

00017CCN0077

Marion County Coroner  
FIELD DEPUTY'S REPORT

Case Number: 00-0000

[REDACTED] is a fourteen year-old freshman at Lawrence Central and [REDACTED] is an eighteen year-old senior at Warren High School when they conceived a child about January 1999. Ashley had been living with her mother [REDACTED] and Stephanie [REDACTED] at that time. According to Jodi, he did not approve of the relationship, and Ashley moved in with her father and stepmother, Michael and Sheila Jones [REDACTED].

[REDACTED] is a self-employed carper layer. [REDACTED] does not work outside the home, and states that she has been the primary care-giver for [REDACTED] as well as her three children, [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] has been home-schooled this school year.

[REDACTED] W/M/19, D.O.B. 09/19/80, states that he resides at [REDACTED] Willow Lane, Phone 3 [REDACTED]. He does however frequent and spend the night at the [REDACTED] address. He was present at the home this morning.

[REDACTED] states that [REDACTED] has been well except for a recent cold. She states that [REDACTED] that he took medicine and recovered about a week ago. She states that when [REDACTED] got mad at her [REDACTED] that she [REDACTED] the baby's medicines.

TERMINAL EVENT

[REDACTED] states that she last saw [REDACTED] at approximately 2100 last night when she put him to bed. She states that he appeared to be well at that time. [REDACTED] further states that [REDACTED] as a baby monitor in her bedroom. She states that Sheila told her that she heard the baby cough this morning. She states that Sheila told her that she thought that Zachary would go back to sleep so she did not check on him. [REDACTED] states that she heard Sheila scream at about 0900 this morning. When [REDACTED] went into the room, she saw that [REDACTED] was blue and unconscious. She states that she found his face stuck in a packmen ball. Ashley states that she tried mouth-to-mouth, but got no response. She says the next thing she knew the Fire Department was there and began efforts to revive her son.

Lawrence Fire Department records indicate that a call came into Dispatch at 0902 to respond to an unconscious infant. The address on the run sheet incorrectly states [REDACTED]. According to Dispatch records, the Fire Department arrived at the scene at 0905. The report states that the technician found the infant to be a 4-month-old with mottled skin, lividity and rigor mortis, very stiff and cold to touch. It further states that after the child was found to be in asystole in 3 leads, all resuscitation efforts were stopped. The record indicates that the decedent was transported due to the emotional condition of the mother.

CHILD MEDICAL HISTORY

|  |  |  |   |  |
|--|--|--|---|--|
| 1. TASK NUMBER<br>000127CCN0077  |  | 2. INVESTIGATOR'S ID<br>8169                 |   | EPIDEMIOLOGIC<br>INVESTIGATION<br>REPORT |
| 3. OFFICE CODE<br>830  | 4. DATE OF ACCIDENT<br>YR MO DAY<br>000125 | 5. DATE INITIATED<br>YR MO DAY<br>000126     |   |  |
| 6. SYNOPSIS OF ACCIDENT OR COMPLAINT<br>UPC None available.<br>A 4 month old male apparently suffocated when a plastic hemisphere that had been half of a container for a [REDACTED] toy became lodged over his nose and mouth. The infant was found dead in his crib. |  |  |   |  |
| 7. LOCATION (Home, School, etc.)<br>home 1   |  | 8. CITY<br>Lawrence                          |   | 9. STATE<br>IN                           |
| 10A. FIRST PRODUCT<br>toy container 1123   |  | 10B. TRADE/BRAND NAME<br>[REDACTED]          |   | 10C. MODEL NUMBER<br>03-012              |
| 10D. MANUFACTURER NAME AND ADDRESS<br>[REDACTED]   |  |  |   |  |
| 11A. SECOND PRODUCT<br>None- 0000  |  | 11B. TRADE/BRAND NAME<br>N/A                 |   | 11C. MODEL NUMBER<br>N/A                 |
| 11D. MANUFACTURER NAME AND ADDRESS<br>N;/A   |  |  |   |  |
| 12. AGE OF VICTIM<br>204- 4 months   | 13. SEX<br>male 1                          | 14. DISPOSITION<br>Fatality 8                | 15. INJURY DIAGNOSIS<br>Anoxia 65           |  |
| 16. BODY PART (S)<br>INVOLVED<br>all 85  | 17. RESPONDENT<br>grdmthr, coroner 3       | 18. TYPE OF<br>INVESTIGATION<br>telephone- 2 | 19. TIME SPENT<br>(OPERATIONAL HOURS)<br>12 |  |
| 20. ATTACHMENT (S)<br>multiple 9   | 21. CASE SOURCE<br>newspaper- 05           |  | 22. SAMPLE COLLECTION NUMBER<br>None        |  |
| 23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY)  |  |  | No  |  |
| 24. REVIEW DATE<br>01/31/00  | 25. REVIEWED BY<br>8608                    |  | 26. REGIONAL OFFICE DIRECTOR                |  |
| 27. DISTRIBUTION<br>O:EHDS CC: M. Schoem, Moro   |  |  |   |  |

CPSC FORM 182 (12/96) Approved for use through 5/31/2000

(b)(7)(D) Cleared  
 N.J. MS 30470028  
 Products Identified by  
 Firms Notified  
 Comments Processed

## SYNOPSIS

A four-month-old male died of suffocation in his crib apparently after an approximately 3-inch diameter plastic hemisphere became stuck to his face, covering both his nose and mouth.

## PRE-INCIDENT

Respondent, the victim's grandmother, said that the victim was an apparently normal, healthy, active 4-month-old child with no evidence of physical or mental abnormality. She said that the victim had been professionally treated for a "cold" but he had recovered and his medication was stopped about a week prior to the incident. Respondent said that the victim was not yet able to roll over. Respondent said that the victim had spent a normal day that had included routine meals, naps and activity. She said that at approximately 9:00PM, she cleared several toys out of the victim's crib and the victim's mother put the sleeping baby in his crib for the night. She said that she must have overlooked a red plastic hemisphere when she cleared the crib. Respondent said that it was not unusual for the victim to sleep through the night. Respondent said that the victim's crib was located in his mother's bedroom and there was an electronic "baby monitor" near his crib. She said that the speaker to the baby monitor was in her (grandmother's) bedroom. Respondent said that she heard the baby cough at about 7:00AM but, after not hearing anything else, assumed he was still asleep.

## INCIDENT

Respondent said that when she went to check the victim at about 9:00AM she found the red plastic hemisphere over the victim's nose and mouth and noted that the victim's face was "blue."

## POST-INCIDENT

Respondent said that she removed the hemisphere from the victim's face. She said that she had to "pop" it off of his face. She said that she telephoned for emergency assistance by dialing 911, while the victim's mother attempted mouth-to-mouth resuscitation. She said that the local fire dept. personnel provided emergency treatment and transported the victim to a nearby hospital emergency dept., where he was pronounced dead.

## PRODUCT IDENTIFICATION

The red plastic hemisphere found on the victims' face was identified by the respondent as half of a "ball" toy container. She said there were probably 10 such balls in her home at the time of the incident. She said that the balls were containers for toys that were received with the purchase of "meals" at a restaurant on Pendleton Pike, near her home. She said that she purchased the meals on at least 2-3 separate occasions prior to December 25, 1999, and purchased 3 or 4 meals per visit, one for each of the children with her at the time.

**PRODUCT IDENTIFICATION (con't)**

She said that her 6-year-old son collects the [REDACTED] toys and that her other children, a 4-year-old female and a 12-year-old female would give [REDACTED] toys they received to their 6-year-old brother. She said that she was sure that the balls were received with [REDACTED] and not [REDACTED]. Respondent said that she was aware of the recall of the [REDACTED] spheres prior to the incident. She said that during a visit to the [REDACTED] infant, she noted that recall notices had been posted and that perforated cards of Pokemon figures had been substituted for the [REDACTED] toy-containing spheres. She said that she didn't know how the [REDACTED] hemisphere got into the crib or how she had missed it when she cleared other toys and objects from the crib before the victim was placed in the crib for the night. She also said that she didn't foresee any danger presented by the hemispheres to an infant who couldn't roll over.

The red plastic hemisphere, shown in the attached photos, appears to be labeled, in part, "XXX MFG FC [REDACTED] XXX 1999 XXX China XXX 03-012 XXX"

**PRODUCT CERTIFICATION**

None noted.

