at 6:30 p.m.

The child's body was examined by a Maricopa County Medical Examiner, Dr. A.B. She conducted an autopsy and determined that the child's death was due to drowning. Her pathologic diagnoses included:

1. Drowning.
2. Status post cardiopulmonary resuscitation.
 - A. Ascites.
 - B. scalp abrasion.
 - C. Left lung cyst.
 - D. Cerebral edema.
 - E. Subendocardial myocardial infarct.

A copy of the Medial Examiner's autopsy report is attached as exhibit # 3.

Copies of the Police reports are attached as exhibit # 3. I spoke with Phoenix Police Records personnel and Detective P about this incident and the police polaroids/snap shots.

Detective P said that they did not collect/impound the baby bath seat involved in this death. It was left with the child's parents.

Police records personnel stated that they do not keep copies of snap shots/polaroids like the ones taken by a field officer in this case. Detective P feels that these snap shots may no longer be available since their investigation into this death took place over three years ago. He agreed to check and let me know if they locate these polaroids.

PRODUCT IDENTIFICATION

The bath seat involved in this incident was identified by Detective H as carrying the name Gerry Baby Products - The Huffy Company. Gerry Baby Products is located in Boulder, Colorado.

Detective H indicated that there were two caution statements on this bath seat. They included:

TO PREVENT DROWNING NEVER LEAVE CHILD UNATTENDED

THIS PRODUCT IS ONLY FOR USE WITH CHILDREN THAT ARE CAPABLE OF SITTING UPRIGHT UNATTENDED

Detective H reported that the baby monitor located in the bathroom also carried the brand name "Gerry".

This incident took place in a bathtub which measured 55 inches long by 23 inches wide. No brand name or manufacturer information was available.

~~No further information was available.~~

STANDARDS INFORMATION

No standards information was available.

CONTACTS:

PURPOSE & RESULTS:

Police

Obtained incident scenario & product information

Medical Examiner

Obtained medical information.

EXHIBITS:-

1. CONTACT LETTER TO POLICE
2. CONTACT LETTER TO MEDICAL EXAMINER
- ~~3. MEDICAL EXAMINER'S REPORT/AUTOPST~~ "DO NOT DUPLICATE" STAMP
4. DEATH CERTIFICATE
5. POLICE REPORT
8. ASSIGNMENT

UN-PURGED

IDI # 961129CCC5084

PRODUCT: bath seat

MANUFACTURER: Gerry Baby Products - The Huffy Company
Boulder, Colorado

IDENTIFIERS:

Victim:

Father/ Mr. V

Mother/Mrs. V

residence:

Phoenix, AZ

home phone #

Detective P
Detective H
Officer T
Officer V
Officer B

Kenneth Proudfit
Robert Hutchens
Robert Tulchinsky
Charles Vath
Bingamen
Phoenix Police Dept.
620 W. Washington
Phoenix, AZ 85003
phone # 602/ 262-6141

Dr. A.B.

Ann Bucholtz, M.D.
Maricopa County Medical Examiner
120 S. 6th Avenue
Phoenix, AZ

Dr. T

Dr. Teaford
St. Joseph's Hospital
Phoenix, Arizona



United States Government
Consumer Product Safety Commission
522 N. Central Avenue, Room 207, Phoenix, Arizona 85004
Phone # 602/ 379-3510 Fax # 602/ 379-3518

IDI # 961129 CCC 5084

Exhibit # 1

10 FEB 1997

January 6, 1997

Phoenix Police Department
Records Division
620 W. Washington
Phoenix, Arizona 85003

Dear Sir:

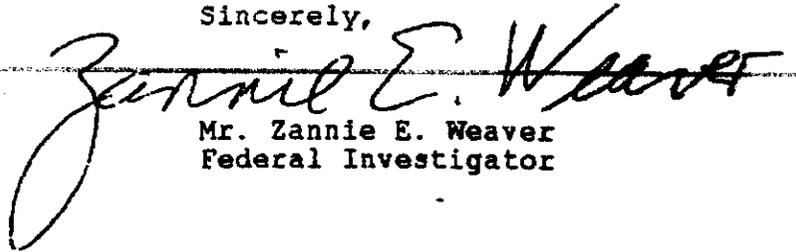
This is a written request for copies of your investigation reports and any photographs covering the Oct. 29, 1993 death of ~~_____~~ Phoenix, AZ. I understand that this child suffered a bath tub drowning incident at her home and subsequently died at St. Joseph's Hospital.

I believe your case number is DR 30-679169A and that it was investigated by Detective Harris. We are interested in obtaining as much information as possible about the victim, sequence of events, and any bath aids which were in the tub.

As an agency of the Federal Government, the U.S. Consumer Product Safety Commission (CPSC) is responsible for investigating consumer product related injuries and deaths under Section 5, 16 and 29 of the Consumer Product Safety Act (Public Law 92-573; 15 U.S.C. 2054 and 3065). CPSC is also charged with enforcing federal safety regulations covering children's products, power tools, furniture, household appliances and other consumer products.

Information about CPSC is enclosed. Please call me if you have any questions. I can be reached in Phoenix at 602/ 379-3510.

Sincerely,


Mr. Zannie E. Weaver
Federal Investigator

Enclosures



961129CC5084
Exhibit # 2
United States Government
Consumer Product Safety Commission
522 N. Central Avenue, Room 207, Phoenix, Arizona 85004
Phone # 602/ 379-3510 Fax # 602/ 379-3518

January 6, 1997

Maricopa County Medical Examiner
Records Division
120 S. 6th Avenue
Phoenix, Arizona 85003
FAX # 602/ 506-1546

Dear Sir:

This is a written request for copies of your investigation records, any autopsy report and toxicology records covering the Oct. 29, 1993 death of [REDACTED] Phoenix, AZ. We understand that this child suffered a submersion incident at her home and subsequently died.

I believe your case number for this death is 93-02562. We are interested in obtaining as much information as possible about this death.

As an agency of the Federal Government, the U.S. Consumer Product Safety Commission (CPSC) is responsible for investigating consumer product related injuries and deaths under Section 5, 16, and 29 of the Consumer Product Safety Act (Public Law 92-573; 15 U.S.C. 2054 and 3065). This agency is also charged with enforcing federal safety regulations covering household appliances, children's products, furniture, power tools and other consumer products.

Information about CPSC is attached. Please call me if you have any questions. I can be reached in Phoenix at 602/ 379-3510.

Sincerely,

Zannie E. Weaver
Mr. Zannie E. Weaver
Federal Investigator

Attachment

PHOENIX POLICE DEPARTMENT REPORT

961129 CCC 5094
Exhibit # 5

ORIGINAL

PAGE NO. 1

DR NO.: 30679169

REPORT DATE: 19931028 TIME: 0010

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

PROSECUTION DESIRED:

BOOKING VICTIM NOTIFIED: NO

LOCATION: [REDACTED]

REPORTING OFFICER(S): KENNETH PROUDFIT

PREMISES: APARTMENT

PHOTOGRAPHS TAKEN: NO BY:

SCENE PROCESSED FOR LATENTS: NO BY:

LATENTS SUBMITTED TO CRIME LAB: NO

PUBLIC RECORDS

Released Pursuant to
ARS 39-121, et seq.

GRID: CJ34

UNIT: C61

OCCUPIED:

To: W. Casey

**** VICTIM INFORMATION ****

VICTIM -01:

NAME: [REDACTED]

RACE: B SEX: F AGE: DOB: 041393 HT: 000 WT: 000

CLOTHING DESC & MISC:

AGE: 6 MONTHS

HOME: 003040 E SHEA

PHOENIX AZ

RES.NAME [

BLVD APT/SUITE: 1116

ZIP CODE:

PHONE: 602 971 5524

**** V 01 - INJURY INFORMATION ****

INJURY: DROWNING

PARAMEDIC TREATMENT: YES UNIT(S): R7A E27A

NAMES: NEWMAN, INCALLINA, HARMS, CALLIN, MILLER, STEFFEN

TRANSPORTED BY: AIR EVAC

TAKEN TO: ST. JOSEPH'S HOSPITAL

DOCTOR'S NAME: PATRICIA TEAFORD, MD

ADDRESS: 350 W. THOMAS ROAD

PHONE: 602 285 3000 EXT.

PHOENIX POLICE DEPARTMENT REPORT

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**** WITNESS INFORMATION ****

WITNESS -01:

[REDACTED]

RACE: B SEX: M AGE: 23 DOB: 041370 HT: 000 WT: 000

CLOTHING DESC & MISC:

VICTIM'S FATHER

HOME: [REDACTED]
PHOENIX AZ

BLVD APT/SUITE: 1116

ZIP CODE:

WORK:

APT/SUITE:

BUS.NAME [RESIDENCE INN
OCCUPATION: NIGHT AUDITOR

] PH: [REDACTED] EXT.

**** PARENT/GUARDIAN INFORMATION ****

PARENT/GUARDIAN -01:

NAME: [REDACTED]

RACE: W SEX: F AGE: 21 DOB: 120971 HT: 000 WT: 000

HOME: [REDACTED]
PHOENIX AZ

BLVD APT/SUITE: 1116

ZIP CODE:

WORK: 007033 E MAIN

ST APT/SUITE:

SCOTTSDALE AZ

ZIP CODE:

BUS.NAME [POSEY POST FLOWERS

] PH: EXT.

**** NARRATIVE ****

SERIAL NUMBER: 3907

POLICE PERSONNEL: OFF. C. VATH #4685
OFF. TULCHINSKY #5034
SGT. D. LANE #2918
DET. R. HUTCHENS #3419
DET. K. PROUDFIT #3907

=====

ON 10/27/93 AT APPROXIMATELY 1905 HOURS, [REDACTED] MONTH

OLD B/F, WAS FOUND FLOATING FACE DOWN IN HER BATHTUB AT [REDACTED],
APT. #1116, WHERE SHE WAS LEFT UNATTENDED MOMENTARILY. SHE WAS AIR EVAC'D.
TO ST. JOSEPH'S HOSPITAL WHERE HER CONDITION IS VERY GRAVE AND SHE IS NOT
EXPECTED TO SURVIVE. ↓

ON 10/27/93 AT APPROXIMATELY 1930 HOURS, I WAS DIRECTED BY NIGHT DETECTIVE
SGT. DAVID LANE TO PROCEED TO ST. JOSEPH'S HOSPITAL IN REFERENCE TO A NEAR
DROWNING INVESTIGATION INVOLVING A 6 MONTH OLD INFANT. HE REQUESTED I
MEET HIM AT THAT LOCATION AND ASSIST IN THE INVESTIGATION. I ARRIVED AT

30679169

Continued.

PHOENIX POLICE DEPARTMENT REPORT

ORIGINAL

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DR NO.: 30679169

1950 HOURS, AT WHICH TIME I CONTACTED MEDICAL STAFF AND OBTAINED INFORMATION ON THE PATIENT. I WAS TOLD E.R. PERSONNEL WERE PRESENTLY ADMINISTERING CPR.

SGT. LANE ARRIVED AND SHORTLY THEREAFTER PATROL OFFICER TULCHINSKY #5034. OFFICER TULCHINSKY WAS ONE OF THE FIRST OFFICERS ARRIVING AT THE SCENE OF THIS INCIDENT LOCATED AT [REDACTED] BLVD, APARTMENT 1116. HE BRIEFED US CONCERNING THE INFORMATION KNOWN THUS FAR IN THIS INVESTIGATION.

OFFICER TULCHINSKY INFORMED US THE INFANT, [REDACTED] AGE 6 MONTHS WAS HOME WITH HER FATHER [REDACTED] AT AROUND 1830 HOURS, AFTER TALKING WITH HIS WIFE ON THE TELEPHONE, [REDACTED] ED [REDACTED] IN THE BATHTUB. SHE WAS IN THE TUB FOR APPROXIMATELY 25 MINUTES DURING WHICH TIME [REDACTED] SHOULD LEAVE THE BATHROOM FROM TIME TO TIME AND RETURN TO CHECK ON HER WELFARE.

DURING THAT TIME, AT APPROXIMATELY 1905 HOURS [REDACTED] RECEIVED A TELEPHONE CALL FROM A PHONE SOLICITOR. WHEN HE HUNG UP THE TELEPHONE, HE WENT INTO THE BATHROOM TO CHECK ON HIS KAYSIA. HE DISCOVERED HER FLOATING FACE DOWN IN THE WATER IN THE BATHTUB. EDWARD PULLED HER FROM THE TUB AND CALLED 911 REQUESTING EMERGENCY MEDICAL ASSISTANCE. OFFICER TULCHINSKY AND OFFICER VATH #4685 WERE THE FIRST EMERGENCY UNITS TO ARRIVE ON THE SCENE, AT APPROXIMATELY 1910 HOURS. THEY IMMEDIATELY INITIATED CPR, ATTEMPTING TO REVIVE THE CHILD, WHO WAS UNCONSCIOUS AND UNRESPONSIVE. APPROXIMATELY TWO MINUTES LATER PHOENIX FIRE PARAMEDIC UNITS ARRIVED ON THE SCENE AND TOOK OVER THE CPR RESPONSIBILITIES FROM THE OFFICERS.

AT THE COMPLETION OF OFFICER TULCHINSKY'S BRIEFING, I CONTACTED EDWARD AND AMY [REDACTED] THE PARENTS OF [REDACTED] I SPOKE WITH THEM IN THE FAMILY QUIET ROOM ADJACENT TO THE EMERGENCY DEPARTMENT. AT THAT TIME I INTERVIEWED THEM CONCERNING THEIR KNOWLEDGE OF THIS INCIDENT.

[REDACTED] INFORMED ME HE WAS HOME ALONE TAKING CARE OF HIS INFANT DAUGHTER WHILE HIS WIFE WORKED. AT APPROXIMATELY 6:30 PM, HE RECEIVED A TELEPHONE CALL FROM HIS WIFE, AS SHE WAS PREPARING TO LEAVE WORK. DURING THE CONVERSATION AMY TOLD EDWARD TO PLACE KAYSIA IN THE BATHTUB FOR HER NIGHTLY BATH. WHEN HE FINISHED HIS CONVERSATION WITH HIS WIFE, EDWARD PLACED KAYSIA IN THE BATHTUB. AFTERWARD HE TOOK THE BABY MONITOR INTO THE BATHROOM TO MONITOR [REDACTED] WHEN HE WAS NOT IN THE ROOM.

DURING THE NEXT THIRTY MINUTES EDWARD LEFT THE BATHROOM FROM TIME TO TIME. HE ALSO RECEIVED THREE TELEPHONE CALLS. THE LAST CALL WAS FROM A ~~TELEPHONE SOLICITOR AND THE DURATION OF THE CALL WAS APPROXIMATELY TWO~~ MINUTES. AFTERWARDS EDWARD TERMINATED THE CALL THEN WENT INTO THE BATHROOM TO DISCOVER KAYSIA FACE DOWN IN THE WATER. EDWARD IMMEDIATELY PULLED HER FROM THE WATER AND WENT TO THE TELEPHONE TO DIAL 911.

EDWARD CLAIMS WHILE MAKING THE 911 CALL, HE WAS INITIALLY PLACED ON HOLD BRIEFLY BEFORE BEING CONNECTED TO AN OPERATOR. WHEN HE TOLD THEM OF HIS DAUGHTER'S PROBLEM THE PERSON ON THE LINE ATTEMPTED TO GIVE HIM DETAILS ON ADMINISTERING CPR. EDWARD WAS CRITICAL OF THE INDIVIDUAL HE SPOKE WITH, STATING HE FELT HE WAS NOT ADEQUATELY INSTRUCTING HIM ON WHAT TO DO UNDER

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Continued.

PHOENIX POLICE DEPARTMENT REPORT

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THE CIRCUMSTANCES.

EDWARD HAD BY THIS TIME PLACED KAYSIA ON THE FLOOR AND WAS ATTEMPTING TO ADMINISTER CPR TO HER WHEN TWO UNIFORMED POLICE OFFICERS ARRIVED AT HIS APARTMENT. THE OFFICERS BEGAN CPR AND CONTINUED THE PROCEDURE FOR SEVERAL MINUTES BEFORE THE FIRE PARAMEDICS ARRIVED AT HIS APARTMENT.

I SPOKE BRIEFLY WITH AMY VINSON, WHO INFORMED ME SHE WAS AT WORK AT THE POSEY POST FLOWER SHOP LOCATED AT [REDACTED] STREET IN SCOTTSDALE. SHE TELEPHONED HER HUSBAND AT APPROXIMATELY 1830 HOURS TO INFORM HIM SHE WAS GETTING READY TO LEAVE WORK. AT THAT TIME EDWARD TOLD HER THEY WERE OUT OF DIAPERS. RATHER THAN HAVE HER DAUGHTER SIT AROUND IN A WET DIAPER, AMY INSTRUCTED EDWARD TO PUT THE BABY IN THE BATHTUB FOR HER NIGHTLY BATH AND LET HER PLAY FOR A WHILE. SHE ADDED THE BABY LIKES WATER VERY WELL. AMY THEN LEFT WORK ENROUTE HOME. ON HER WAY SHE STOPPED OFF AT A STORE AND PURCHASED A BOX OF PAMPERS DISPOSABLE DIAPERS. WHEN AMY ARRIVED AT HER APARTMENT SEVERAL EMERGENCY UNITS WERE THERE.

AFTER SPEAKING WITH THE PARENTS OF [REDACTED] I SPOKE WITH THE ATTENDING PEDIATRIC PHYSICIAN TREATING KAYSIA, NAMED PAT [REDACTED] M.D. DR. TEAFORD INFORMED ME THAT THE PATIENT WAS IN EXTREMELY GRAVE CONDITION. DR. TEAFORD DID NOT EXPECT THE PATIENT TO SURVIVE THIS INCIDENT, ADDING IF SHE SHOULD SURVIVE SHE WOULD HAVE SEVERE BRAIN DAMAGE.

I SECURED FROM THE HOSPITAL AT APPROXIMATELY 2230 HOURS AND RETURNED TO 620 WEST WASHINGTON FOR FOLLOW-UP ON THIS INVESTIGATION. WHILE AT 620, I CONFERRED WITH DET. HUTCHENS WHO HAD THE RESPONSIBILITY OF THE SCENE INVESTIGATION. I EXAMINED SEVERAL POLAROID PHOTOGRAPHS TAKEN OF THE BATHROOM, SPECIFICALLY THE BATHTUB WHERE KAYSIA HAD NEARLY DROWNED. I NOTICED AN INFANT CHAIR IN THE WATER. DET. HUTCHENS INFORMED ME THE CHAIR HAS SUCTION CUPS ON THE BOTTOM OF IT TO BE USED TO SECURE IT TO THE BOTTOM OF THE BATHTUB. WHEN I FIRST SPOKE WITH EDWARD VINSON THERE WAS NO MENTION OF THE CHILD SEAT.

I RETURNED TO ST. JOSEPH'S HOSPITAL IN ORDER TO RE-CONTACT [REDACTED] AND CLARIFY IF THE CHILD WAS IN THE INFANT SEAT THE TIME OF THIS INCIDENT. EDWARD TOLD ME HE HAD PLACED KAYSIA IN THE INFANT SEAT. WHEN HE DISCOVERED HER IN THE BATHTUB THE SUCTION CUPS HOLDING THE CHAIR IN PLACE HAD APPARENTLY "LET GO". THE SEAT HAD TIPPED OVER TO THE SIDE CAUSING KAYSIA TO GO FACE DOWN INTO THE WATER BUT SHE STILL REMAINED IN THE CHAIR. THIS WAS HOW HE DISCOVERED HER AFTER THE PHONE CALL.

I ONCE AGAIN RETURNED TO 620 WEST WASHINGTON WHERE THIS REPORT WAS DICTATED.

A1608GIB

10/28/93 0540

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT: NO

30679169

Continued.

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PHOENIX POLICE DEPARTMENT REPORT

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INVOICES:

END OF REPORT

DR NO: 30679169

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PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 1

DR NO.: 30679169 1

REPORT DATE: 19931027 TIME: 1906

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

LOCATION: 003040 E SHEA BLVD 1116

BEAT: 0631 GRID: CJ34

REPORTING OFFICER(S): [REDACTED]
CHARLES VATH

5034
4685

UNIT: 63F

**** NEXT OF KIN INFORMATION ****

NEXT OF KIN -01:

NAME: [REDACTED]

RACE: W SEX: M AGE: DOB: 073045 HT: 000 WT: 000
HAIR: EYES: SSN: 011342336
HOME: 003102 E ALTADENA APT/SUITE:
PHOENIX AZ ZIP CODE:

**** NARRATIVE ****

SERIAL NUMBER: 5034

AT 1910 HOURS ON 10/27/93, OFFICER C. VATH #4685 AND I ARRIVED AT [REDACTED], APT. #1116, REFERENCE A POSSIBLE DROWNING CALL. AS WE APPROACHED THE APARTMENT DOOR, THE MOTHER OF THE VICTIM WAS ALSO JUST ARRIVING. SHE SAID, "THAT'S MY APARTMENT, WHAT'S WRONG." I TRIED THE DOOR HANDLE, THE DOOR WAS UNLOCKED AND WE ENTERED THE APARTMENT. FROM THE DOOR ENTRANCE WE COULD SEE A MALE, LATER IDENTIFIED AS BEING THE FATHER OF THE VICTIM, KNEELING NEXT TO THE CHILD FACING US. THE CHILD WAS LYING ON HER BACK WITH HER HEAD FACING NORTHEAST TOWARD THE BATHROOM DOOR WHICH WAS JUST A FEW FEET AWAY. THE CHILD WAS PALE AND MOTIONLESS AND HAD A CLEAR, SLIGHTLY BLOOD TINGED FLUID AROUND ITS MOUTH.

OFFICER VATH BEGAN MOUTH TO MOUTH RESPIRATIONS WHILE I DID CHEST COMPRESSIONS. AT 1912 HOURS, PHOENIX FIRE UNITS BEGAN ARRIVING AND TOOK OVER CPR.

I THEN CHECKED THE APARTMENT AND NOTED THAT THE BATHROOM LIGHT WAS ON, DOOR OPEN, AND THE TUB CONTAINED SEVERAL INCHES OF WATER AND SOME CHILD TOYS. I CHECKED THE REMAINING ROOMS AND NOTED NO OTHER PERSONS WERE PRESENT. THE VICTIM'S MOTHER WAS HYSTERICAL AND SCREAMING THE ENTIRE TIME.

AS THE FIRE UNITS WERE WORKING ON THE VICTIM, THE VICTIM'S GRANDFATHER ROBERT SCHORTMANN ARRIVED. I HAD HIM MOVE TO THE PATIO AREA OUTSIDE OF THE APARTMENT IN FRONT TO STAND WITH THE VICTIM'S MOTHER AND FATHER.

AT 1920 HOURS, WHILE STILL ON THE PATIO AREA, I ASKED THE MOTHER IF SHE HAD JUST COME BACK FROM THE STORE. SHE TOLD ME THAT ABOUT A HALF HOUR

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EARLIER SHE HAD CALLED THE CHILD'S FATHER AT THEIR RESIDENCE FROM HER PLACE OF WORK AND TOLD HIM TO PUT THE BABY IN THE TUB AND THAT SHE HAD TO STOP AT THE STORE TO PICK UP SOME PAMPERS. I THEN SPOKE WITH THE FATHER AND ASKED HIM WHAT HAPPENED AFTER THAT AND HE SAID THAT HE FILLED THE TUB WITH WATER AND WAS KEEPING AN EYE ON HER WHEN THE PHONE RANG AND "FOR A COUPLE OF SECONDS I WASN'T WATCHING HER. I WASN'T PAYING ATTENTION."

AFTER THE MOTHER, FATHER AND GRANDFATHER LEFT FOR ST. JOSEPH'S HOSPITAL, I LEFT THE SCENE FOR THE HOSPITAL, ARRIVING THERE AT 2000 HOURS.

I TURNED OVER A SUPPLEMENT TO DET. PROUDFIT WHO WAS ALREADY PRESENT WITH SGT. LANE.

PHOENIX FIRE UNITS AT SCENE:

R7 - A-SHIFT
C. NEWMAN
G. INGALLINA

E27 - A-SHIFT
T. HARMS
CALLIN
M. MILLER
STEFFEN

E210 - A-SHIFT
R. ROBERTS
J. JOHNSON
PLANETA
HIGHTOWER

A1608GIB

10/28/93 0615

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 30679169 01

9611240005084

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 1

DR NO.: 30679169 2

REPORT DATE: 19931027 TIME: 2300

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

LOCATION: ~~3040 EAST SHEA BLVD~~ 1116

BEAT: 0631 GRID: CJ34

DATE/TIME OF OCCURRENCE: WED 102793 1906

REPORTING OFFICER[S]: ROBERT HUTCHENS

3419

UNIT: C60

**** NARRATIVE ****

SERIAL NUMBER: 3419

FIRE: ENGINE 210 RESCUE 35 A SHIFT
(RESPONDED TO SCENE PROVIDED FIRST AID)

POLICE: C. VATH #4685
R. TULCHINSEY #5034
(FIRST ON SCENE)

=====

ON 10-27-93 AT APPROXIMATELY 2000 HOURS I WAS ADVISED BY G.I.B. DESK DETECTIVE TURCOTT TO GO TO 3040 EAST SHEA BOULEVARD AND CHECK THE SCENE OF A NEAR DROWNING.

RIDING WITH ME WAS OFFICER NAVILLE, AND AS WE ARRIVED WE WERE MET BY OFFICER VATH #4685 WHO WAS SECURING THE SCENE. HE BRIEFLY ADVISED US THAT THE VICTIM, A SIX MONTH OLD, WAS IN THE BATHTUB WHEN HER FATHER BECAME INVOLVED ON THE PHONE. WHEN SHE WAS CHECKED SHE HAD TURNED OVER IN HER CHILD SEAT AND WAS UNDER WATER. SHE WAS TAKEN OUT AND PARAMEDICS WERE SUMMONED. THE BABY WAS AIR EVACED TO ST. JOSEPH'S HOSPITAL WHERE SHE WAS IN CRITICAL CONDITION.