**EXHIBITS**

- 1- Copy Coroner's report
- 2- Autopsy summary
- 3- Coroner's verdict
- 4- 7 coroner's photographs
- 5- Police Report

0001277CN0077  
EX#1

### Marion County Coroner FIELD DEPUTY'S REPORT

Case Number: 00-0089

Decedent - Name (Print, Middle, Last) [REDACTED] Sex: M Date of Death: 01/25/2000  
 Time of Death: 09:30 Time Notified: 09:40  
 Deputy Coroner: [REDACTED] Location: [REDACTED]

John Linehan Community North Emergency Department 01/25/2000 09:40 10:00  
 Social Security Number: [REDACTED] Under 1 Year: [REDACTED] Under 1 Day: [REDACTED]  
 Date of Birth: 04/12 Birthplace (City and State or Foreign Country): Indianapolis, IN

Married Status: [REDACTED] Surviving Spouse (If wife, give maiden name): [REDACTED] Kind of Burial/Interment: [REDACTED]  
 Address Line 1: [REDACTED] Address Line 2: [REDACTED]

City: Indianapolis State: IN Zip Code: 46226 County of Residence: Marion Citizen of What Country? USA  
 Decedent's Race: White Decedent's Education: Elementary/Secondary 0  
 Was Decedent a U.S. Armed Veteran? No  
 Was Decedent a U.S. Armed Forces? No

Hospital: [REDACTED] Place of Death (Check only one):  
 Inpatient  Nursing Home  Residence  
 ERO/Outpatient  DOA  Other (Specify): [REDACTED]  
 Facility Name: [REDACTED] City, Town or Location of Death: Indianapolis County of Death: Marion  
 Community Hospital Name: [REDACTED] Father's Name (First, Middle, Last): [REDACTED] Mother's Name (First, Middle, Last): Ashley Jones  
 Brian White's Address: [REDACTED] Informant's Name: Ashley Jones  
 Informant's Address: [REDACTED] Informant's Relationship: Mother

City: Indianapolis State: IN Zip Code: 46226  
 How Was Identification Made? [REDACTED] Visual Identification by/mother: [REDACTED]

Notification Made? ( ) Yes ( ) No Ashley Jones Notification Time: 09:15 Notification Date: 01/25/2000  
 Notified Person's Address Line 1: [REDACTED] Notified Person's Address Line 2: [REDACTED]  
 Notified Person's Phone: (317) 541-9495 Notification Made By: John Linehan  
 4801 Kercheval Indianapolis Found: [REDACTED]  
 Degree of Rigor: [REDACTED] Location: [REDACTED]  
 Blighty in head: [REDACTED] Location: [REDACTED]  
 Livor Location: [REDACTED] Position: [REDACTED]  
 Describe How Decedent Was Dressed: [REDACTED]

Motor Vehicle Collision? ( ) Yes ( ) No If Yes, What Was Decedent's Position: [REDACTED]  
 Were There Other Injuries Involved? ( ) Yes ( ) No If Yes, Which? [REDACTED]  
 Were There Multiple Injuries Involved? ( ) Yes ( ) No If Yes, Why? [REDACTED]  
 Were There Criminal Charges Anticipated? ( ) Yes ( ) No If Yes, Which? [REDACTED]  
 Vehicle(s) Towed? ( ) Yes ( ) No

000177CCN0077

Marion County Coroner  
FIELD REPORT

Case Number: 00-0089

Physician Information

|                        |                |   |
|------------------------|----------------|---|
| Physician's Name       | Date Last Seen | Spoke directly to accedent's physician? |
| Address Line 1         | 01/10/2000     | ( ) Yes (X) No                          |
| Family Practice Center | Address Line 2 |   |
| City                   | State          | Zip Code                                |
| Indianapolis           | IN             | 46220                                   |
| Medications            | Diagnosis      |   |
|                        | Well baby      |   |

Injury Information

|                |                |                 |
|----------------|----------------|-----------------|
| Date of Injury | Time of Injury | Place of Injury |
| 01/25/2000     | 09:00          | Residence       |
| Address        | City           | State           |
| 4801 Kercheval | Indianapolis   | IN              |

Description of how injury occurred

Child fell asleep with toy ball in crib, causing suffocation

000127CCN0077

**Marion County Coroner**  
FIELD DEPUTY'S REPORT

Case Number: 00-0080

**Scene Information**

Person Requesting Assistance  
By John McCall

Agency  
Lawrence Police Department

Case Number  
00-0080

Reporting Officer(s)

Case Number  
00-0080

Last Name  
Gibson

Officer ID  
G18490

Detective(s)

Case Number  
00-0080

Last Name  
Deputy

Detective ID

Lab Technician(s)

000127CCND077

**Marion County Coroner**  
FIELD DEPUTY'S REPORT

Case Number: 00-0089

**Circumstantial:**

I received a call at 0940 from Dr. McGoff at Community Hospital North Emergency Department concerning the death of a four month -old white male. I arrived at Community North Emergency Department at 1000.

**PMH:**

Recent cold symptoms

**Medications:**

None at this time, had been on antibiotics

**Comments:**

I received a call at 0940 from [redacted] Community North Emergency Department, to investigate the death of a four month-old white male. I arrived at Community North at 1000.

I was directed to Shock Room 2 where I met with Don Deputy, Lawrence Police Department. Officer Deputy responded to the scene and did a preliminary investigation. Officer Deputy brought all objects that were found in the crib with him. Also present was Chaplain [redacted] of Community Hospital. Officer B. [redacted] was the reporting officer. A copy of his report is included.

The decedent was lying supine on the hospital bed. He was wrapped in a blanket. I removed the blanket and found the decedent to be a well-developed white male who appeared to be the stated age of four months. He was dressed in a blue undershirt, a diaper and two knitted socks.

The top of the head had light brown hair and appeared to be absent of trauma. The eyes were closed. Upon examination, no gross petechiae was present. There appeared on the face a round indentation. It appears on the bridge of the nose, on both cheeks and under the chin. There appeared to be blood on the lips and in the mouth. According to Officer Deputy, the red half-sphere obtained from the crib, was lying next to the face. He states that there was blood on the sheet near the face as well as inside the ball.

The chest area shows discoloration. CPR was performed by Lawrence Fire Department. Also present were resuscitation artifacts including three ECG electrodes. There was a wrinkle pattern visible just above the umbilicus. The lower extremities were free of trauma.

I spoke with [redacted] W/F/15, D.O.B. 07/01/84, who identified herself as the mother of the decedent. She identified the decedent to me as [redacted] [redacted] is a [redacted] Jones in medical records) She identified the father of the decedent as Brian Whittis, who was also present during the interview.

**FAMILY HISTORY**

00017CCN0077

Marion County Coroner  
FIELD DEPUTY'S REPORT

Case Number: 00-0000

[REDACTED] is a fourteen year-old freshman at Lawrence Central and [REDACTED] is an eighteen year-old senior at Warren High School when they conceived a child about January 1999. Ashley had been living with her mother [REDACTED] and Stephanie [REDACTED] at that time. According to Jodi, he did not approve of the relationship, and Ashley moved in with her father and stepmother, Michael and Sheila Jones [REDACTED].

[REDACTED] is a self-employed carper layer. [REDACTED] does not work outside the home, and states that she has been the primary care-giver for [REDACTED] as well as her three children, [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] has been home-schooled this school year.

[REDACTED] W/M/19, D.O.B. 09/19/80, states that he resides at [REDACTED] Willow Lane, Phone 3 [REDACTED]. He does however frequent and spend the night at the [REDACTED] address. He was present at the home this morning.

[REDACTED] states that [REDACTED] has been well except for a recent cold. She states that [REDACTED] that he took medicine and recovered about a week ago. She states that when [REDACTED] got mad at her [REDACTED] that she [REDACTED] the baby's medicines.

TERMINAL EVENT

[REDACTED] states that she last saw [REDACTED] at approximately 2100 last night when she put him to bed. She states that he appeared to be well at that time. [REDACTED] further states that [REDACTED] as a baby monitor in her bedroom. She states that Sheila told her that she heard the baby cough this morning. She states that Sheila told her that she thought that Zachary would go back to sleep so she did not check on him. [REDACTED] states that she heard Sheila scream at about 0900 this morning. When [REDACTED] went into the room, she saw that [REDACTED] was blue and unconscious. She states that she found his face stuck in a packmen ball. Ashley states that she tried mouth-to-mouth, but got no response. She says the next thing she knew the Fire Department was there and began efforts to revive her son.

Lawrence Fire Department records indicate that a call came into Dispatch at 0902 to respond to an unconscious infant. The address on the run sheet incorrectly states [REDACTED]. According to Dispatch records, the Fire Department arrived at the scene at 0905. The report states that the technician found the infant to be a 4-month-old with mottled skin, lividity and rigor mortis, very stiff and cold to touch. It further states that after the child was found to be in asystole in 3 leads, all resuscitation efforts were stopped. The record indicates that the decedent was transported due to the emotional condition of the mother.

CHILD MEDICAL HISTORY

000127CCW007

|   |                      |
|---|----------------------|
| <b>Marion County Coroner</b><br>FIELD DEPUTY'S REPORT | Case Number: 00-0039 |
|---|----------------------|

I spoke with the Family Practice Center at [REDACTED], where Zachary was taken for treatment. He was last seen on 01/10/00 for a well check-up. He was apparently doing fine according to the chart. (Copies of chart attached). It indicates cold symptoms but states that they were resolving and would be followed up on the next appointment. There are no indications of a prescription given. He was referred to another doctor with a diagnosis of tongue-tie. That appointment was for 01/12/00. Community faxed me a copy of the entire chart.

I photographed the body. I took several close-up photographs of the facial area as well as the ball. I positioned the ball over the face for a photograph. The position of the ball in the photograph does not imply its position or role in the death, but was simply for a frame of reference.

I made copies of all charts and photographs for IU Pathology. I placed a tag on the left ankle. I placed the decedent in a post-mortem bag. I transported the decedent to IU along with all records, evidence and property. I left IU at 1114

I spoke with [REDACTED] from IOPA who declined the case based on the last time seen alive.

I contacted CPS and spoke with [REDACTED] and shared the information with her regarding the death.

A property list is attached. All property was taken to IU Pathology.

**Criteria for Case:**

Sudden infant death



000127CCN0077

JAN 26 08 11:18AM FORENSIC PATHOLOGY

P.2

INDIANA UNIVERSITY SCHOOL OF MEDICINE

CIRCUMSTANTIAL SUMMARY 00-0089

The decedent is a 4 month old white male infant who was found unresponsive by the stepmother as mom was residing with her father and stepmother. When the baby was discovered, a red 1/2 sphere was found next to the face and an indentation of the skin of face was noted. The decedent was taken to Community ERI where resuscitation was unsuccessful.

000127 ECN0077  
EK #3

CORONER'S REPORT  
(VERDICT)

|  |  |   |
|--|--|---|
| DECEDENT Full name and address<br>[REDACTED]<br>Indianapolis, IN 46226   |  | DATE AND TIME OF DEATH<br>January 25, 2000 9:30 AM    |
| PLACE OF DEATH<br>Community Hospital North<br>Indianapolis, IN   |  | CASE NO.<br>00-0089                                   |
| DESCRIPTION<br>4 Month Old White Male  |  |   |
| SYNOPSIS<br>The mother of the decedent [REDACTED] states that she last saw the decedent at approximately 9:00 PM on January 24, 2000 when she put him to bed. She stated that [REDACTED] the decedent's step grandmother, has a baby monitor in her bedroom. [REDACTED] stated that she heard the decedent cough and thought that he would go back to sleep, so she did not check on him. [REDACTED] states that she heard [REDACTED] scream at about 9:00 AM on January 25, 2000, when [REDACTED] went into the room, she saw that the decedent was blue and unconscious. She states that she found his face stuck in half of a [REDACTED] Ball. The ball was reportedly moved by mother in order to do CPR. Ashley states that she tried mouth to mouth but got no response and called 911 for assistance. According to Officer Deputy of Lawrence Police Department, the red half-sphere obtained from the crib was lying next to the face of the decedent. He stated that there was blood on the sheet near the face as well as inside the ball. |  |   |
| CAUSE OF DEATH<br>Asphyxia Due to Suffocation  |  |   |
| CONTRIBUTING CAUSES<br>Accident  |  | WAS AN AUTOPSY DONE?<br>Yes                           |
| MANNER OF DEATH<br>Accident  |  | BLOOD / ALCOHOL ANALYSIS<br>Pending Urine Drug Screen |

I, [REDACTED] M.D., Coroner of Marion County, Indiana do hereby certify that I have caused an examination to be made of the body, made an inquiry into the circumstances of the death and now render these findings, this 26th day of January 19 00

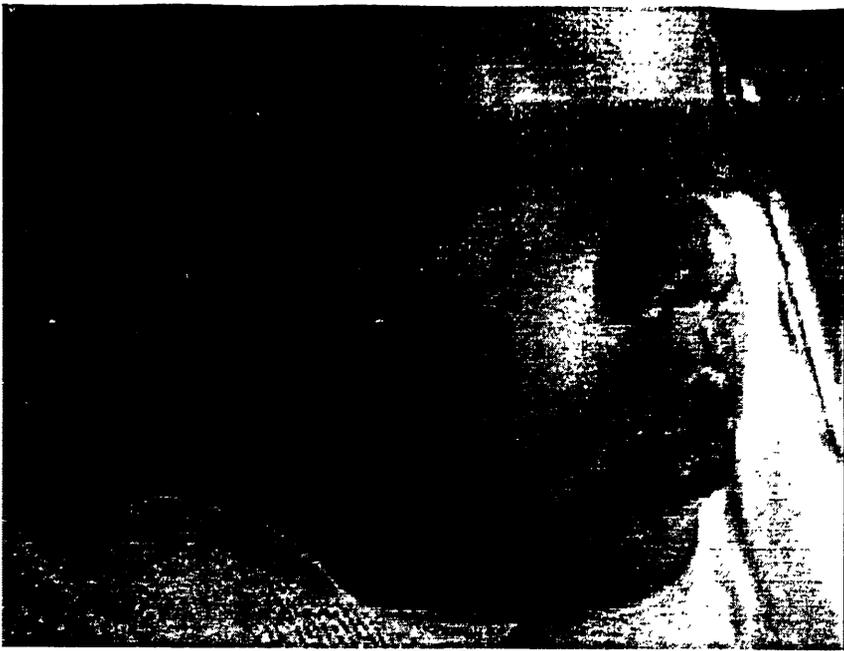
[REDACTED SIGNATURE]