I FOUND THE APARTMENT TO BE A TWO BEDROOM APARTMENT THAT FACED THE SOUTH. IT WAS APARTMENT #1116. AS YOU ENTERED THE FRONT DOOR YOU WERE IN THE LIVING ROOM KITCHEN COMBINATION. IN THE NORTH EAST CORNER OF THE APARTMENT WAS A FULL BATH AND IN THE SOUTH EAST CORNER OF THE APARTMENT WAS A BEDROOM. ONE MORE BEDROOM WAS IN THE SOUTH WEST CORNER OF THE APARTMENT WITH ANOTHER BATH IN THE NORTH WEST CORNER. THE BATHROOM THAT THE BABY WAS IN WAS IN THE NORTH EAST CORNER AND I TOOK MEASUREMENTS OF THE TUB AND WATER. ~~THE TUB WAS 55 INCHES LONG AND 23 INCHES WIDE. THE~~ WATER WAS 9 1/2 INCHES DEEP AT THE DRAIN AND IN THE MIDDLE WAS 9 INCHES DEEP. IN THE WATER WAS A PLASTIC CHILD SEAT ALONG WITH A RUBBER DUCK TYPE TOY AND A RUBBER FISH TYPE TOY. ON THE EDGE OF THE BATHTUB BY THE SPOUT WAS A SOAP DISH WITH A BAR OF SOAP IN IT. AT THE OTHER END OF THE TUB WAS A BOTTLE OF BABY SHAMPOO. THERE WAS A SHOWER CURTAIN THAT WAS HANGING AT THE SPOUT END OF THE TUB AND THE END OF THE SHOWER CURTAIN WAS IN THE WATER. THE WATER WAS WARM TO THE TOUCH. ON THE TOP OF THE TANK OF THE TOILET RIGHT NEXT TO THE TUB THERE WAS A INTERCOM MONITORING DEVICE MADE BY "GERRY." I DETERMINED THAT THE OTHER END OF THIS MONITORING DEVICE OR

PHOENIX POLICE DEPARTMENT REPORT

961129CCC5884

SUPPLEMENT

PAGE NO. 2

DR NO.: 30679169 2

INTERCOM WAS SETTING ON THE COUNTER IN THE KITCHEN. WE CHECKED THE DEVICE BY SPLASHING THE WATER AND FOUND IT TO BE IN WORKING ORDER. THE PLASTIC BABY SEAT THAT WAS IN THE WATER WAS FLOATING AND WAS AT THE SPOUT END OF THE TUB. IF THE BABY WOULD HAVE BEEN SITTING IN THE SEAT SHE WOULD HAVE BEEN FACING THE FOOT OF THE TUB OR THE OPPOSITE END FROM THE SPOUT. ON THE FLOOR BETWEEN THE TOILET AND THE TUB WAS A PAIR OF PURPLE UNDERPANTS. THE TELEPHONE THAT THE VICTIM'S FATHER WAS ON WHEN SHE WAS IN THE TUB WAS RESTING ON AN OLD CHEST AGAINST THE EAST WALL OF THE LIVING ROOM AND WAS AT THE NORTH END OF THAT WALL. FROM THE TUB TO THE PHONE WAS 13 FEET. THE PHONE HAD AN 8 FOOT CORD ON IT. THERE WAS A CLEAR LINE OF SIGHT FROM THE PHONE AREA INTO THE BATHROOM WHERE THE BABY WAS. THE HOUSE OVERALL CONDITION WAS QUITE MESSY, HOWEVER, THERE WAS NO DIRT OR FILTH.

OFFICER BINGAMEN ARRIVED AND TOOK POLAROID PHOTOS OF THE BATHTUB AND THE CHILD SEAT THAT THE BABY WAS IN.

AFTER TAKING PHOTOS OF THE BATHTUB AREA AND THE BABY SEAT I NOTED THAT IT WAS MADE BY GERRY BABY PRODUCTS THE HUFFY COMPANY. ON THE BACK OF THE SEAT WERE TWO MANUFACTURERS' NOTES, ONE SAYING WARNING TO PREVENT DROWNING NEVER LEAVE CHILD UNATTENDED. THE OTHER NOTE WAS AS FOLLOWS, THIS PRODUCT IS ONLY FOR USE WITH CHILDREN THAT ARE CAPABLE OF SITTING UPRIGHT UNATTENDED.

AFTER CHECKING OVER THE CHILD SEAT MYSELF AND OFFICER NAVILLE SECURED FROM THE APARTMENT. OFFICER VATH ALSO SECURED AND WE RETURNED TO 620 WEST WASHINGTON.

102893 0822 GIB A3317/JS

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 30679169 02

96 1129000 5084

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 1

DR NO.: 30679169 3

REPORT DATE: 19931028 TIME: 0833

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

LOCATION: [REDACTED]

BEAT: 0631 GRID: CJ34

REPORTING OFFICER[S]: CHARLES VATH

4685 UNIT: 63F

*** NARRATIVE ***

SERIAL NUMBER: 4685

ON 10-27-93 AT APPROXIMATELY 1908 HOURS I RESPONDED C-3 TO 3040 EAST SHEA BOULEVARD #1116 REFERENCE A DROWNING WHERE A BABY WAS FOUND IN THE BATHTUB.

OFFICER TULCHINSKY #5034 AND MYSELF ARRIVED AT THE FRONT DOOR OF THE APARTMENT AT THE SAME TIME. WHILE WE WERE APPROACHING A FEMALE, WHO WAS LATER IDENTIFIED AS THE MOTHER AMY VINSON, WAS ALSO WALKING UP TO THE FRONT DOOR AND STATED THAT IT WAS HER APARTMENT AND ASKED WHAT WAS WRONG. OFFICER TULCHINSKY AND I ENTERED THE APARTMENT FIRST.

WHEN YOU ENTER THE APARTMENT THERE IS A STEREO/TV WALL UNIT ON THE RIGHT. JUST PAST THAT IS A SEA CHEST WITH MISCELLANEOUS ITEMS ON IT AND THE TELEPHONE WITH AN 8 FOOT CORD. WHEN YOU MAKE A RIGHT TURN PAST THE CHEST THE DINING ROOM IS TO YOUR LEFT AND A COUPLE OF STEPS FURTHER IS A BATHROOM TO THE LEFT. TO THE RIGHT IS A 3 FOOT HALLWAY INTO THE BABY'S BEDROOM.

WHEN WE ENTERED THE APARTMENT THE FATHER, EDWARD VINSON, HAD THE BABY KAYSIA ON THE FLOOR NEXT TO THE SEA CHEST. HE WAS KNEELING OVER HER. EDWARD MOVED OUT OF OUR WAY. KAYSIA LOOKED VERY PALE AND SLIGHTLY BLUEING IN THE LIPS. SHE HAD FLUID COMING OUT OF HER NOSE AND OFFICER TULCHINSKY GAVE ME A WASH CLOTH TO WIPE OFF HER FACE. AT THAT POINT I BEGAN RESPIRATIONS BY TILTING HER HEAD BACK, PINCHING HER NOSE, AND GIVING PUFFS INTO HER MOUTH. OFFICER TULCHINSKY BEGAN CHEST COMPRESSIONS WITH TWO OF HIS FINGERS. THIS CONTINUED UNTIL THE FIRE DEPARTMENT ARRIVED APPROXIMATELY ONE MINUTE LATER. AT THAT POINT THEY TOOK OVER.

EDWARD AND AMY WERE TAKEN OUTSIDE BY OTHER OFFICERS THAT HAD ARRIVED. ONCE THE FIRE DEPARTMENT LEFT I SECURED THE APARTMENT.

~~INSIDE THE BATHROOM THERE WAS WATER IN THE BATHTUB APPROXIMATELY 8-10~~
INCHES DEEP. THERE WAS A CHILD'S SEAT IN THE BATHTUB. ON THE TOP OF THE TOILET WAS CORDLESS INTERCOM FOR THE BABY AND THE RECEIVER WAS TURNED ON SITTING ON THE KITCHEN COUNTER FACING INTO THE LIVING ROOM. THE STEREO WAS ALSO ON AT A LOW VOLUME. IN THE KITCHEN THERE WAS HAMBURGER MEAT IN A SKILLET ON THE STOVE BUT IT WAS NOT TURNED ON. THE GENERAL CONDITION OF THE APARTMENT WAS MESSY WITH CLOTHING AND THINGS ON THE FLOORS IN ALL THE ROOMS.

I DIDN'T TALK WITH EDWARD OR AMY AT THE SCENE BUT I HEARD EDWARD MAKE A

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PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

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DR NO.: 30679169 3

STATEMENT THAT HE HAD BEEN ON THE PHONE REFERENCE SOMEONE SELLING
PORTRAITS.

102893 0910 GIB A3317/JSB

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 30679169 03

961629CCC 0884

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT

PAGE NO. 1

DR NO.: 30679169 4

REPORT DATE: 19931028 TIME: 0942

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

LOCATION: [REDACTED]

BEAT: 0631 GRID: CJ34

REPORTING OFFICER[S]: FREDRICK LOZIER

4615 UNIT: 66B

**** NARRATIVE ****

SERIAL NUMBER: 4615

ON 10-27-93 AT APPROXIMATELY 1912 HOURS I ARRIVED AT APARTMENT W1116 AT THE APARTMENT COMPLEX OF 3040 EAST SHEA BOULEVARD. I ARRIVED AT THE SAME TIME WHEN PARAMEDICS WERE ARRIVING. I CONTACTED THE FATHER OF THE BABY EDWARD VINSON WHO TOLD ME THE FOLLOWING. HE SAID HE WAS GIVING THE BABY A BATH IN THE BATHROOM BATHTUB. THE TELEPHONE RANG, AND HE LEFT THE BABY SITTING IN A BATHTUB SEAT INSIDE THE ALMOST FULL BATHTUB WHILE HE ANSWERED THE PHONE. HE TOLD ME HE WAS ONLY AWAY FROM THE BABY FOR ONE OR TWO MINUTES, WHEN HE RETURNED THE BABY WAS UNDER THE WATER.

THE MOTHER, AMY VINSON, HAD ARRIVED HOME AFTER THE FATHER FOUND THE BABY UNDER THE WATER.

102893 0947 GIB A3317/JS

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 30679169 04

PHOENIX POLICE DEPARTMENT REPORT

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SUPPLEMENT

PAGE NO. 1

DR NO.: 30679169 5

REPORT DATE: 19931220 TIME: 0831

INFORMATION ONLY

TYPE OF REPORT: INJURED PERSON / DROWNING

OFFENSE: 901

LOCATION: [REDACTED]

BEAT: 0631 GRID: CJ34

REPORTING OFFICER[S]: EDWARD RODRIGUEZ

4338 UNIT: C35

REPORT STATUS AT PRESENT: CLOSED

**** NARRATIVE ****

SERIAL NUMBER: 4338

UPON REVIEW OF THIS REPORT, THERE IS NO EVIDENCE TO SUPPORT A CRIME OCCURRING IN THIS MATTER. THE CHILD IS NOW DECEASED BECAUSE OF THE LACK OF PROPER SUPERVISION BY THE FATHER AND THE MEDICAL EXAMINER RULED THIS TO BE AN ACCIDENT. THIS REPORT WILL REMAIN ON FILE AS AN INFORMATION ONLY AND CLOSED.

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT

DR NO: 30679169 05

PHOENIX POLICE DEPARTMENT REPORT

961129 ECC5084

ORIGINAL

PAGE NO. 1

DR NO.: 30679169 A

REPORT DATE: 19931029 TIME: 2217

TYPE OF REPORT: ACCIDENTAL DEATH-DROWNING

OFFENSE: 901H

PROSECUTION DESIRED:

BOOKING VICTIM NOTIFIED: NO

LOCATION: [REDACTED]

BEAT: 0735 GRID: BF27

DATE/TIME OF OCCURRENCE: FRI 102993 1830

REPORTING OFFICER(S): KEVIN HARRIS

3756 UNIT: C61

PREMISES: HOSPITAL/NURSING CARE

OCCUPIED:

PHOTOGRAPHS TAKEN: NO BY:

SCENE PROCESSED FOR LATENTS: NO BY:

LATENTS SUBMITTED TO CRIME LAB: NO

RELATED REPORT(S): 30679169

**** VICTIM INFORMATION ****

VICTIM -01:

NAME: VINSON, KAYSIA SUSANNE [**DECEASED**]

RACE: B SEX: F AGE: DOB: 041393 HT: 000 WT: 000

CLOTHING DESC & MISC:

NO PROPERTY

HOME: 003040 E SHEA

APT/SUITE: 1116

PHOENIX AZ

ZIP CODE:

RES.NAME [

] PHONE: 602 971 5524

**** V 01 - INJURY INFORMATION ****

INJURY: NO TRAUMA.

~~PARAMEDIC TREATMENT: YES UNITS: R7A E27A~~

TRANSPORTED BY: AIR EVAC.

TAKEN TO: ST. JOSPEH'S HOSPITAL.

DOCTOR'S NAME: DR. TEAFORD

ADDRESS: 350 W. THOMAS RD.

PHONE: 602 285 3000 EXT.

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PHOENIX POLICE DEPARTMENT REPORT

ORIGINAL

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DR NO.: 30679169 A

**** NEXT OF KIN INFORMATION ****

NEXT OF KIN -01:

NAME: [REDACTED]

RACE: B SEX: M AGE: DOB: 041370 HT: 000 WT: 000

CLOTHING DESC & MISC:

VICTIM'S FATHER

HOME: [REDACTED]

RES. NAME [PHOENIX AZ]

APT/SUITE: 1116
ZIP CODE:
PHONE: 602 971 5524

**** NARRATIVE ****

SERIAL NUMBER: 3756

TIME PRONOUNCED: 10-29-93 AT 6:30 P.M. BY DR. TEAFORD WHILE AT ST. JOSPEHS HOSPITAL PEDIATRIC I.C.U. 350 W. THOMAS RD. PHX. AZ.

MORTUARY: FREY MORTUARY 980 N. TEAGER WICKENBURG AZ. 1-602-684-2201. (LIST)

PROPERTY: NONE.

P.A.C.E.: NONE.

MEDICAL HISTORY: NO RELATED MEDICAL HISTORY.

ON 10-29-93 AT APPROX. 6:00 P.M. I WAS DIRECTED BY DESK DETECTIVE HUTCHENS TO RESPOND TO ST. JOSEPH'S HOSPITAL, PEDIATRIC I.C.U., REFERENCE A DEATH INVESTIGATION. I WAS ADVISED THAT THE VICTIM WAS A KAYSIA VINSON WHO HAD BEEN THE VICTIM OF AN ACCIDENTAL DROWNING ON 10-28-93.