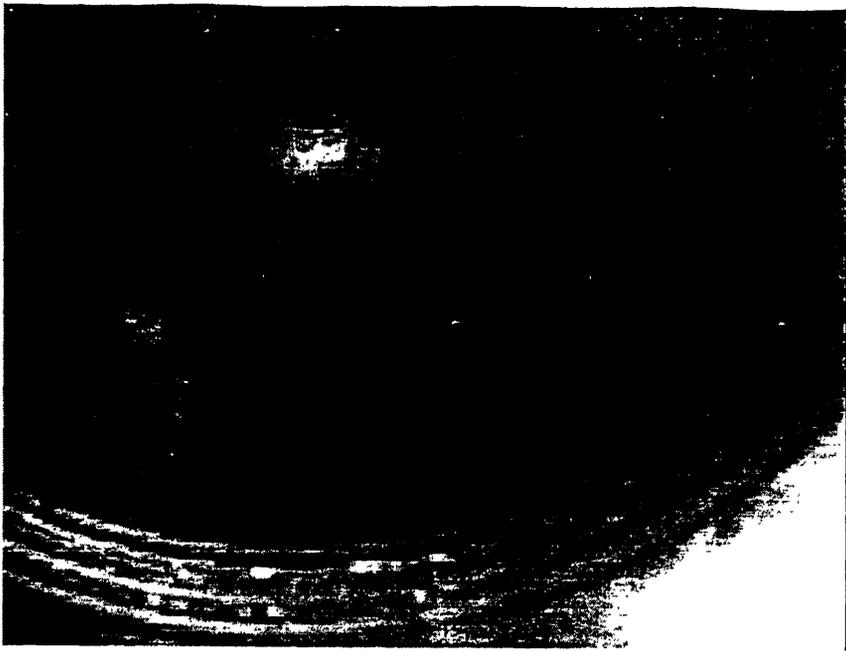
CORONER

ccal



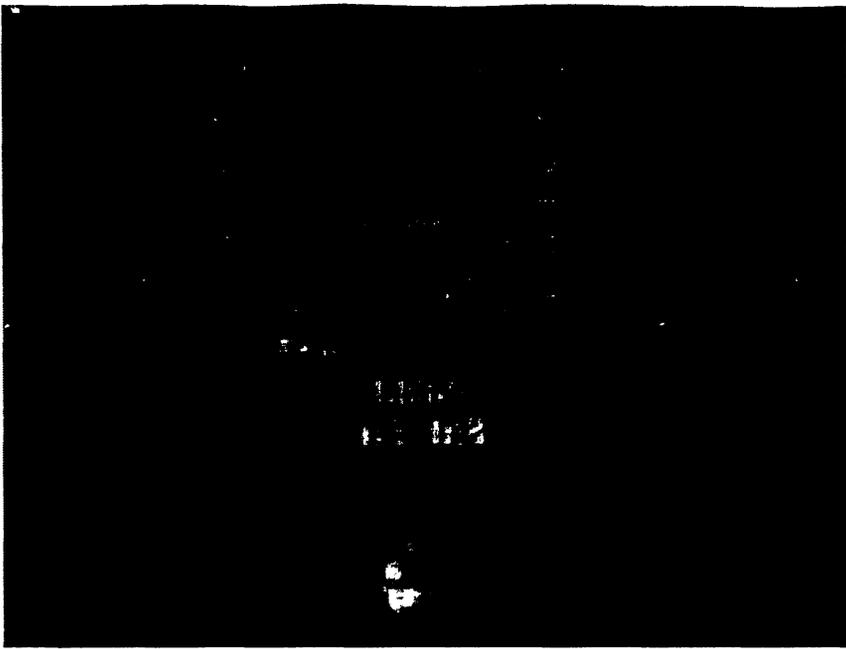












000127 CCN 0077  
EX 45-3

00-0272LA

LAURENCE POLICE DEPARTMENT

01-25-00 PBE

3

WHO WAS SHOUTING NO SIGNS OF LIFE AND WAS DISCLOSED.  
 SHORTLY AFTER MY ARRIVAL, MEDICAL UNITS THEN TRANSPORTED  
 INFANT TO COMMUNITY NORTH HOSPITAL. UPON SPEAKING  
 WITH SEVERAL ADULTS IN THE HOME, I WAS ADVISED OF THE  
 FOLLOWING: [REDACTED] THE GRANDMOTHER HAD PUT THE  
 INFANT TO BED AROUND 9 P.M., ON 01 24 00, [REDACTED] U. WHITTS  
 AND [REDACTED] THE PARENTS OF INFANT [REDACTED] STATED  
 THEY HAD LAST OBSERVED [REDACTED] JUST BEFORE HE WAS  
 LAID DOWN FOR THE NIGHT BY [REDACTED] AT AROUND  
 9 P.M., ON 01 24 00. [REDACTED] FURTHER STATED SHE AND  
 HER HUSBAND, MICHAEL [REDACTED] AWAKENED THIS MORNING ON  
 01 25 00 BY THE CRYING OF INFANT JONES AT AROUND 6 OR 7 A.M.,  
 BUT ALLOWED HIM TO CRY TO SEE IF HE WOULD SETTLE DOWN.  
 [REDACTED] STATES INFANT JONES STOPPED CRYING AND SHE THEN  
 CHECKED ON [REDACTED] AROUND 0900 HRS AND AT THAT TIME  
 DISCOVERED HIM TO BE UNRESPONSIVE WITH A CHILD'S TOY STUCK  
 TO HIS FACE IN A SUFFOCATING MANNER. [REDACTED] REMOVED  
 SAID TOY, ATTEMPTED C P B AND CALLED 911.  
 THIS INVESTIGATION WAS THEN RELEASED TO THE LAURENCE P D  
 DETECTIVES.

01-25-00 1010 HRS

00-025 10:52-END OF REPORT-00-025 10152

16

16

|  |  |   |  |  |  |
|--|--|---|--|--|--|
| 1. TASK NUMBER<br>000204CAA2280  |  | 2. INVESTIGATOR'S ID<br>8200                |  | EPIDEMIOLOGIC<br>INVESTIGATION<br>REPORT |  |
| 3. OFFICE CODE<br>830  | 4. DATE OF ACCIDENT<br>YR MO DAY<br>99 05 06 | 5. DATE INITIATED<br>YR MO DAY<br>00 02 07  |  |  |  |
| 6. SYNOPSIS OF ACCIDENT OR COMPLAINT<br>UPC<br><br>This case involved a 9-month-old female victim who while playing in a playpen was given a plastic aerosol spray starch cap by a five year-old- brother. The victim was found later with the cap covering both mouth and nose and not breathing. She died in the emergency room from asphyxia. |  |   |  |  |  |
| 7. LOCATION (Home, School, etc.)<br>Home 1   |  | 8. CITY<br>Teague                           |  | 9. STATE<br>TX                           |  |
| 10A. FIRST PRODUCT<br>aerosol can cap 1133   |  | 10B. TRADE/BRAND NAME<br>[REDACTED]         |  | 10C. MODEL NUMBER<br>unknown             |  |
| 10D. MANUFACTURER NAME AND ADDRESS<br>[REDACTED]   |  |   |  |  |  |
| 11A. SECOND PRODUCT<br>playpen 1513  |  | 11B. TRADE/BRAND NAME<br>unknown            |  | 11C. MODEL NUMBER<br>unknown             |  |
| 11D. MANUFACTURER NAME AND ADDRESS<br>unknown  |  |   |  |  |  |
| 12. AGE OF VICTIM<br>209   | 13. SEX<br>female 2                          | 14. DISPOSITION<br>died in ER 8             | 15. INJURY DIAGNOSIS<br>asphyxiation 65    |  |  |
| 16. BODY PART (S)<br>INVOLVED<br>all 85  | 17. RESPONDENT<br>police ofcr 2              | 18. TYPE OF<br>INVESTIGATION<br>telephone 2 | 19. TIME SPENT<br>(OPERATIONAL HOURS)<br>7 |  |  |
| 20. ATTACHMENT (S)<br>multiple 9   | 21. CASE SOURCE<br>Death Certificate 13      |   | 22. SAMPLE COLLECTION NUMBER<br>none       |  |  |
| 23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY)<br>officials only  |  |   |  |  |  |
| 24. REVIEW DATE<br>2/25/00   | 25. REVIEWED BY<br>8631                      |   | 26. REGIONAL OFFICE DIRECTOR               |  |  |
| 27. DISTRIBUTION<br>O:EHDS CC: Doc:#9948049351 TRogers, FO CR(Englander)   |  |   |  |  |  |

CPDA 6 (b)(7) Cleared  
 No Mfrs/Privileged  
 Products Identified  
 Excepted by  
 Firms Notified,  
 Comments Processed

**Pre-incident:**

This case involved a 9-month-old female victim who lived with her parents and 5-year-old brother in a residential area of Teague, Texas. Prior to the incident, the victim was relatively healthy considering she had sickle cell anemia. The victim was 28 inches in height and weighed 18 pounds at the time. The victim's brother had been playing with her as she was in the playpen and doing what he could to make her laugh. The victim's grandmother volunteered that in her opinion the 5 year old must have dropped the aerosol can cap into the playpen as he ran in and out of the bedroom. The parents had been able to see the victim playing in the playpen from where they were sitting together on the couch in the living room. When the victim became very quiet her mother went in to check on her.

**Incident:**

She found an aerosol spray starch cap over the baby's mouth and nose. She removed it and ran outside with the victim to where the baby's father was and told him to call 911. The baby wasn't breathing. She later died of the results of asphyxiation.

**Post-incident:**

The victim's father ran to a neighbor's house and called 911. He returned with the neighbor and together they attempted to do CPR on the infant. Paramedics arrived and took the baby and father to Parkview Regional Hospital in Mexia, Texas. The victim never responded to CPR.

**Product Identification:**

The product in this case was what appeared to be an aerosol spray starch cap. The family believed that the brand name was [REDACTED] Spray Starch. According to the ME at the Dallas Institute of Forensic Sciences the cap presented to him had no markings or labels on it. The autopsy page 2 gives the dimensions of the cap measuring approximately 2 3/4 X 1- 5/8 inches. It also gave the evidence stating, "\*\*\*\* The cap can be placed over the nose and mouth forming a suction occlusion. \*\*\*\*" The autopsy indicated that it was a white plastic cap.

Photos of the cap have been requested from the police. They will be forwarded in an addendum upon receipt.

**Standards Information:**

No information was available in this case concerning any compliance with any mandatory or voluntary standards.

**Attachments:**

1. Autopsy report
2. Police Report

**CONTACT**

**PURPOSE**

**RESULTS**

Justice of the Peace

To obtain incident scenario, product identification, autopsy Report and investigation reports.

The JP was interviewed by phone and provided a copy of the autopsy report. No investigation was done by her office.

Teague Police

To obtain incident scenario, product identification and incident reports.

Interviewed officer by phone. Provided a copy of the police reports and interviews. They will provide photos of the cap involved.

#514

RECEIVED JUL 23 2000

This affidavit is in compliance with Texas Rules of Criminal Evidence, Rule 902 (10b).

Case No. JP1574-99 in the matter of ~~\_\_\_\_\_~~, deceased.