UPON ARRIVING AT THE HOSPITAL I REVIEWED THE VICTIM'S HOSPITAL CHART AS WELL AS THE ORIGINAL POLICE REPORT REFERENCE THE DROWNING INCIDENT. I ALSO EXAMINED THE VICTIM'S BODY.

ACCORDING TO THE ORIGINAL REPORT THE CHILD WAS PLACED IN A BABY SEAT, INTO A BATH TUB OF WATER BY HER FATHER EDWARD SHRTLY AFTER 6:30 P.M. THE FATHER WAS DISTRACTED SEVERAL TIMES BY TELEPHONE CALLS AND AFTER RETURNING TO THE BATH TUB APPROX. 10 MINUTES AFTER LEAVING THE CHILD TO ANSWER THE TELEPHONE FOUND THE CHILD SEAT ON ITS SIDE AND THE CHILD IN THE WATER. THE CHILD WAS NOT BREATHING. POLICE AND FIRE UNITS WERE CALLED AT THIS POINT. THE CHILD WAS TREATED AND SENT BY AIR EVAC TO ST. JOSEPH'S.

ACCORDING TO THE DETECTIVE INVESTIGATING THE SCENE THE BATH TUB WAS FILLED WITH APPROX. 9 TO 9 1/2 INCHS OF WATER, ENOUGH WATER TO CAUSE THE TO DROWN WHILE STILL IN THE CHILD SEAT. ACCORDING TO BOTH DETECTIVES THERE

30679169 A

Continued.

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PHOENIX POLICE DEPARTMENT REPORT

ORIGINAL

PAGE NO. 3

DR NO.: 30679169 A

WAS NOT ANY SIGN OF FOUL PLAY.

I EXAMINED THE CHILD'S BODY AND DID NOT FIND ANY SIGN OF TRAUMA OR FOUL PLAY. THE CHILD WAS SUPINE ON A STANDARD PEDIATRIC EXAM TABLE WITHOUT ANY MEDICAL TUBING ATTACHED. THERE WERE SIGNS OF THAT THE CHILD HAD BEEN INTUBATED AND THAT MONITERS WERE PLACED IN THE CHEST AT ONE TIME. THE CHILD WAS APPARENTLY WELL DEVELOPED AND WELL TAKEN CARE OF WITHOUT ANY OBVIOUS SIGNS OF NEGLECT.

I COMPLETED A MEDICAL EXAMINER'S I.D. TAG AND CONTACTED THE LIST MORTUARY TO TRANSPORT THE CHILD TO THE MEDICAL EXAMINER'S OFFICE. THE FAMILY DID NOT HAVE A MORTUARY OF CHOICE LISTED ON THE HOSPITAL REMAINS PAPER WORK.

PLEASE SEE THE ORIGINAL REPORT FOR DETAILS OF THIS INVESTIGATION. THIS WAS THE EXTENT OF MY INVOLVEMENT WITH THIS CASE AT THIS TIME.

VICTIM RECEIVED RIGHTS INFORMATION: NO

MAIL-IN SUPPLEMENT: NO

INVOICES:

END OF REPORT

DR NO: 30679169 A

961129CCC 5084

PHOENIX POLICE DEPARTMENT REPORT

SUPPLEMENT PAGE NO. 1 DR NO.: 30679169 A 1

REPORT DATE: 19931206 TIME: 0221 INFORMATION ONLY
TYPE OF REPORT: ACCIDENTAL DEATH-DROWNING OFFENSE: 901H
LOCATION: [REDACTED] BEAT: 0735 GRID: BF27
REPORTING OFFICER(S): KENNETH PROUDFIT 3907 UNIT: C61
REPORT STATUS AT PRESENT: CLOSED

*** VICTIM INFORMATION ***

VICTIM -01:
NAME: [REDACTED] [**DECEASED**]
RACE: B SEX: F AGE: DOB: 041393 HT: 000 WT: 000

*** NARRATIVE ***

SERIAL NUMBER: 3907

I RECEIVED A COPY OF THE MARICOPA COUNTY MEDICAL EXAMINERS REPORT ASSIGNED CASE #93-2562, REFERENCE THIS INVESTIGATION. THE REPORT BY DR. ANN L. BUCHOLTZ, M.D., MEDICAL EXAMINER, DETAILED THE FOLLOWING FINDINGS. THE CAUSE OF DEATH WAS DROWNING AND THE MANNER OF DEATH WAS LISTED AS AN ACCIDENT. AN AUTOPSY WAS PERFORMED. THERE WAS NO TOXICOLOGY.

THE FINDINGS OF THE MEDICAL EXAMINER SUPPORT THE CONCLUSION FROM MY INVESTIGATION THAT THIS DEATH WAS ACCIDENTAL IN NATURE.

CASE CLOSED/NON-CRIME

VICTIM RECEIVED RIGHTS INFORMATION: NO MAIL-IN SUPPLEMENT:

INVOICES:

END OF REPORT DR NO: 30679169 A 01

961129CCC5084

Exhibit # 6

FIELD ACTIVITY REQUEST		
1. REGION/STATE FOWR/	2. OPERATION [Check Appropriate Block(s)] <input type="checkbox"/> Inspection <input type="checkbox"/> Telephone Contact <input type="checkbox"/> Sample Collection	3a. DATE ISSUED 7-6-97 3b. TRGT DATE
4. NUMBER 961129CCC5084	<input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Other	
5. ESTABLISHMENT		
Name: <i>Seral</i>		
Address:		
City:	Phone: () -	State: ZIP: ->
6. PRODUCT <i>tub/bath seat</i>	7. HOURS Travel: >--	
8. MANAGEMENT CODES MIS: <i>32676</i> FPC Nr. NEISS:	9. DATE COMPLETED > >	
10. SUPERVISORY INVESTIGATOR <i>Kevin Barton</i>	11. INVESTIGATOR > <i>Jamie Weaver</i>	
12. COMPLIANCE OFFICER	13. PRIORITY >	

14A. HISTORY:

Infant drowned in tub. See attached death cert.

14B. ACTION REQUESTED:

Conduct IDI

15. REQUESTOR'S NAME	TITLE	SIGNATURE
> <i>R. Rauchschnalle</i>		
16. DISTRIBUTION		
Orig: Investigator		
cc: Supervisory Investigator		
FOWR Prog. Mgr. (LCornell)		
FOWR Compliance		

Zew
HJB

ACCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: *9304028135*
DATE OF INCIDENT: *10/27/93* CATID: *SECT RR 19967*
FOLLOW-UP REQUESTED HAZARD ANALYSIS () SECT 15 (X)
TYPE FOLLOW-UP TELEPHONE () ON-SITE (X)
HEADQUARTERS CONTACT: *Renee Rauchschalbe 504-0608 x1362*
Marc Schoem 504-0608 x1365

ASSIGNMENT MESSAGE: Please complete the investigation using the Investigation Guideline. It is very important to establish the detailed sequence of events in these incidents including the infant's position during the incident and the use of any bath rings, seats, or infant bathtubs. Exact age of infant (DOB and date of incident) needs verification and determine length of time between when child was last observed as fine until he/she was discovered submerged.

For fatal incidents, please interview any parents or caregivers for the detailed sequence of events to the extent possible. If the state does not allow contact with the next-of-kin in a fatal incident, collect all official documentation including coroners or medical examiners reports, paramedics report, police investigation, social worker's report, and any medical treatment records.

Person(s) to Contact: *Officials Only*

Guidelines: 110 Bathtub Incidents Involving Children <18 Months Old

Task Number: *961129CC 5084* Date: *12/2/96*
Assigned to: *SFOO* Requested by:

11014181021
 01710011
 80211

12016
 APRIL 11, 1993
 MESA, ARIZONA

MARICOPA
 PHOENIX
 85028

ST. JOSEPH'S HOSPITAL
 HAYER HALL
 OCTOBER 29, 1993

10/27/93
 Residense
 3070 E. Shea
 Phoenix, AZ

CERTIFICATE OF DEATH

OCTOBER 29, 1993

(U)

BLACK

MARICOPA

PHOENIX

ST. JOSEPH'S HOSPITAL

PHOENIX

APRIL 11, 1993

MESA, ARIZONA

MARICOPA

PHOENIX

85028

HAYER HALL

PHOENIX

SHADON HORTON MORTUARY'S

6116 PHOENIX AZ 85028

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

PHOENIX

ST. JOSEPH'S HOSPITAL

PHOENIX

APRIL 11, 1993

MESA, ARIZONA

MARICOPA

PHOENIX

85028

HAYER HALL

PHOENIX

SHADON HORTON MORTUARY'S

6116 PHOENIX AZ 85028

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

PHOENIX

ST. JOSEPH'S HOSPITAL

PHOENIX

APRIL 11, 1993

MESA, ARIZONA

MARICOPA

PHOENIX

85028

HAYER HALL

PHOENIX

SHADON HORTON MORTUARY'S

6116 PHOENIX AZ 85028

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

10/27/93

Residense

3070 E. Shea

Phoenix, AZ

1. TASK NUMBER 980116CCCC1997		2. INVESTIGATOR'S ID 8978		EPIDEMIOLOGIC INVESTIGATION REPORT	
3. OFFICE CODE 800	4. DATE OF ACCIDENT YR MO DAY 97/07/04	5. DATE INITIATED YR MO DAY 98/01/26			
6. SUMMARY OF ACCIDENT OR COMPLAINT UPC A seven month old female drowned after being placed in a bathtub in a baby bathtub seat/ring, and left unattended. Officials report the victim's mother had gone to the kitchen, and when she returned the victim had slipped through the baby seat, and was lying on her side with her face partially submerged in the water.					
7. LOCATION (Home, School, etc.) 10 Home		8. CITY Greer		9. STATE South Carolina	
16. FIRST INCIDENT Baby bathtub seat/ring 1557		108. TRADE/BRAND NAME Unk		100. MODEL NUMBER	
100. MANUFACTURER NAME AND ADDRESS Safety 1st Inc Unk					
11. SECOND INCIDENT Bathtub 0611		118. TRADE/BRAND NAME Unk		110. MODEL NUMBER	
110. MANUFACTURER NAME AND ADDRESS Unk					
MFR/PRVIB NOTIFIED 2/1/98 No Comments Made Comments attached Excisions/Revisions Firm has not requested further notice					
12. AGE OF VICTIM 207	13. SEX 2 Female	14. DISPOSITION Fatality 8		15. INJURY DIAGNOSIS Submersion 69	
16. BODY PART (S) INVOLVED All body parts 85	17. RESPONDENT Officials 3	18. TYPE OF INVESTIGATION Telephone 2		19. TIME SPENT (OPERATIONAL HOURS) 14	
20. ATTACHMENT(S) Multi 9	21. CASE SOURCE MECAP 12		22. SAMPLE COLLECTION NUMBER None		
23. PERMISSION TO DISCLOSE NAMES (NON MEISS CASES ONLY) No					
24. REVIEW DATE	25. REVIEWED BY		26. REGIONAL OFFICE DIRECTOR		
27. DISTRIBUTION O:EHDS CC:					

NOTE: This investigation involved a drowning incident in a bathtub. Information in his report was provided by investigating medical and police officials. Contact with the victim's next-of-kin was not permitted.

PRE-ACCIDENT

On the afternoon of July 4, 1997, the victim was at home with her mother. The victim is described as a 7 month old female, approximately 69.0 centimeters tall, and weighing about 9,185 grams. Reportedly, she was in good health, but at the time of the incident she had a cold.

The victim's mother had gotten off work at 4:00 a.m. She went to the baby-sitter's house, and then she and the victim went home. She and the victim went to sleep, and awoke at 1:30 p.m. After feeding the victim, the mother filled the bathtub with water. She put the product, a baby bathtub seat/ring, into the tub, and secured it to the tub with the suction cups on the bottom of the product. She put the victim inside the product.

She left the victim unattended in the bathroom area while she went to the kitchen to boil water to fix baby bottles. When the victim's mother returned to the bathroom she found the victim still in the product but in a different position.

ACCIDENT

Reportedly, the victim slipped through the product, and was lying on her side with her head partially submerged in the water in the bathtub.

POST ACCIDENT

The victim's mother removed the top part of the product from the bottom part that had suction cups attached, and took the victim out of the product. She took the victim into her bedroom where she began mouth to mouth resuscitation. She called 911, and emergency officials transported the victim to the hospital. Resuscitation efforts were unsuccessful, and the victim died as a result of respiratory insufficiency secondary to immersion in water (drowning).

According to the police report, included as Attachment 1, investigating police officials on the scene took measurements of the water in the bathtub. Reportedly, the water in one end of the tub measured 5", the middle section where the product was located measured 4 1/2", and the other end of the tub measured 4".

Investigating medical officials interviewed the victim's mother who reported that the victim had begun pulling herself up on objects, and was able to hold herself upright. The victim's mother reported that when she left the victim, she was sitting upright in the product with her legs out of the appropriate openings. When she

Page 2

980116CCCC1997

POST ACCIDENT (Continued)

returned to the bathroom, the victim had slid down into one opening, and both legs were through the same opening. The victim was on her right side with the right arm sticking through another section of the product with her head lying to the side and partially submerged in the water. The coroner's report, and autopsy report are included as Attachment 2.

Photographs of the bathroom area, bathtub and the product are included as Attachment 3.

Per the assignment message, contact with the next-of-kin was not permitted.

PRODUCT INFORMATION

The first product is identified as a baby bathtub seat/ring. Investigating officials describe the product as round, and made of heavy plastic material. The product has suction cups on the bottom that secure it to the bottom of the bathtub. There are two leg openings, and a ring on the top portion of the product for the child to hold onto, and some colored beads for the child to play with. Identifying information on the product reported by investigating police officials includes "Made in USA, Copyright 1989, UK Road 1990 2006813 Canada Road, 1990 Safety 1ST, Inc., All rights reserved, US Pat. 5010606 and 5158460". Labeling on the product includes the message "Warning, Prevent Drowning, Do not leave child unattended in the tub".