Attachment #1  
000204 CAA 2280

Office of the Medical Examiner  
in the County of DALLAS  
State of TEXAS

AFFIDAVIT

Before me, the undersigned authority, personally appeared ~~\_\_\_\_\_~~, who, being duly sworn, deposed as follows:

My name ~~\_\_\_\_\_~~ I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

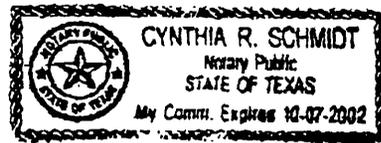
I am the Deputy Custodian of Records of the Dallas County Medical Examiner's Office. Attached hereto are 3 pages of records and xx photographs from the Dallas County Medical Examiner's Office. These said 3 pages of records and xx photographs are kept by the Dallas County Medical Examiner's Office in the regular course of business, and it was the regular course of business of the Dallas County Medical Examiner's Office for an employee or representative, or a doctor permitted to practice in the Dallas County Medical Examiner's Office, with personal knowledge of the act, event, condition, opinion or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

~~\_\_\_\_\_~~

SWORN TO AND SUBSCRIBED

before me on July 21, 1999

Cynthia R. Schmidt  
Notary Public in and for Dallas County, Texas



My commission expires

(By statute, the original records are retained by the Dallas County Medical Examiner's Office. See Art. 49.25, Sec. 11, Vernons Texas Statutes, CCP.)

SOUTHWESTERN  
INSTITUTE OF FORENSIC SCIENCES  
5230 Medical Center Drive  
Dallas, Texas 75235

**COPY**

DALLAS COUNTY  
INSTITUTE OF FORENSIC SCIENCES

Case No. JP1574-99-1116JG

Name: [REDACTED]

Age: 9 months

Race: Black

Sex: Female

Date of Death: 06 MAY 1999

Date of Examination: 07 MAY 1999

Time of Death: 4:50 pm

Time of Examination: 10:00 am

Pronounced at: Parkview Regional Hospital  
Mexia, Limestone County, Texas

**AUTOPSY REPORT:**

**ORGAN WEIGHTS:**

|       |       |         |      |           |      |
|-------|-------|---------|------|-----------|------|
| Brain | 800 g | R. Lung | 80 g | R. Kidney | 24 g |
| Heart | 35 g  | L. Lung | 95 g | L. Kidney | 24 g |
| Liver | 290 g | Spleen  | 19 g | Thymus    | 26 g |

This autopsy was performed at the request of Wanda J. Taylor, Justice of the Peace, Precinct 2, Limestone County, Texas.

**EXTERNAL EXAMINATION:**

The body is photographed, footprinted, and tagged.

There is no clothing with the body.

The body is that of a normally-developed black female of average build whose appearance is consistent with the recorded age of 9-1/2 months. The length is 73 cm (28.7 in) crown-heel, 48 cm (18.9 in) crown-rump, 44.5 cm (17.5 in) chest circumference, and 40.5 cm (15.9 in) head circumference. The foot length is 10 cm (3.9 in). The nutritional status is average, and the weight is 18 pounds (8.16 kg). The body is well preserved but not embalmed. There is ill-defined lividity of the back of a red-purple color. There is well-developed rigidity. The body is cold.

The head hair and eyebrows are black. The female body hair pattern is average. The scalp and ears are unremarkable. The eyes are closed. The corneae are clear. The irides are brown. The pupils measure 2 mm in diameter each. The nose and mouth are unremarkable. The teeth are natural. The face, neck, pectoral region, breasts, abdomen, and limbs are unremarkable. The female genitalia, back, buttocks, and anus are unremarkable.

Case No: JP1574-99-1116..

Page 2

Name: [REDACTED]

**COPY**DALLAS COUNTY  
INSTITUTE OF FORENSIC SCIENCES**EVIDENCE OF TREATMENT:**

- Nasogastric tube
- Endotracheal tube
- Intraosseous catheter, right tibia
- Punctures of left tibia.

**EVIDENCE OF INJURY:**

There is a superficial, circular indentation which begins near the bridge of the nose and then circles the nose and mouth. This roughly corresponds in size to a white plastic lid (cap), which is supplied by law enforcement personnel who were present at the autopsy. A representative of the Teague Police Department, Joseph Clark, is present with the plastic cap. The cap after examination is returned to this officer.

The cap measures approximately 2-3/4 x 1-5/8 inches. The cap can be placed over the nose and mouth forming a suction occlusion.

There are no petechia of the conjunctivæ. There are no neck injuries. The hyoid, larynx, prevertebral fascia, soft tissues, and cervical vertebrae appear unremarkable. There are no petechiae of the larynx.

There are no additional injuries of the head, neck, trunk, or extremities.

**INTERNAL EXAMINATION:**

**MISCELLANEOUS:** The stomach contains 20 ml of partially digested food. The bladder contains 1 cc of urine. The gallbladder contains 2 ml of bile. The body wall fat is 1/4 inch in thickness and the vermiform appendix is present. The uterus, fallopian tubes, and ovaries are present and normally developed.

Except for a dusky cyanotic brain, the remainder of the internal body systems and organs comprising the HEAD, CENTRAL NERVOUS SYSTEM, NECK, CAVITIES, CARDIOVASCULAR, RESPIRATORY, HEPATOBILIARY, LYMPHORETICULAR, URINARY, GENITAL, GASTROINTESTINAL, ENDOCRINE, and MUSCULOSKELETAL SYSTEMS are otherwise found to be unremarkable after careful sectioning and examination.

**MICROSCOPIC EXAMINATION:**

**Lung:** Intense congestion. Sickel cells are present consistent with sickle cell trait. There is rare aspirated food material. There is no inflammation.

**Heart:** Sickel cells are prominent.

**Kidney:** Congestion.

**Liver:** Congestion.

*JM*

SEND TO: JP Wanda Taylor - Limestone County  
Teague Police Department  
#99-091D

RECEIVED MAY 11

THE SOUTHWESTERN INSTITUTE OF FORENSIC SCIENCES  
AT DALLAS

5230 Medical Center Drive  
P.O. Box 35728  
Dallas, Texas 75235  
(214) 920-5900

CAUSE OF DEATH

Date: 07 MAY 1999

Case No: JP1574-99-1116JG

Name of Deceased: [REDACTED] 9 mo. / Black/ Female

Residence of Deceased: [REDACTED] Teague, Texas 75860

Place of Death : Parkview Regional Hospital

Place of incident/discovery: [REDACTED]

An AUTOPSY was performed and the cause of death is : Asphyxiation by foreign object (plastic lid)

Manner of Death: ACCIDENT

Pending: Reason:

Comment:

J. M. Guayardo, M. D.  
Deputy Chief Medical Examiner

M.D.

FILED JUN 01



TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES  
INSTITUTE OF FORENSIC SCIENCES  
RECEIVED

99 MAY 19 AM 11:39

JP 1574-99  
111850-1A  
K... 5/19/99

EXECUTIVE DIRECTOR  
James R. Hine

Child Protective Services  
59 Mimosa  
Teague, Texas 75860  
(254) 739-3953  
fax (254) 739-5104

BOARD MEMBERS  
Jon M. Bradley  
Chairman, Dallas  
Fanny Beaumont  
Bryan  
Maurine Dickey  
Dallas  
Richard S. Hoffman  
Brownsville  
Catherine Clark Mosbacher  
Houston  
Bill Schohan  
Dumas

The Southwestern Institute of Forensic Sciences At Dallas  
Att: Medical Records  
P.O. BOX 35728  
Dallas, Texas 75235

5/17/99

Re: [REDACTED]

Dear Sir,

Child Protective Services is needing a complete copy of the medical examiner's report for a current Child Protective Services investigation. The child name is [REDACTED], 9 month old black female. The child died on May 6, 1999, at Parkview Regional Hospital, in Mexia, Texas. The case number is JP1574-99.

If you should have any questions, please call me at (254) 739-3953.

Sincerely,

*Tiffany Schlab*

Tiffany Schlab  
CPSS - II

1999  
Wanda J. Taylor  
Authorization To Release Autopsy Report  
Hon. Wanda Taylor, Justice Of Peace  
Pct. 2, Limestone County, Coolidge, TX.