The second product is identified as a bathtub. No other identifying information is available.

STANDARD INFORMATION

There are no mandatory standards monitored by CPSC on baby bathing seat/rings or bathtubs.

ATTACHMENTS

- 1 Police Report
- 2 Coroner's Report and Autopsy Report
- 3 Photographs

AGENCY ID.
SC 0230300

STANDARD REPORT
Death Investigation

CASE NUMBER
6597-013646

<input checked="" type="checkbox"/> <small>Investigation</small>	<input type="checkbox"/> <small>Autopsy</small>	<input type="checkbox"/> <small>Medical Examiner</small>	<input type="checkbox"/> <small>Other</small>
--	---	--	---

EMS personnel transported the victim to Allen Bennett Hospital where she was later pronounced dead. Capt. Smith, Lt. Leonard, Sgt. Guthrie also responded to incident location. Spartanburg County Forensic officers processed the incident scene. The case will be forwarded to the Criminal Investigations Division for further follow up.

REPORTING OFFICER Marcus Kelley	REPORTING AGENCY SPARTANBURG COUNTY	REPORTING OFFICER ID [Signature]	REPORTING OFFICER TITLE [Signature]	REPORTING OFFICER PHONE [Signature]	REPORTING OFFICER ADDRESS [Signature]	REPORTING OFFICER CITY [Signature]	REPORTING OFFICER STATE [Signature]	REPORTING OFFICER ZIP [Signature]	REPORTING OFFICER FAX [Signature]	REPORTING OFFICER EMAIL [Signature]	REPORTING OFFICER MOBILE [Signature]	REPORTING OFFICER HOME [Signature]	REPORTING OFFICER OTHER [Signature]	REPORTING OFFICER SIGNATURE [Signature]	REPORTING OFFICER DATE [Signature]	REPORTING OFFICER TIME [Signature]	REPORTING OFFICER LOCATION [Signature]	REPORTING OFFICER COMMENTS [Signature]	REPORTING OFFICER NOTES [Signature]	REPORTING OFFICER OTHER [Signature]	REPORTING OFFICER SIGNATURE [Signature]	REPORTING OFFICER DATE [Signature]	REPORTING OFFICER TIME [Signature]	REPORTING OFFICER LOCATION [Signature]	REPORTING OFFICER COMMENTS [Signature]	REPORTING OFFICER NOTES [Signature]	REPORTING OFFICER OTHER [Signature]	REPORTING OFFICER SIGNATURE [Signature]	REPORTING OFFICER DATE [Signature]	REPORTING OFFICER TIME [Signature]	REPORTING OFFICER LOCATION [Signature]	REPORTING OFFICER COMMENTS [Signature]	REPORTING OFFICER NOTES [Signature]	REPORTING OFFICER OTHER [Signature]
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Attachment 1
IDI 980116CCC1997
8978 2 of 6

AGENCY I.D.
SC 0230300

3 PLEI ITARY REPORT
Death Investigation

CASE NUMBER
GX97-013646

<input checked="" type="checkbox"/> SEARCHED	<input type="checkbox"/> INDEXED	<input type="checkbox"/> SERIALIZED	<input type="checkbox"/> FILED
<input type="checkbox"/> FILED	<input type="checkbox"/> INDEXED	<input type="checkbox"/> SERIALIZED	<input type="checkbox"/> FILED
<input type="checkbox"/> INDEXED	<input type="checkbox"/> SERIALIZED	<input type="checkbox"/> FILED	<input type="checkbox"/> INDEXED
<input type="checkbox"/> SERIALIZED	<input type="checkbox"/> FILED	<input type="checkbox"/> INDEXED	<input type="checkbox"/> SERIALIZED

In reference to the above case number, the following is a log of responding personnel:

1422 Greer First Responders on scene, along with
Cherille Gist and Beverly Harrison.

1430 Cpl. Jimmy Holcombe on scene.

1433 Sgt. Scott Stepp on scene.

1445 EMS arrived on scene.

1449 EMS left scene with the victim. Sgt. Stepp and
Cpl. Holcombe also left the scene. Beverly Harrison
also left the scene. Cherille Gist left the scene
with EMS.

1501 Greer First Responders left the scene.

1532 Detective Sgt. Jim Guthrie entered crime scene.

1545 Lt. Dennis Leopold entered crime scene.

1547 Capt. Gary Smith entered crime scene.

1549 Sgt. Scott Stepp entered crime scene.

1550 Sgt. Scott Stepp left crime scene.

1553 Capt. Gary Smith and Lt. Dennis Leopold left crime
scene.

1555 Capt. Gary Smith and Lt. Dennis Leopold entered crime
scene.

1559 Capt. Gary Smith and Lt. Dennis Leopold left crime scene.

1602 Spartanburg Forensics, Diane Lestage, entered crime scene.

1608 Spartanburg Forensics, P.M. Dorman, entered crime scene.

1614 P.M. Dorman and Sgt. Guthrie left crime scene.

1616 P.M. Dorman and Sgt. Guthrie entered crime scene.

1653 P.M. Dorman left crime scene. Sgt. Guthrie left scene w/aiders.

1703 Diane Lestage left crime scene.

1713 Corporal Randy Smith and Sgt. Guthrie entered crime scene.

1716 Sgt. Guthrie left and monitored crime scene.

1726 Corporal Randy Smith and Sgt. Guthrie left crime scene.

1730 Crime was cancelled. Parents allowed to enter.

SEARCHED <input checked="" type="checkbox"/>	INDEXED <input type="checkbox"/>	SERIALIZED <input type="checkbox"/>	FILED <input type="checkbox"/>
SEARCHED <input type="checkbox"/>	INDEXED <input type="checkbox"/>	SERIALIZED <input type="checkbox"/>	FILED <input type="checkbox"/>
SEARCHED <input type="checkbox"/>	INDEXED <input type="checkbox"/>	SERIALIZED <input type="checkbox"/>	FILED <input type="checkbox"/>
SEARCHED <input type="checkbox"/>	INDEXED <input type="checkbox"/>	SERIALIZED <input type="checkbox"/>	FILED <input type="checkbox"/>

REPORTING OFFICER: Marcus Kelley
OFFICER ID: 8978

Attachment 1
IDI 980116ccc1997
8978 3 of 6

AGENCY I.D.
SC 0230300

PLENTARY REPORT

6897-013646

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

T10 was notified by the Census Dispatch at 3:40am to respond to a discovery that occurred at 420 Madison Street, Dept. E. T10 arrived at location at 3:57pm. The child, an infant male, all life had already left the location and at Allen Bennett Hospital. Surgical photos were taken by T10 and SP-10 (Bum). County Forensic Officer Diane Lestage. Items taken into evidence are as follows: 1 Blue Baby's suit, 1 Ring with Plastic Keys, 1 Toy Hammer, 1 Toy Plastic Tooth, 1 Plastic Spoon, 1 Baby's Bib, 1 Baby's shirt and 2 small bottles of liquid sample from the T10.

The water in the tub was cool, 68-70 degrees. Front of the tub measured 5", the middle measured 4 1/2" and the back measured 4". The above toys were in the tub along with the rubber portion of the baby seat. The seat was not attached to the tub at T10 arrival. 3 Bth were observed on the kitchen stove containing Baby Bottles & wipers. The water was hot to the touch. The residue appeared to be clotted but clear. Case is still pending writing on the COMPANY'S REPORT.

SEARCHED	INDEXED	SERIALIZED	FILED
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attachment 1
102 98011000197
8978 4 of 8

COPY

SPARTANBURG COUNTY
CORONER'S INVESTIGATIVE NOTES

CASE NO: C97-7332 DAY: FRIDAY DATE: 7/4/97
NAME: _____
DOB: 11/6/96 AGE: 7 Mths RACE: B SEX: F MARITAL STATUS: M S I D W
ADDRESS: _____ PHONE: _____
D.L. NO: _____ S. S. NUMBER: _____
CONTACT PERSON: CECILLE BIRTEAN GIST RELATION: MOTHER
ADDRESS: 420-F MADISON HAVEN DR., GREER, SC PHONE: 968-0606
DATE OF INJURY: FRI., 7/4/97 TIME OF INJURY: APPROX. 2:39 PM
DATE OF DEATH: FRI., 7/4/97 TIME OF DEATH: 3:23 PM
DATE PRONOUNCED: FRI., 7/4/97 TIME PRONOUNCED: 3:23 PM
PRONOUNCED BY: DR. DONALD GREGG, ALLEN BENNETT MEM. HOSPITAL ER
AUTOPSY: YES BY: DR. WREN COPY TO: GREER PD, MOTHER
TRANSPORTED TO: HEMC ED BY: ROBIN CALDWELL TRANSPORT
FUNERAL HOME NOTICE LETTER: YES NO X
LOCATION OF INCIDENT: BATHROOM OF HOME
CORONER'S INVESTIGATOR: RANDY SMITH
POLICE INVESTIGATOR: GREER PD SGT. JIMMY GUTERIE, DET. PERRY BOWENS
MANNER OF DEATH: -PENDING
CAUSE OF DEATH: -PENDING
WEATHER CONDITIONS CLEAR/HOT SEAT BELTS: YES NO TYPE ROAD
VALUABLES PHOTOS X-RAYS CO LEVEL
YES NO X YES X NO YES X NO YES NO X
LAB SPECIMENS SLED X PRIVATE NOT AVAILABLE

EVIDENCE WILL BE RETAINED FOR FOUR (4) YEARS FROM THE INITIAL INCIDENT
DATE AND THEN DESTROYED UNLESS A WRITTEN NOTIFICATION IS BY

CORONER _____
INVESTIGATOR _____

Attachment 2
IDI 980116CCCI997
8978 1 of 20

JUL 7 1997

SPARTANBURG COUNTY
CORONER'S INVESTIGATIVE NOTES

NAME [REDACTED]

PAGE 2 OF

1. NOTIFIED BY COMMUNICATIONS. RESPONDED TO EMERGENCY DEPT. AT ALLEN BENNETT HOSPITAL. ARRIVED AT 4:30 PM. VICTIM HAD BEEN TRANSPORTED TO ALLEN BENNETT BY WAY OF RESCUE 21. PRONOUNCED IN THE ED.
2. MOTHER WAS PRESENT IN THE ED. INTERVIEWED MOTHER. ACCORDING TO MOTHER, SHE HAD GOTTEN OFF WORK AT 4 AM FRIDAY, JULY 4, 1997. SHE PICKED THE BABY UP AT A BABY-SITTER'S HOUSE AND WENT HOME. STATED THEY AWOKE ABOUT 1:30 PM. AFTER FEEDING THE BABY, SHE FILLED HER TUB WITH WATER, PUT A BATHING RING (TO BE DESCRIBED LATER) INTO THE TUB AND SECURED IT WITH THE SUCTION CUPS ON THE BOTTOM OF THE BATHING RING. SHE PUT THE BABY INSIDE THE RING. SHE LEFT THE BABY UNATTENDED FOR "NO MORE THAN 5 MINUTES". SHE LEFT TO GO FIX WATER TO BOIL BABY BOTTLES IN THE NEARBY KITCHEN. SHE RETURNED TO FIND THE BABY STILL IN THE RING ALTHOUGH IN A DIFFERENT POSITION. BABY WAS NOW LAYING ON ITS SIDE WITH ITS HEAD PARTIALLY SUBMERGED IN WATER AND A FROTHY MATERIAL COMING OUT OF ITS NOSE AND MOUTH. SHE TOOK THE BABY OUT AND WENT INTO HER BEDROOM. STARTED MOUTH TO MOUTH AND ALSO CALLED 911. STATED THE CHILD WAS IN GOOD HEALTH PRIOR TO THIS. HAD SOME TYPE OF INFECTED BRONCHI AROUND CHRISTMAS TIME AND HAD KEPT A COLD EVERY SINCE. THE LAST CHECK-UP WAS AT 6 MONTHS OF AGE BY DR. SUSAN ^{W. OLMER} OLMER AT THE CHILDRENS MEDICAL CENTER IN SIMPSONVILLE. THE FATHER IS WILLIAM MEADOWS. HE DOES NOT LIVE IN THE HOUSE AND HE AND THE MOTHER ARE NOT MARRIED.

CORONER
INVESTIGATOR

Attachment 2
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SPARTANBURG COUNTY
CORONER'S INVESTIGATIVE NOTES

NAME [REDACTED]

PAGE 3 OF

3. INFORMATION ON THE MOTHER: DOB 2/21/69. SSN 248-49-1540. HIGH SCHOOL GRADUATE. TWO YEARS OF COLLEGE. EMPLOYED AT SAGEM INC., PELHAM RD., GREENVILLE, SC. SHE IS A MACHINE OPERATOR. THEY APPARENTLY ASSEMBLE SOME TYPE OF FUEL PART FOR THE BMW PLANT.
4. WENT TO INCIDENT LOCATION WHICH WAS BEING SECURED BY GREER PD. THE APARTMENT SEEMED IN GOOD REPAIR. CLEAN, FOOD WAS PRESENT. ALL THE NORMAL CHILDREN'S TOYS WERE ALSO PRESENT. CLOTHING WAS PRESENT. THE BATHTUB STILL HAD THE WATER IN IT. I TOOK MEASUREMENTS. AT THE DEEPEST END OF THE BATHTUB IT WAS 5 INCHES DEEP. ON THE SHALLOW END IT WAS 4 INCHES DEEP. IN THE MIDDLE WHERE THE RING WAS PLACED IT WAS APPROX. 4 INCHES DEEP. AFTER THE RING HAD BEEN SECURED TO THE BOTTOM OF THE TUB THERE WAS STILL A WATER ~~LEVEL~~ BETWEEN THE BOTTOM OF THE SEAT AND THE TOP OF THE WATER LEVEL THAT MEASURED 2 3/4 INCHES TO THE BOTTOM OF THE SEAT TO THE WATER LINE. THIS IS A VERY SMALL BATHROOM. I WOULD RE-INTERVIEW THE MOTHER WHO TOLD ME SHE DID NOT HEAR ANY NOISES COMING FROM THE BATHROOM DURING HER ABSENCE. THERE WAS NO DISTRACTION IN THE APARTMENT. THAT IS, NO STEREO, NOR TV WERE PLAYING. MOTHER STATED THE CHILD WAS AT THE AGE OF DEVELOPMENT WHERE SHE WAS PULLING HERSELF UP ON OBJECTS. SHE WAS ABLE TO HOLD HERSELF UPRIGHT.
6. AUTOPSY WAS DONE THE NEXT DAY. THE MEASUREMENTS FOR THE HEAD TO BE FULLY SUBMERGED WOULD HAVE TAKEN 4 3/4 INCHES OF WATER. FOR THE HEAD TO HAVE BEEN HALF WAY SUBMERGED WHICH IS THE WAY THE MOTHER DESCRIBED

CORONER
INVESTIGATOR

Attachment 2
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SPARTANBURG COUNTY
CORONER'S INVESTIGATIVE NOTES

NAME _____

PAGE 4 OF _____

HOW SHE FOUND THE CHILD, IT WOULD HAVE TAKEN 2 1/2 INCHES TO HAVE THE NOSE UNDERWATER.

7. DESCRIPTION OF THIS RING I KEEP TALKING ABOUT IS IT'S ROUND, IT'S MADE OUT OF HEAVY PLASTIC MATERIAL, IT HAS SUCTION CUPS ON THE BOTTOM THAT ARE SECURED TO THE BOTTOM OF THE BATHTUB. THERE ARE TWO LEG OPENINGS FOR THE CHILD TO BE PLACED IN AND HAVE THE LEGS STICKING OUT. THERE IS A RING ON TOP FOR THE CHILD TO HOLD ONTO AND IT HAS BEADS FOR THE CHILD TO PLAY WITH. MOTHER SAID WHEN SHE LEFT THE CHILD IT WAS SITTING UPRIGHT WITH BOTH LEGS OUT THE APPROPRIATE OPENINGS. WHEN SHE RETURNED, THE CHILD HAD SLID DOWN INTO ONE LEG OPENING. BOTH LEGS WERE THROUGH THE SAME OPENING. CHILD WAS ON ITS RIGHT SIDE WITH THE RIGHT ARM STICKING THROUGH ANOTHER SECTION OF THE DEVICE WITH ITS HEAD LYING TO THE SIDE AND PARTIALLY SUMMERGED IN THE WATER. THE ONLY INFORMATION I COULD FIND AS FAR AS THE MANUFACTURER OR NAME IS THE FOLLOWING INFORMATION: MADE IN USA. ~~WET-DRY~~, COPYWRITE 1989 SAFETY 1 ST. INC. ~~WET-LINE-ED-8AS~~, ALL RIGHTS RESERVED. ~~WET-LINE-IT-8AS~~, US PAT. 5,010,606 AND 5,158,460.
8. AUTOPSY IS PENDING MICROSCOPIC STUDIES. SPARTANBURG COUNTY DSS WAS CALLED TO THE SCENE BY GREER PD. ATTEMPTS TO GET IN TOUCH WITH THE SOLICITOR'S OFFICE WERE UNSUCCESSFUL DUE TO THE HOLIDAYS. ON MONDAY, 7/7/97, I CALLED THE SOLICITOR'S OFFICE AND THEY WERE AWARE OF THE SITUATION. GREER PD HAD ALREADY CALLED. I THINK THEY ARE WAITING ON

CORONER _____

INVESTIGATOR _____

Attachment 2
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SPARTANBURG COUNTY
CORONER'S INVESTIGATIVE NOTES

NAME _____

PAGE 5 OF _____

AUTOPSY AND OUR INVESTIGATION BEFORE MAKING A DECISION. SPARTANBURG COUNTY ID CAME OUT AND PHOTOGRAPHED THE SCENE. GREEK PD TOOK POSSESSION OF THIS BATHING RING.

9. FULL BODY X-RAY DONE AT AUTOPSY SHOWED NO BROKEN BONES, OLD OR NEW ON THE BABY.

- 10. Mailed copy of file to Gen P.D. - Det. Brown - 7/19/97 *PC*
- 11. Mailed copy of file to Richd. Hunter, SLED. 7/19/97 *PC*
- 12. Mailed copy of file to Rusty Clewinger - Sli office - 8/13/97 *PC*

CORONER

INVESTIGATOR *[Signature]*

Attachment 2
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**SLED LABORATORY
FORENSIC SERVICES REQUEST**

(Use helpsheet on and page four. List of
instruments except where signature is required.)

Barb Case

Form 1-1988
Revised 1-1990
Purchase Order
May Be Used

Requesting Office: State of South Carolina
 Address: State of South Carolina
 City: SC State: SC Zip: 29202
 Telephone Number: 5942509
 Incident Date: 7-8-97
 Requesting Agency: Carroll
 Agency Case No.: CP7-7332
 County: Spartanburg

Subject # 1 Sex: M Race: W DOB: 11-11-68
 Last Name: [REDACTED] First Name: [REDACTED] Middle Name: [REDACTED]
 Subject # 2 Sex: M Race: W DOB: 11-11-68
 Last Name: [REDACTED] First Name: [REDACTED] Middle Name: [REDACTED]
 Subject # 3 Sex: M Race: W DOB: 11-11-68
 Last Name: [REDACTED] First Name: [REDACTED] Middle Name: [REDACTED]
 Subject # 4 Sex: M Race: W DOB: 11-11-68
 Last Name: [REDACTED] First Name: [REDACTED] Middle Name: [REDACTED]

Could any subjects or victims have the following: (Anch) AIDS VD Hepatitis Tuberculosis TB LHA

Comments: _____
 Cause of Death: Accidental Death
 (A) Suicidal (B) Stabbing (C) Shooting (D) Strangulation (E) Drug/Poison (F) Alcohol (G) Carbon Monoxide (H) Fire (I) Hanging (J) Electrocution
 (K) Heart Related (L) Choking (M) Other: Asphyxiation
 Antecedent Activity: (A) Driver (B) Pedestrian (C) Motorcyclist (D) Bicyclist (E) Passenger (F) Stranded/Straying
 Type of Death: (A) Drug (B) Drowning (C) Injury (D) Laceration (E) Other

FOR TECHNICALY details (Circle Appropriately)
 DLI: Palmy DLI Was a Breath Test given? Yes No If Yes, Reading: _____
 Number of Specimens Submitted: Blood 1 Urine _____ Other 1
 Examination Requested: Blood Alcohol Drug Screen CO Blood Type Other _____
 Drugs Suspected: Yes No List Drugs: _____

FOR BLOOD/TOXIC SCREENING/SCREENING CASES: (Circle Appropriately)
 Was the subject(s) bleeding? Yes No Unknown Have any of the victims / subjects been transfused in the last 120 days? Yes No Unknown
 Crime occurred: Suspect's residence Victim's residence Suspect's vehicle Victim's vehicle Other _____
 Was a weapon involved? Yes No Unknown Type of weapon: _____
 Have standards from all possible bloods or body fluid donors been submitted? Yes No Unknown Comments: _____

Submission of victim and suspect specimens is necessary before complete analysis of _____
 THE ITEMS SUBMITTED WILL BE EXAMINED WITH YOUR ASSURANCE THAT THE SUBMITTED SPECIMENS HAVE
 ANY OTHER LABORATORY FOR TECHNICAL OR SCIENTIFIC EXAMINATION THIS STATE MUST BE READ BY OFF
 Attachment 2
 IDI 980116CCC1997
 8978 6 of 20
 Signature of Delivering Officer: [Signature]

**SOUTH CAROLINA LAW ENFORCEMENT DIVISION
FORENSIC SERVICES LABORATORY REPORT**

DAVID M. BEASLEY
OF "EMPOW"



ROBERT M. STEWART
CHIEF

TOXICOLOGY DEPARTMENT

July 25, 1997
SLED Lab No: L9708378
Your Case No: C977332
Incident Date: July 04, 1997

Randy Smith
Spartanburg County Coroner's Office
366 N. Church Street
Spartanburg, SC 29303

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of personnel or evidence submitted in this case has been or will be conducted by any other laboratory or agency.

Robert M. Stewart, Chief
South Carolina Law Enforcement Division

TYPE OF EVIDENCE:

Item 1: Blood labeled [REDACTED]

RESULTS:

Negative blood alcohol found (blood alcohol less than 0.01%).

Negative screen for Acetaminophen.
Urine threshold 10.0 mg/L; blood threshold 10.0 mg/L.

Negative screen for Barbiturates.
(Secobarbital et al.)
Urine threshold 0.2 mg/L; Blood threshold 2.0 mg/L.

Negative screen for Benzodiazepines.
(Oxazepam, nordiazepam, et al.)
Urine threshold 0.2 mg/L; blood threshold 0.05 mg/L.

Negative screen for Cocaine and/or Cocaine metabolites.
(Cocaine, benzoylecgonine, et al.)
Urine threshold 0.3 mg/L; blood threshold 0.3 mg/L.

AUG 6 1997



4416 Broad River Road, P. O. Box 21398, Columbia, South Carolina 29221-1398

Attachment 2
IDI 980116CCC1997
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Negative screen for Opiates.
(Morphine, codeine, et al.)
Urine threshold 0.2 mg/L; blood threshold 0.2 mg/L.

Negative screen for Salicylates.
Urine threshold 50.0 mg/L; blood threshold 50.0 mg/L.

Negative screen for Tricyclic Antidepressants.
(Imipramine, amitriptyline, et al.)
Urine threshold 0.075 mg/L; blood threshold 0.075 mg/L.

Item 2: Ocular fluid

RESULTS:
Negative for ethanol in ocular fluid.

Forensic Toxicologist



Grayson D. Amick, Ph.D.

7/31/97

Date Signed

SLEA

Location

Date Completed: 9-23-97

GDA/kha

Biological specimens processed for testing which are not consumed during analysis will be maintained for 365 days from the initial log-in date and then destroyed unless otherwise notified.

Attachment 2
IDI 980116CCCC1997
8978 8 of 20



4416 Broad River Road, P. O. Box 21398, Columbia, South Carolina 29221-1398 Phone (803) 896-7300

TO: OFFICE OF THE CORONER
SPARTANBURG COUNTY, S.C.

RE: YAMINE GIST

FROM: DR. D. W. WEAVER

AUTOPSY NO. A-184-99

DATE OF DEATH 7-4-99

SUBJECT: CAUSE OF DEATH

IN ORDER TO EXPEDITE THE SIGNING OF DEATH CERTIFICATES WITH ACCURATE CAUSES OF DEATH, THE INFORMATION BELOW IS SUBMITTED FOR YOUR CONVENIENCE. IF AN AUTOPSY IS PERFORMED, A DETAILED REPORT WILL FOLLOW IN THE NEAR FUTURE.

IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE A.B.C.)	
PART I	A. <u>Pending Autopsy</u>
	DUE TO OR AS A CONSEQUENCE OF:
	B. _____
	DUE TO OR AS A CONSEQUENCE OF:
	C. _____
PART II OTHER SIGNIFICANT CONDITIONS:	

DATE: 7-5-99

SIGNATURE: [Signature] M.D.

UNUS 4434U

WHERE THE INCIDENT OCCURRED

HOME WORK SCHOOL OTHER

TYPE OF INCIDENT

FALL STRIKE OTHER

LOCATION

HOME WORK SCHOOL OTHER

TYPE OF MEDICAL SERVICE

FIRST AID FIRST AID FIRST AID

TO SCENE (100) **ON SCENE (100)** **FROM SCENE (100)**

1 2 3

DATE 12/12/12 **TIME** 7:30

INJURY

HEAD NECK CHEST BACK

LIMBS OTHER

DESCRIPTION OF INJURY

1. ... 2. ... 3. ...

PERSONNEL

...

EQUIPMENT

...

INCIDENT REPORT

DATE 12/12/12 **TIME** 7:30

REPORTER ...

DESCRIPTION ...

Handwritten notes:

... was working late down CA ...

... was injured ...

... report to ...

ADDITIONAL INFORMATION

DATE 12/12/12 **TIME** 7:30

REPORTER ...

DESCRIPTION ...

ATTACHMENT 2

IDI 980116CCC1997

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Supplemental Report of Cause of Death
Office of Vital Records and Public Health Statistics

July 16, 1997

Death Certificate No.:

(State Office Use Only)

Name of Deceased: [REDACTED] Age: 7 ACS

Date of Death: 7-4-97 County of Death: Greenville Sex: F Race: B

Reason for supplemental information:

- Autopsy Findings.
- Additional information for Classifying Cause of Death.
- Other, specify: TOXICOLOGY RESULTS.
- Cause of Death Pending on Original Certificate. Requested by physician/coroner/medical examiner.
- Manner of death and/or accident information.