# INCIDENT REPORT

Agency: **Teague Police Department**

INCIDENT NO  
**99091D**

|   |   |   |  |   |  |
|---|---|---|--|---|--|
| Incident Type<br><b>Infant death</b>  |   | Incident Classification<br><b>Death Unknown</b>   |  | <input type="checkbox"/> #1 <input type="checkbox"/> #2 <input type="checkbox"/> #3   |  |
| Responding To   |   | Assignment  |  | Estimated Total Property Loss   |  |
| Reported On<br><b>Thursday 05/06/1999 16:47</b>   | Date/Time   | Occurred From<br><b>Thursday 05/06/1999 16:00</b> | Date/Time  | Occurred To<br><b>Thursday 05/06/1999 17:26</b>                                       | Date/Time  |
| Primary Charge  |   | Additional Charges                                |  | District<br><b>1</b>  |  |
| Location of Incident<br>Relative Location <input type="checkbox"/> Address <b>[REDACTED] Teague, TX 75860</b> |   |   | Location Name (if applicable)<br><b>Govt. Housing Author</b> |   |  |
| Type of Premise (For Vehicles State Where Parked)<br><b>Residence/Home</b>                                    |   | Entry Point                                       |  | Method  |  |
| Security  |   | Evidence  |  |   |  |
| Officer Involved<br><b>205, 213, 201</b>  |   |   |  |   |  |
| [REDACTED]  |   |   |  |   |  |
| Code<br><b>D-V</b>  | Name: Last, First, Middle<br><b>[REDACTED]</b>                          |   |  | Sex<br><b>F</b>   | Race/Ethnicity<br><b>Black</b>                           |
| Confidentiality   | Address: Street, City, State, ZIP<br><b>[REDACTED] Teague, TX 75860</b> |   |  | Date of Birth/Age<br><b>07/19/1998 0</b>  | Home Phone Ext<br><b>none</b>                            |
| Place of Employment/School/Address  |   |   | Occupation   |   | Business Phone Ext                                       |
| Height  | Weight  | Build   | Hair   | Eye   | Description  |
|   |   | <b>Normal</b>                                     | <b>Black</b>   | <b>Brown</b>  | <b>Infant Child: approx. 27" long, approx. 18 pounds</b> |
| Driver's License  |   | State   | Social Security No.  |   | Other I.D.   |
| Hair Length   |   | Hair Type   | Hair Style<br><b>Afro/Natural</b>                            | Facial Hair   | Facial Shape   |
| Appearance<br><b>Well Groomed</b>   |   | Complexion  | Facial Features  | Distinctive Features  | Glasses  |
| Tattoos   |   | Speech  |  |   |  |
| Clothing<br><b>Infant child was not clothed due to being treated at the hospital.</b>                         |   |   |  |   |  |
| Hear Date   |   |   | Circumstances<br><b>Unknown Circumstances</b>                |   |  |
| Type of Injury or Illness/Describe injuries<br><b>Not breathing; found by parent</b>                          |   |   |  | Medical Release Obtained?<br><input type="checkbox"/> Yes <input type="checkbox"/> No |  |
| Hospital Taken to<br><b>PARKVIEW REGIONAL</b>   |   | Taken By<br><b>Ambulance</b>                      |  | Attending Physician<br><b>M. Hall MD and S. Abrams MD</b>                             |  |
| Suicide Note Held Placed By   |   | Found? <input type="checkbox"/>                   |  |   |  |

|  |  |          |           |              |
|--|--|----------|-----------|--------------|
| ID No. Name of Reporting Officer<br><b>205 PICKETT, LEE W.</b> | Prep. Date/Time<br><b>05/06/1999 20:51</b> | Approval | Date/Time | Distribution |
|--|--|----------|-----------|--------------|

**INCIDENT REPORT CONTINUED**

Page 2

|  |                           |   |   |   |                                |                                   |                                     |   |
|--|---------------------------|---|---|---|--------------------------------|-----------------------------------|-------------------------------------|---|
| AGENCY: <b>Teague Police Department</b>  |                           |   |   | Incident Classification: <b>Death Unknown</b> |                                | Incident No.: <b>990910</b>       |                                     |   |
| <b>Person 1</b>  |                           |   |   |   |                                |                                   |                                     |   |
| Code: <b>C-1</b>   |                           | Name: Last, First, Middle: <b>[REDACTED]</b>                                |   |   |                                | Sex: <b>M</b>                     | Race/Ethnicity: <b>Black</b>        | Date of Birth/Age: <b>07/21/1957 41</b> |
| Confidentiality: <b>[REDACTED]</b>   |                           | Address: Street, City, State, ZIP: <b>[REDACTED] Teague, TX 75860</b>       |   |   |                                | Home Phone: <b>[REDACTED]</b>     | Ext: <b>[REDACTED]</b>              | Business Phone: <b>[REDACTED]</b>       |
| Place of Employment/School/Address: <b>Teague Emergency Medical Services</b>                               |                           |   |   | Occupation: <b>Emergency Med Tech</b>         |                                | Business Phone: <b>[REDACTED]</b> | Ext: <b>[REDACTED]</b>              |   |
| Height: <b>5'07"</b>   | Weight: <b>270</b>        | Build: <b>Muscular</b>  | Hair: <b>Black</b>                      | Eyes: <b>Brown</b>                            | Description: <b>[REDACTED]</b> |                                   |                                     |   |
| Driver's License: <b>04823023</b>  |                           | State: <b>TX</b>  | Social Security No.: <b>485-04-7920</b> |   | Other I.D.: <b>[REDACTED]</b>  |                                   |                                     |   |
| <b>Person 2</b>  |                           |   |   |   |                                |                                   |                                     |   |
| Code: <b>W-1</b>   |                           | Name: Last, First, Middle: <b>[REDACTED]</b>                                |   |   |                                | Sex: <b>M</b>                     | Race/Ethnicity: <b>Black</b>        | Date of Birth/Age: <b>05/22/1964 34</b> |
| Confidentiality: <b>[REDACTED]</b>   |                           | Address: Street, City, State, ZIP: <b>[REDACTED] Teague, TX 75860</b>       |   |   |                                | Home Phone: <b>[REDACTED]</b>     | Ext: <b>[REDACTED]</b>              | Business Phone: <b>[REDACTED]</b>       |
| Place of Employment/School/Address: <b>Moore's Angelic Funeral Home 1406 W Monroe ST, Teague, TX 75860</b> |                           |   |   | Occupation: <b>Groundkeeper</b>               |                                | Business Phone: <b>[REDACTED]</b> | Ext: <b>[REDACTED]</b>              |   |
| Height: <b>[REDACTED]</b>  | Weight: <b>[REDACTED]</b> | Build: <b>Normal</b>  | Hair: <b>Black</b>                      | Eyes: <b>Brown</b>                            | Description: <b>[REDACTED]</b> |                                   |                                     |   |
| Driver's License: <b>08982768</b>  |                           | State: <b>TX</b>  | Social Security No.: <b>487-41-7875</b> |   | Other I.D.: <b>[REDACTED]</b>  |                                   |                                     |   |
| <b>Person 3</b>  |                           |   |   |   |                                |                                   |                                     |   |
| Code: <b>W-2</b>   |                           | Name: Last, First, Middle: <b>[REDACTED]</b>                                |   |   |                                | Sex: <b>F</b>                     | Race/Ethnicity: <b>Black</b>        | Date of Birth/Age: <b>02/23/1977 22</b> |
| Confidentiality: <b>[REDACTED]</b>   |                           | Address: Street, City, State, ZIP: <b>[REDACTED] Teague, TX 75860</b>       |   |   |                                | Home Phone: <b>[REDACTED]</b>     | Ext: <b>[REDACTED]</b>              | Business Phone: <b>[REDACTED]</b>       |
| Place of Employment/School/Address: <b>Dairy Queen of Teague Hwy 84 E, Teague, TX 75860</b>                |                           |   |   | Occupation: <b>counterperson</b>              |                                | Business Phone: <b>[REDACTED]</b> | Ext: <b>[REDACTED]</b>              |   |
| Height: <b>[REDACTED]</b>  | Weight: <b>[REDACTED]</b> | Build: <b>[REDACTED]</b>  | Hair: <b>[REDACTED]</b>                 | Eyes: <b>[REDACTED]</b>                       | Description: <b>[REDACTED]</b> |                                   |                                     |   |
| Driver's License: <b>09901194</b>  |                           | State: <b>TX</b>  | Social Security No.: <b>486-49-8308</b> |   | Other I.D.: <b>[REDACTED]</b>  |                                   |                                     |   |
| <b>Person 4</b>  |                           |   |   |   |                                |                                   |                                     |   |
| Code: <b>W-3</b>   |                           | Name: Last, First, Middle: <b>Hall, Michelle MD</b>                         |   |   |                                | Sex: <b>F</b>                     | Race/Ethnicity: <b>White/Caucas</b> | Date of Birth/Age: <b>09/13/1968 29</b> |
| Confidentiality: <b>[REDACTED]</b>   |                           | Address: Street, City, State, ZIP: <b>312 E Lindale ST, Maris, TX 76867</b> |   |   |                                | Home Phone: <b>[REDACTED]</b>     | Ext: <b>[REDACTED]</b>              | Business Phone: <b>(254) 562-5332</b>   |
| Place of Employment/School/Address: <b>[REDACTED]</b>  |                           |   |   | Occupation: <b>Physician-Partview</b>         |                                | Business Phone: <b>[REDACTED]</b> | Ext: <b>[REDACTED]</b>              |   |
| Height: <b>[REDACTED]</b>  | Weight: <b>[REDACTED]</b> | Build: <b>[REDACTED]</b>  | Hair: <b>[REDACTED]</b>                 | Eyes: <b>[REDACTED]</b>                       | Description: <b>[REDACTED]</b> |                                   |                                     |   |
| Driver's License: <b>[REDACTED]</b>  |                           | State: <b>[REDACTED]</b>  | Social Security No.: <b>[REDACTED]</b>  |   | Other I.D.: <b>[REDACTED]</b>  |                                   |                                     |   |

INCIDENT REPORT CONTINUED

Page 3

|  |   |   |                     |   |                                       |  |
|--|---|---|---------------------|---|---------------------------------------|--|
| AGENCY: <b>Teague Police Department</b>  |   | Incident Classification<br><b>Death Unknown</b> |                     | Incident No.<br><b>99091D</b>             |                                       |  |
| <hr/>  |   |   |                     |   |                                       |  |
| Code<br><b>W-4</b>   | Name: Last, First, Middle<br><b>[REDACTED] MD</b>                       |   |                     | Sex<br><b>M</b>                           | Race/Ethnicity<br><b>White/Caucas</b> |  |
| Confidentiality  | Address: Street, City, State, ZIP<br><b>Maxie, TX 76667</b>             |   |                     | Date of Birth/Age<br><b>08/26/1936 63</b> |                                       |  |
| Place of Employment/School/Address   |   |   |                     | Occupation<br><b>Physician-Parkview</b>   | Home Phone Ext.<br><b>[REDACTED]</b>  |  |
|  |   |   |                     | Business Phone Ext.<br><b>[REDACTED]</b>  |                                       |  |
| Height   | Weight  | Build   | Hair                | Eyes                                      | Description                           |  |
|  |   |   |                     |   |                                       |  |
| Driver's License   |   | State   | Social Security No. |   | Other I.D.                            |  |
|  |   |   |                     |   |                                       |  |
| <hr/>  |   |   |                     |   |                                       |  |
| Code<br><b>W-5</b>   | Name: Last, First, Middle<br><b>[REDACTED]</b>                          |   |                     | Sex<br><b>M</b>                           | Race/Ethnicity<br><b>White/Caucas</b> |  |
| Confidentiality  | Address: Street, City, State, ZIP<br><b>[REDACTED] Cooke, TX 76835</b>  |   |                     | Date of Birth/Age<br><b>[REDACTED]</b>    |                                       |  |
| Place of Employment/School/Address   |   |   |                     | Occupation<br><b>Limestone Co. JP-2</b>   | Home Phone Ext.<br><b>[REDACTED]</b>  |  |
|  |   |   |                     | Business Phone Ext.<br><b>[REDACTED]</b>  |                                       |  |
| Height   | Weight  | Build   | Hair                | Eyes                                      | Description                           |  |
|  |   |   |                     |   |                                       |  |
| Driver's License   |   | State   | Social Security No. |   | Other I.D.                            |  |
|  |   |   |                     |   |                                       |  |
| <hr/>  |   |   |                     |   |                                       |  |
| Code<br><b>W-6</b>   | Name: Last, First, Middle<br><b>[REDACTED]</b>                          |   |                     | Sex<br><b>M</b>                           | Race/Ethnicity<br><b>White/Caucas</b> |  |
| Confidentiality  | Address: Street, City, State, ZIP<br><b>[REDACTED] Teague, TX 76860</b> |   |                     | Date of Birth/Age<br><b>03/20</b>         |                                       |  |
| Place of Employment/School/Address<br><b>Teague Emergency Medical Services</b> |   |   |                     | Occupation<br><b>Emergency Med Tech</b>   | Home Phone Ext.<br><b>[REDACTED]</b>  |  |
|  |   |   |                     | Business Phone Ext.<br><b>[REDACTED]</b>  |                                       |  |
| Height   | Weight  | Build   | Hair                | Eyes                                      | Description                           |  |
|  |   |   |                     |   |                                       |  |
| Driver's License   |   | State   | Social Security No. |   | Other I.D.                            |  |
|  |   |   |                     |   |                                       |  |
| <hr/>  |   |   |                     |   |                                       |  |
| Code<br><b>W-7</b>   | Name: Last, First, Middle<br><b>[REDACTED]</b>                          |   |                     | Sex<br><b>F</b>                           | Race/Ethnicity<br><b>White/Caucas</b> |  |
| Confidentiality  | Address: Street, City, State, ZIP<br><b>[REDACTED] TX 76667</b>         |   |                     | Date of Birth/Age<br><b>[REDACTED]</b>    |                                       |  |
| Place of Employment/School/Address<br><b>[REDACTED] Maxie, TX 76667</b>        |   |   |                     | Occupation<br><b>Police Det-Sgt.</b>      | Home Phone Ext.<br><b>[REDACTED]</b>  |  |
|  |   |   |                     | Business Phone Ext.<br><b>[REDACTED]</b>  |                                       |  |
| Height   | Weight  | Build   | Hair                | Eyes                                      | Description                           |  |
|  |   |   |                     |   |                                       |  |
| Driver's License   |   | State   | Social Security No. |   | Other I.D.                            |  |
|  |   |   |                     |   |                                       |  |

## INCIDENT REPORT CONTINUED

Page 4

|  |   |   |                               |       |
|--|---|---|-------------------------------|-------|
| AGENCY<br><b>Teague Police Department</b>  |   | Incident Classification<br><b>Death Unknown</b> | Incident No.<br><b>99091D</b> |       |
| Item #<br><b>1</b>                         | Status/Custodial Status/Condition<br><b>/Evidential</b> | City/Cust. City/Cont. City<br><b>//</b>         | Units                         | Value |
| Description<br><b>(4) Photographs</b>      |   | Item Category<br><b>Other</b>                   |                               |       |
| Brand<br><b>-Polaroid/Instant</b>          | Model   | Serial Number                                   | Owner Assigned Number         |       |
| Owner                                      | Received From   | Current Location<br><b>Locker Room</b>          |                               |       |
| Item #<br><b>2</b>                         | Status/Custodial Status/Condition<br><b>/Evidential</b> | City/Cust. City/Cont. City<br><b>6//</b>        | Units                         | Value |
| Description<br><b>(6) 35mm Photographs</b> |   | Item Category                                   |                               |       |
| Brand                                      | Model   | Serial Number                                   | Owner Assigned Number         |       |
| Owner                                      | Received From   | Current Location<br><b>Locker Room</b>          |                               |       |

CASE NUMBER: 99-091D

OFFENSE: Deceased Person

LOCATION: [REDACTED]

DATE: May 6, 1999

**NARRATIVE:** At about 1645 hours, I received a telephone call from Teague Emergency Medical Services advising that they were transporting a nine month old infant from [REDACTED] to Parkview Regional Hospital (in Mexia, Texas) with C. P. R.-In-Progress. The primary complaint was that the child was found not breathing and unconscious while at it's residence.

Fellow Teague Police Officer James Ashley #213 and I then went to Parkview Regional Hospital in Mexia, Texas for investigation of the incident.

Upon arrival, I made contact with [REDACTED] Smith, whom identified himself to me by Texas drivers license. Smith was wearing a uniform indicating that he is an Emergency Medical Technician for the Teague Emergency Services. Smith advised me that he and his partner ([REDACTED] Burns) transported a nine month old infant from [REDACTED] to the Parkview Regional Hospital with the infant not breathing and unconscious. Smith further said to me that Burns attempted to resuscitate the child but met with negative results. I then contacted Burns. Burns identified himself to me by Texas drivers license and was wearing a uniform indicative that he is an Emergency Medical Technician for Teague Emergency Services. According to Burns, his emergency response agency received a telephone call advising that an infant child found by it's parent at the aforementioned location, not breathing and unconscious. Burns said that he performed C.P.R., attempting to resuscitate the infant, but met with negative results.

I then entered the hospital to met with other attending personnel in the emergency room.