Time of Death 3:20	Date of Death (Month, Day, Year) 7-4-97	Was death reported to medical examiner/coroner (Yes or No) YES
I hereby certify that the information furnished on this report is true and correct to the best of my knowledge and belief, and that I am a duly qualified medical examiner or coroner, or health officer, as defined in the laws of this State.		
Cause of Death: <u>POISONING - UNIDENTIFIED</u>		
Manner of Death: <u>UNIDENTIFIED</u>		
I hereby certify that the information furnished on this report is true and correct to the best of my knowledge and belief, and that I am a duly qualified medical examiner or coroner, or health officer, as defined in the laws of this State.		
I hereby certify that the information furnished on this report is true and correct to the best of my knowledge and belief, and that I am a duly qualified medical examiner or coroner, or health officer, as defined in the laws of this State.		Autopsy (Yes or No) YES
I hereby certify that the information furnished on this report is true and correct to the best of my knowledge and belief, and that I am a duly qualified medical examiner or coroner, or health officer, as defined in the laws of this State.		If this case, autopsy, inquest, or coroner's inquest is requested by physician/coroner/medical examiner (Yes or No) YES
I, <u>[Signature]</u> , <input checked="" type="checkbox"/> Medical Examiner <input type="checkbox"/> Coroner <input type="checkbox"/> Health Officer	Date of Report (Month, Day, Year) 7-4-97	Signature of Medical Examiner, Coroner, or Health Officer <u>[Signature]</u>

* Additional Information Requested:

With completion of the autopsy/investigation, please provide us with the Cause of Death, and Manner of Death (item 29).
 If the death was traumatic, then also complete items 30a-30f above.

[Signature] 8-12-97
 Signature and Title of Certifying Officer Case Signed

JUL 21 1997

R. P. Smith, Coroner's Investigator
 366 N. Church Street
 Spartanburg SC 29303

(State Office Use Only)

Death certificate:
 Section 1016 Attachment 2
 IDI 980116CCC1997
 8978 15 of 20

ROOM

ADDRESS

MEMORANDUM

TO: *Dr. WREN*

FROM: *Dr. [unclear]*

DATE: *7-4-79*

RE: *[unclear]*

MEMORANDUM	NO.
DATE	FILED
BY	CLASS.
	PREP.
	APP.
	S/P
	C

ok to release

copy to [unclear]

1547 [unclear]

NAME & LAST

ADDRESS

CITY

STATE

ZIP

DATE

TIME

REASON

PHYSICIAN

CLASS

DATE

FILED

BY

PREP.

APP.

S/P

C

ATTACHMENT 2

IDI 980116CCC1997

8978 16 of 20

ADMISSION NO.	ADMISSION DATE/TIME	NO.	DATE OF BIRTH	AGE	SEX	RACE	ETHNIC	RELIGION	EDUCATION	PROFESSION	STATUS	ADMISSION TYPE	ADMISSION SOURCE
723	07/04/77 1319	02	11/04/34	74	F	W							
DR. YAMINE K 430 P. ANDERSON HAVEN DR 723-22-9999 SC 29400 (844) 280-0404													

PHYSICIAN'S COPY

**SPARTANBURG REGIONAL MEDICAL CENTER
AUTOPSY REPORT**

A-124-97 [REDACTED] 7 MONTHS SEX: FEMALE RACE: BLACK
SMMC MEDICAL RECORD #47-67-62
CORONER/SMITH
DR. J. D. WREN, PATHOLOGIST
DATE OF AUTOPSY: 7/5/97 @ 8:00AM DATE OF DICTATION: 7/5/97
DATE OF TRANSCRIPTION: 7/7/97

BRIEF HISTORY: This history was provided by Spartanburg County Coroner's Investigator, Mr. Randy Smith. According to Mr. Smith, this 7 month old black female infant was reportedly left unattended in a bathtub by her mother. She was supposedly in some type of play apparatus and when the mother returned, the infant was unresponsive with frothy fluid coming from the nose and mouth. Resuscitation attempts were unsuccessful.

DESCRIPTION OF CLOTHING: The decedent is unclothed. There is an IV in place in the right gluteal region, and an orotracheal tube is taped in place in the mouth. EKG patches are present on the upper chest bilaterally and the left lateral flank region.

EXTERNAL DESCRIPTION: This is the body of a well developed, well nourished black female infant appearing stated age with a crown-heel length of 69.0 centimeters, crown-rump length 48.0 centimeters, chest circumference 43.4 centimeters, and head circumference 44.7 centimeters. The approximate weight is 9,185 grams. There is mild fixed rigor mortis of the extremities, and there is posterior minimally blanching livor mortis with pressure blanching about the hips and upper posterior back. The decedent has a full head of short curly black hair with no palpable skull trauma or asymmetry with the anterior fontanel soft. Inspection of the eyes reveal the irides to be dark brown in color with the pupils bilaterally fixed to 3.0 millimeters with pale sclerae and with a single pinpoint petechial hemorrhage along the lateral-lower right lid. The nose and ears are unremarkable. Inspection of the mouth reveals the lower two front central incisors to be recently erupted, and there are no mucosal lesions with drying artifact of the external lip. The neck is unremarkable. Inspection of the chest and abdomen reveals no obvious injuries to be present with very slight umbilical hernia and with the abdomen tense. The decedent has normal female infant genitalia. The back is unremarkable. Inspection of the upper and lower extremities reveals an attempted IV puncture wound present along the right anterior ankle region.

INTERNAL DESCRIPTION: The body is opened with a standard crutch shaped incision to reveal no injuries to the soft tissues of the thorax, abdomen, or strap muscles of the

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neck with the hyoid bone intact. Removal of the chest plate reveals the visceral organs to appear edematous and congested with no excess accumulations of fluid within respective body cavities. The lungs have a bilateral dark blue mottled appearance. There are very focal petechial hemorrhages of the thyroid gland and epicardium.

DESCRIPTION OF ORGAN SYSTEMS

THYROID: The thyroid weighs only approximately 3 grams with homogeneous brownish granular cut surfaces with a small 0.5 centimeter diameter lymph node visible on the inferior border of the left lobe.

THYROID: The thyroid gland is grossly enlarged weighing 62 grams with focal petechial hemorrhages on the otherwise congested pinkish tan surfaces. Sectioning reveals similar congestion but no masses.

CARDIOVASCULAR SYSTEM: The heart is mildly dilated weighing 53 grams with coronary arteries arising in their normal location. Valves and valve cusps appear normal with no septal defects noted. Sectioning of the myocardium reveals congested cut surfaces without abnormalities. The aorta is unremarkable with the ductus arteriosus closed.

RESPIRATORY SYSTEM: There is a small amount of liquid clear fluid remaining within the trachea and peripheral bronchi bilaterally. The right and left lungs weigh 86 and 65 grams, respectively, with very little aerated spaces visible with otherwise dark blue firm mottled pleural surfaces. Sectioning reveals similar dark blue congested cut surfaces with the majority of the lung sinking when immersed in formalin. No masses are present.

GASTROINTESTINAL SYSTEM: The esophagus is unremarkable. The stomach contains less than 2 ounces of reddish brown granular appearing material admixed with watery fluid with a very slight fruity odor. No lesions are identified. The remainder of the GI tract appears to be within normal limits with the appendix present.

LIVER AND GALLBLADDER: The liver has a smooth brownish tan surface weighing 425 grams. Sectioning reveals no masses to be present. The gallbladder contains less than 5 cc's of greenish bile without mucosal lesions.

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PANCREAS: There appears to be agonal congestion of the pancreas which weighs approximately 10 grams with no masses on sectioning.

SPLEEN: The spleen has a tense dark blue capsule weighing 45 grams with small easily discernible Malpighian corpuscles on sectioning.

ADRENAL GLANDS: Collectively, the adrenal glands weigh less than 4 grams with normal appearing cut surfaces.

URINARY SYSTEM: The right and left kidneys weigh 30 and 32 grams, respectively, with easily stripable capsules, persistent fetal lobulations, and congested smooth costal surfaces. There is congestion on sectioning but no masses. The ureters are unremarkable. The bladder contains no appreciable urine with no mucosal lesions.

INTERNAL GENITALIA: Normal female infant except there are small serous filled cysts within the ovaries bilaterally each less than 0.5 centimeters in diameter.

LYMPHOID SYSTEM AND BONE MARROW: There are prominent lymph nodes within the mesentery as well as the described possible lymph node in the left subthyroid region. No other lymph nodes are identified. The bone marrow is unremarkable.

CENTRAL NERVOUS SYSTEM: Reflection of the scalp reveals no hemorrhages or contusions with focal mildly congested soft tissue. The calvarium is intact. There are no epidural, subdural, or subarachnoid hemorrhages with no vascular lesions or aneurysms noted. There does appear to be focal very mild subarachnoid congestion. The brain weighs 900 grams with no masses on sectioning.

EXAMINATION OF EYES: The eyes are enucleated and examined for retinal hemorrhages with no hemorrhages identified.

SPECIAL STUDIES: Blood was removed for toxicology screen with brain and liver tissue sampled and frozen. Vitreous humor was also saved for possible reference, if necessary.

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FINAL SUMMARY: This autopsy was done at the request of and after the authorization of the Spartanburg County Coroner's Office in the SRMC Autopsy Room on 7/3/97 beginning at approximately 8:00AM.

Postmortem examination and autopsy of the body of Yasmine K. Gist, 7 month old black female, revealed no external or internal injuries to be present. The only findings at autopsy of significance were a single petechial hemorrhage of the right lower eyelid, very mild petechial hemorrhages of the thymus and epicardium, and severely congested heavy boggy lungs bilaterally which did not float when immersed in formalin. At autopsy, no significant ~~diagnostic~~ grossly identifiable grossly. Body fluids removed at autopsy were forwarded to the Coroner for toxicological examination.

Based on the history and autopsy findings as stated in this protocol, it is my opinion that this individual died as the result of respiratory insufficiency secondary to immersion in water (drowning). The manner of death is under investigation by the Coroner's Office.

FINAL NECROPSY DIAGNOSES

- 1) Bilateral acute aspiration of watery into peripheral lungs and stomach, mild grossly.
- 2) Bilateral severely congested boggy lungs with acute intra-alveolar hemorrhage.
- 3) Petechial hemorrhage of right lower eyelid and mild petechial hemorrhages of thymus and epicardium of heart.
- 4) Visceral congestion, generalized.
- 5) Patchy subarachnoid congestion of brain.

J. David Wren 7/3/97
J. David Wren, MD, Ph.D.
Pathologist

JDW/lsw

Spartanburg Regional Medical Center (444-462)

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IDI 980116CCC1997

PHOTOGRAPHS 1-6

MAILED SEPARATELY TO SUZANNE NEWMAN, EHDS

ATTACHMENT 3
IDI 980116CCC1997
8978

Helen Cash
pl/fh
10/12/97

G.I.
B. du
B. du
D.D.

jm

ACCIDENT INVESTIGATION REQUEST FORM

1-20-98

Document Number 9745017310

Date of Incident 7/4/97

Category I.D. SECTER 1998

Follow-Up Requested

Should Analysis

Section 15

Type Follow-Up Requested

Telephone Call

or

On-site

Headquarters Contact

RR Rauchschnabel

Assignment Message

So possible, interview survivors of victims to determine if a bath seat or other bath aid was in use. If so, do on-site. If not, abbreviate I.D.I.

1-26

Person(s) to Contact

Personnel - Contact Officials Only
Officials - Contacting Next of
Survivors Kin Not Permitted
- Page Victim's Name & Address.

Guideline

Requested by RR

Task Number

980116CCC 1997

Assigned to

NYC2

Date

11/16/98

Renee 45

TYPE OF DEATH OR CAUSE OF DEATH

STATE OF SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CERTIFICATE OF DEATH 97 017310

37-10-40173 Female 2997 01/6/1996 Greenville, SC

MR Allen Bennett Hospital GREENVILLE

S. J. GREENVILLE

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Vertical text on the left margin, including "Gust Vasquez" and other illegible markings.

Respiratory Insufficiency
M.C. 27 B-14-97 as per Coroner Investigator

07-04-97 2:39 P. Drowned in bath tub 42/39

420 F. Madison Street Dr. Greenville, S.C.

Cynthia Henderson

Jul 14 1997

980116 CCC 1997



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

January 6, 1998

Ms. Linda Jacob
Program Administrator
South Carolina Dept. of Health
Environmental Control, DEC
Columbia, S.C.

Dear Ms. Linda Jacob:

As per our agreement with your office, we are requesting permission to follow up on an accident reported to us through the Death Certificate Reporting Program. We will be contacting only the officials directly involved in investigating this accident and will not contact any next of kin. If you have no objection to our conducting this follow up, please indicated on this memo and fax it back to us. We appreciate your assistance in providing the Commission with this information

D. O. D.
July 4, 1997

Certificated #
97017310

~~Product~~

Sincerely,

[Handwritten signature] *TO*

Soon Dorr
Program Analyst
Consumer Product Safety Commission
1-800-638-8095 ext.2247
Fax 1-800-809-0924

*Approved
1/10/98*

TOTAL P.02

TOTAL P.01

27 JUN 1997

EHDS

Q

1. CASE NO. 69710237 970129CCN0298	2. INVESTIGATOR'S ID [8][1][6][9]	3. OFFICE CODE [8][3][0]	EPIDEMIOLOGIC INVESTIGATION REPORT
4. DATE OF INCIDENT YR MO DAY [9][7][0][3][1][2]	5. DATE INVESTIGATION INITIATED [9][7][0][3][2][4]		

6. SYNOPSIS OF INCIDENT OR COMPLAINT
 A 9 months old male drowned in a bathtub at his home when he was apparently able to get out of the infant bath seat in which he had been placed.

7. LOCATION (Home, school, etc.) home [1][0]	8. CITY Huntington	9. STATE Indiana
---	-----------------------	---------------------

10A. FIRST PRODUCT bath seat [1][5][6][7]	11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER Safety first Chestnut Hills, MASS
10B. SECOND PRODUCT none [0][0][0][0]	11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS none

12. AGE OF VICTIM [2][0][9]	13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 [1] UNKNOWN - 3	14. DISPOSITION fatality [8]	15. INJURY DIAGNOSIS anoxia [6][5]
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16. BODY PART all [5][9]	17. RESPONDENT(S) (Mother, Friend) mother, police [1]	18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [1] OTHER - 3	19. TIME SPENT Hours [][4][][] Travel [0][6][][]
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20. ATTACHMENTS police rpt [5]	21. CASE SOURCE [0][7]	22. REVIEWED BY [][][][] [][][][][][] 8311 970623
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23. PERMISSION TO DISCLOSE NAMES
 (NON-NESS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [X]

24. NARRATIVE (See instructions)	25. REGIONAL OFFICE DIRECTOR REVIEW DATE
----------------------------------	--

MFR/PRVLR NOTIFIED June 24/98
 No Comments made
 Comments attached
 Excisions/Revisions
 Firm has not requested
 further notice

970129CCN0298

SUMMARY

Apparently, a healthy, active 9 month old male drowned in a bathtub at his home after he was able to climb out of a bathseat. Police report states that the mother said that the bathtub was filled full and the victim was placed in the seat inside the tub. The report indicates that the mother then left the bathroom to do some other things, and that she returned to the bathroom about 5 minutes later to find the victim out of the seat and lying on his side in the tub of water. The report indicates that the mother removed the victim from the bathtub and carried him to the living room. The report indicates that she called 911 and began CPR. Report indicates that Emergency Medical Personnel continued CPR and transported the victim to Huntington Memorial Hospital, where he was pronounced dead.

PRODUCT IDENTIFICATION

Police report indicates that there was no brand name on the bathseat but that it did have a warning label stating "DROWNING MAY OCCUR IF CHILD IS LEFT UNATTENDED." Police Captain Shane Bickel said that he thought that the seat also bore an embossed label "Safety 1st", but he wasn't sure. Police personnel also photographed the seat using a digital camera. Capt. Bickel said that the photographs were not available at the time of this visit due to an equipment problem, but would be available within "a few days". Copies of those photos have been requested. Capt. Bickel said that the seat was equipped with "suction cups" which held the seat to the tub. He said that the seat was upright at the accident scene and that the suction cups apparently performed properly in that they did not separate from the seat and also adhered firmly to the bottom of the tub. He said that a police officer had to slide the seat "up the back of the tub" to remove the seat from the tub. At the time of this investigation, the bathseat was in the possession of the Huntington County (IN) Coroner. Coroner was not in his office during visits on two consecutive days. His staff declined to permit this investigator to view and photograph the bathseat in the coroners absence.

The victims' mother said that she wasn't sure where the seat had been purchased but thought that it was gotten at a Wal-mart store or a Target store.

970129CCA0298

Date: 03/12/97
Time: 16:04

HUNTINGTON POLICE DEPARTMENT
Incident Report Summary

By: S BICKEL

For Incident Number: [REDACTED]
Classification: 09902 NATURAL DEATH

Reporting Officers: 118 RICHARD/WILLIAM/L/ Reported-On: 14:29 12/22/1996

Occurred-On: 14:29 12/22/1996 Occurred-Between: / / Day: SUN

Address: [REDACTED] Apt: [REDACTED]
City/State: HUNTINGTON/IN Zip: 46750 Dist: [REDACTED]

In-Progress: N Attempt: N Det. Called: N Str. Visible: N Daylight: Y

Premises: SINGLE RESIDENCE Weapon: NOT ENTERED

Tool: NOT ENTERED Larceny: NOT ENTERED

Value-Prop-Damaged: 0 Domestic-Assault: N

ARSON:(Type-Structure: 00 Abandoned-Structure: N Mobile-Property: N)

Closure: POLICE PROCEDURES COMPLETED Closure-Date: 12/22/1996

Officer-Assigned: 103 BICKEL/SHANE/R/ Ass. Date: 12/22/1996

-----Name Records for Incident: 96-002209-----

1. [REDACTED] Age: 27
SSN: [REDACTED] R/S: W/M Dob: 07/30/1969
Inv: COMPLAINANT Vor: [REDACTED]
Addr: [REDACTED] Injury: [REDACTED]
City/State: HUNTINGTON/IN Zip: 46750 Home: [REDACTED]
Employer: [REDACTED] Hrs: [REDACTED] Bus.: [REDACTED]

2. [REDACTED] Age: 24
SSN: [REDACTED] R/S: W/F Dob: 05/16/1972
Inv: COMPLAINANT Vor: [REDACTED]
Addr: [REDACTED] Injury: [REDACTED]
City/State: HUNTINGTON/IN Zip: 46750 Home: [REDACTED]
Employer: HOUSEWIFE Hrs: [REDACTED] Bus.: [REDACTED]

3. [REDACTED] Age: 0
SSN: [REDACTED] R/S: W/M Dob: 03/06/1996
Inv: VICTIM Vor: UNKNOWN (UNABLE TO DETERMINE)
Addr: [REDACTED] Injury: FATAL INJURY
City/State: HUNTINGTON/IN Zip: 46750 Home: [REDACTED]
Employer: [REDACTED] Hrs: [REDACTED] Bus.: [REDACTED]

970129 LCN 0298

Date: 03/12/97
Time: 16:04

HUNTINGTON POLICE DEPARTMENT
Incident Report Summary

Page: 2
By: S BICKEL

For Incident Number: [REDACTED]
Classification: 09902 NATURAL DEATH

-----Name Records for Incident: [REDACTED]-----

4. [REDACTED]	Age: 43
SSN: [REDACTED]	Dob: 08/07/1953
Inv: WITNESS	
Addr: [REDACTED]	
City/State: FORT WAYNE/IN	
Employer: [REDACTED]	
R/S: W/M	
Vor:	
Injury:	
Zip: 46804	
Hrs:	
Home: [REDACTED]	
Bus.: [REDACTED]	

5. [REDACTED]	Age: 31
SSN: [REDACTED]	Dob: 04/02/1965
Inv: WITNESS	
Addr: [REDACTED]	
City/State: HUNTINGTON/IN	
Employer: [REDACTED]	
R/S: W/M	
Vor:	
Injury:	
Zip: 46750	
Hrs:	
Home:	
Bus.: [REDACTED]	

6. [REDACTED]	Age: 0
SSN: [REDACTED]	Dob: / /
Inv: INVOLVED	
Addr: [REDACTED]	
City/State: HUNTINGTON/IN	
Employer: [REDACTED]	
R/S: W/M	
Vor:	
Injury:	
Zip: 46750	
Hrs:	
Home: [REDACTED]	
Bus.: [REDACTED]	

7. [REDACTED]	Age: 54
SSN: [REDACTED]	Dob: 12/16/1942
Inv: INVOLVED	
Addr: [REDACTED]	
City/State: HUNTINGTON/IN	
Employer: [REDACTED]	
R/S: W/M	
Vor:	
Injury:	
Zip: 46750	
Hrs:	
Home: [REDACTED]	
Bus.: [REDACTED]	

8. [REDACTED]	Age: 43
SSN: [REDACTED]	Dob: 08/12/1953
Inv: INVOLVED	
Addr: [REDACTED]	
City/State: HUNTINGTON/IN	
Employer: SELF	
R/S: W/M	
Vor:	
Injury:	
Zip: 46750	
Hrs:	
Home: [REDACTED]	
Bus.: [REDACTED]	

-----Unknown Subjects/Suspects for Incident: 96-002209-----
 -----Property Records For Incident: [REDACTED]-----
 -----Vehicle Records For Incident: [REDACTED]-----

970 129 CCW 0298

Date: 03/12/97
Time: 16:04

HUNTINGTON POLICE DEPARTMENT
Incident Report Summary

Page: 3
By: S BICKEL

For Incident Number: [REDACTED]
Classification: 09902 NATURAL DEATH

ON THIS DATE OF 12/22/96 THIS OFFICER ALONG WITH OFFICER M. SLAGEL WERE SENT TO THE [REDACTED] ADDRESS REF. A CHILD THAT WAS THOUGHT TO BE DROWN IN A BATHTUB. THE CALL CAME FROM THE CHILDS MOTHER [REDACTED] WHO HAD STATED THAT THE BABY IS 10MONTHS OLD AND IS BLUE. HMM WAS NOTIFIED AND ALSO FIRST RESPONDERS. AS THIS OFFICER AND OFFICER SLAGEL ARRIVED THE MEDICS EMT'S WERE THERE WORKING ON THE BABY BRANDON SHUMAKER AND THE FIRE DEPT. FIRST RESPONDERS ALSO WERE ON THE SCENE. THERE WAS CPR BEING DONE ON THE YOUNG BOY AND AT THIS TIME WHEN THESE OFFICER ARRIVED THE BOY WAS IN A LIVING ROOM AREA JUST SOUTH OF THE BATHROOM WERE THE BOY HAD BEEN LEFT IN THE BATHTUB. THE MOTHER HAD REMOVED THE BABY FROM THE TUB WHEN SHE FOUND THAT THE BOY HAD FELL OUT OF A BATHING SEAT PLACED IN THE BATHTUB FULL OF WATER. IT APPEARED THAT THE THE BABY HAD FELL INTO THE WATER AND DROWN POSSIBLY REACHING FOR A TOY IN THE TUB. THE MOTHER THOUGHT THAT SHE HAD LEFT THE CHILD UNATTENDED FOR APPROX. 5 MINUTES BEFORE SHE FOUND THE BABY IN THE WATER ON ITS SIDE. THE MEDIC'S CONTINUED TO DO CPR ALONG WITH THE FIRE DEPT. FIRST RESPONDERS AND THE BOY WAS TAKEN TO HMM WHERE HE WAS PRONOUNCED DEAD. THE CORONER WAS CONTACTED AND DR. JEFF OLINGER AND HIS ASSISTANT TONY GODFREY ARRIVED AT THE HOSPITAL AND WAS INFORMED OF THE ACCIDENT. DET. CAPT. SHANE BICKEL WAS ALSO CONTACTED AND INFORMED OF THE ACCIDENT AND CAPT. BICKEL CAME INTO THE HOSPITAL AND SPOKE WITH THIS OFFICER AND THEN THIS OFFICER AND CAPT. BICKEL WENT TO THE HOME AT 9 JADE RD. AND TOOK SOME MORE PICTURES OF THE SCENE WHERE THE BABY DROWN. PICTURES OF THE SEAT THAT THE BABY WAS IN THE BATHTUB IN WERE TAKEN ALSO. THERE WAS A WARNING LABEL ON THE SEAT THAT STATED "DROWNING MAY OCCUR IF CHILD IS LEFT UNATTENDED." THE SEAT WAS BOUGHT BY THE PARENTS NEW AND THEY THOUGHT AT EITHER TARGET OR WALMART UNSURE OF WHICH PLACE. THERE WAS NO BRAND NAME TO IT. THE BODY WAS REMOVED BY [REDACTED] TO THE [REDACTED] FUNERAL HOME. THE PARENTS WERE IN OBVIOUS STATE OF SHOCK AND WERE COOPERATIVE WITH ANY QUESTIONS ASKED OF THEM. ACCORDING TO THE MOTHER THE BATHTUB WAS FILLED FULL AND THE BABY WAS PLACED IN THE SEAT INSIDE THE TUB THEN MOM WENT TO DO SOME OTHER THINGS. AFTER WHAT MOM THOUGHT WAS AROUND 5 MINUTES SHE RETURNED AND FOUND THE BABY LYING ON ITS SIDE IN THE TUB OF WATER OUT OF THE SEAT. AT THIS POINT SHE REMOVED THE BABY AND TOOK IT INTO THE LIVING ROOM AREA AND CPR WAS STARTED AND THE 911 CALL CAME INTO THE STATION WERE THE HOSPITAL AND RESPONDER WERE SENT. THE BABY HAD NOT BEEN SICK IN RECENT DAYS AND APPEARED TO BE HEALTHY AS THE BABY BOY APPEARED TO HAVE BEEN WELL CARED FOR. THE PARENTS STATED THAT THE BABY HAD NO HEALTH PROBLEMS AND KNEW OF NO REASONS OF ANY POSSIBLE SIDS SYNDROME TYPE OF PROBLEMS. THE BABY HAD NO OTHER BRUISING ON ITS BODY AND NO ANY OTHER INJURIES SHOWING SO THIS CASE IS BEING LISTED AS POLICE PROCEDURES COMPLETED. CAPT. BICKEL WILL BE DOING A FOLLOW UP ON THIS REPORT AND COPIES TO BE SENT TO THE CORONER DR. OLINGER.

WILLIAM L RICHARD
UNIT 118

G971

0237 A

IND # 470129 CCN0298



P. O. BOX 784
BLOOMINGTON, IN 47402
800.276.8588

DEC 23 1996

HERALD PRESS
HUNTINGTON

Circ: 8,743
Party: Rep/Indep
Dist: M-F, Sun
County: HUNTINGTON
Pop: 35,427

719
**Nine-month-old boy
drowns in bathtub mishap**

A nine-month-old boy drowned Sunday while taking a bath.

_____ was the infant son of _____ and _____

County Coroner Jeff Olinger said the child had been seated in the bathtub in a round infant seat that attaches to the bottom of the tub with suction cups. Somehow, the

baby wriggled out of the seat and drowned, Dr. Olinger said.

He was taken to Huntington Memorial Hospital, where he was pronounced dead at 3:32 p.m. Sunday.

No charges will be sought against the parents, Dr. Olinger said.

JAM
Infant SEAT

CAT: SERT02

MIS: 3262L

(214) none

7-19-60