Upon entering, I met with and identified each attending physicians [REDACTED] D. and [REDACTED] explained to me that several attempts were made to resuscitate

INCIDENT REPORT CONTINUED

Page 6

|   |   |                             |
|---|---|-----------------------------|
| AGENCY: <b>Teague Police Department</b> | Incident Classification: <b>Death Unknown</b> | Incident No.: <b>89091D</b> |
|---|---|-----------------------------|

the infant but was unable to do so. At the time, [redacted] had not completed her report regarding the incident and could not provide a cause of death, but the victim would be sent to medical examiner for autopsy. Hall further explained to me that each of the infant's parents were in separate trauma rooms attended by hospital social services counselors.

I then requested that officer Ashley contact Freestone County dispatch in order for them to advise Teague Police Sergeant [redacted] #201 and Chief of Police [redacted] and apprise them of this incident.

I then went to contact the mother of the child, [redacted]. Upon entering the room, I found [redacted] to be distraught and crying uncontrollably. [redacted] identified herself to me by name, date of birth and Texas drivers license number. [redacted] explained to me that at around 4pm this date, she had lain her child [redacted], black, female, date of birth: 07/18/1998 in her playpen. After checking on [redacted] several times, she left her alone while she [redacted] and her fiancée [redacted] sat on the couch for [redacted] to rub her legs. [redacted] said that after a short while had passed, she noticed that the baby had gotten quiet. Thinking that the infant had gone asleep, she again checked on her welfare. At that time, she found the child in the playpen with a cap from a spray bottle atop her mouth and nose. [redacted] then became highly distraught and was unable to talk anymore at that time. I then left the room in order to locate the child's father, [redacted]. I located him inside another room of the emergency room, being consoled by family members and a hospital social services worker.

Upon observation, I noticed that [redacted] was wearing a white tee shirt and blue denim jeans. I further noticed that [redacted] had several areas of bloody phlegm and/or mucus on his shirt causing for it to be stained.

[redacted] appeared very upset and was crying heavily. [redacted] identified himself to me by name, Texas drivers license number and date of birth. He also explained that he is the father of the infant child-victim. He could only explain to me that his fiancée came out of their apartment screaming that their baby was not breathing and for him to call 911, which he did.

I explained to [redacted] that I would need him to come to the Teague Police Department in order to get a written statement from him regarding the incident. I also requested that he give permission for officer(s) to enter his residence for evidence collection. [redacted] agreed to provide a written statement and gave verbal consent for officers to enter his home for investigation and evidence collection. [redacted]'s father said that he would bring him to the Teague Police Department.

I then returned to check on [redacted]' condition. She was still visibly upset and I did explain to her that she would be needed at the Teague Police Department for a written statement of this incident. She agreed. [redacted]' sister ([redacted]) explained to me that she would bring [redacted] to the Teague Police Department for the statement.

Officer Ashley maintained crowd control and observations of both of the child's parents in the emergency room area while I went to the examination-trauma room for further investigation.

Upon entering the examination room, I took custody of the scene from Mexia Police Sergeant-Detective [redacted] whom was there maintaining security of the scene until officers from this police agency (Teague Police Department) could arrive and take control. I noticed a small black infant, approximately 29 inches long laying on it's back, covered with a white sheet with only it's head and face exposed. Closer examination revealed that the infant was not clothed and had a breathing tube in it's mouth and an intravenous tube in it's right leg-shin area. I also noticed a small indented area on the child's left shin area that I later learned was from an attempt for medical personnel to place an intro venous tube but was unable to. I did not observe any signs of life about the child.

With assistance from Mexia Police officer [redacted], she and I repositioned the infant so

INCIDENT REPORT CONTINUED

|   |   |  |
|---|---|--|
| AGENCY<br><b>Teague Police Department</b> | Incident Classification<br><b>Death Unknown</b> | Page 8<br>Incident No<br><b>99091D</b> |
|---|---|--|

that officer Ashley could take photographs of the victim. I was informed by Ashley that he took (6) 35mm photographs of the victim using a Minolta 35mm camera belonging to Teague Police Department. The camera is known by this police agency as camera #3 and is usually stored in marked police patrol unit #99.

The photographs are as follows:

- (1) full body of child-victim while covered with white sheet.
- (2) full body of child-victim while uncovered and unclothed.
- (3) full body of child-victim from head area to it's feet.
- (4) full body of child-victim indicating right side of body.
- (5) full body of child-victim indicating left side of body.
- (6) full body of child-victim indicating back side of body.

I then was contacted by Limestone County Justice of the Peace (Precinct 2) Wanda Taylor. Taylor advised me that she had pronounced the infant deceased at 1725 hours. Taylor further said that she would contact the medical examiners office and order an autopsy to be performed on the child.

I was then provided a Polaroid instant camera from Parkview Regional Hospital personnel in order for me to take instant photographs of the child-victim. I then took four pictures of the child while officer Ashley uncovered and repositioned the body for me to take said pictures.

Closer observation of the body indicated a semi-circle shaped ring indentation around it's mouth and nose showing that a round object was on her face a short while earlier.

I was then advised that I had a telephone call from Sgt. Ford in the doctor's area of the emergency room. I contacted him and advised him to go to the residence at [redacted] Street [redacted] and retrieve any evidence from the location and that verbal consent was given by [redacted] to enter said residence for investigative purposes.

Upon completion of investigation at the Parkview Regional Hospital, I requested that [redacted] and [redacted] be taken in separate vehicles to the Teague Police Department for statements. Officers followed [redacted], whom was being driven by her sister [redacted].

Upon arrival at the police department, I advised [redacted] of her Miranda Warning on May 6, 1999 at appx. 7:00pm. [redacted] explained that she did understand her warning of rights and did agree to speak with me and provide a statement regarding this investigation.

I then received a statement from [redacted] (as typed by this officer) that did explain at approx. 3:30pm today, she and her fiancée, [redacted], placed their baby [redacted] in her playpen so that she could play and maybe fall asleep. At that time, [redacted] went outside to take out some garbage. After checking on the child a couple of times, she found the child to be okay. When the baby got quiet around 4:15pm, she again went to check and found a white plastic cap from a spray bottle across the baby's mouth and face and noticed that the child was not breathing. She further said that she immediately removed the cap from the baby, saw blood and foam coming from her nose/mouth. [redacted] said she then took [redacted] into her arms, ran outside and screamed for [redacted] to call 911 because the child was not breathing. Williams then advised me that Kenneth ran to a neighbor's apartment and called for Teague E.M.S.

At that point, [redacted] and a friend named Regina Owens began to do C.P.R. on the child in an attempt to resuscitate. When emergency personnel arrived, [redacted] got into the ambulance with them and took the child to Mexia to the hospital.

[redacted] statement did concur with what she had explained to me regarding this incident.

I then released [redacted] from police custody and allowed for her to stay with relatives for the duration of the night.

INCIDENT REPORT CONTINUED

Page 7

|   |   |                               |
|---|---|-------------------------------|
| AGENCY: <b>Teague Police Department</b> | Incident Class/Location<br><b>Death Unknown</b> | Incident No.<br><b>99091D</b> |
|---|---|-------------------------------|

I then retrieved [redacted] from a secured office within the Teague Police Department. At that time, I was advised by Sergeant Jim Ford #201 that he had advised [redacted] of his Miranda Rights at approximately 1915 hours. I asked [redacted] if he understood his Miranda Warning and [redacted] said that he did. I then again asked [redacted] if he would provide me a statement regarding this circumstance and he agreed.

I then received a statement from [redacted] (as typed by me) that explained his view of the incident. [redacted] explained to me that at around 4:00pm this date, he and his family arrived home after walking his fiancée [redacted] home from her job at the Teague Dairy Queen. When they got into the apartment, they put the infant child, [redacted] in her playpen and he and [redacted] went into the living area and sat on the couch. According to [redacted], [redacted] checked on [redacted] later and they could see and hear her playing in the playpen. [redacted] further said that a short time later, he took some spoiled food-beans out to the trash dumpster when [redacted] suddenly came to the front door holding [redacted] and screaming for him to call 911. [redacted] said that he then ran to a friend's house and asked them to call for an ambulance. He and his friend then began doing C.P.R. on [redacted] in an attempt to resuscitate her even though neither person knew the procedure. [redacted] also said that when Teague E.M.S. arrived at the residence, he put [redacted] in his arms and ran and got into the ambulance. [redacted] also advised that due to heavy traffic, the ambulance was not able to go very fast. He further explained to me that he and the emergency medical technician tried giving [redacted] oxygen but she would not take any. According to [redacted], [redacted] still would not take any oxygen when in the Parkview Emergency Room. [redacted]'s statement did concur with what he had explained to me in reference to this incident.

I then released from custody to his uncle to be taken to his mother-in-law's residence for the duration of the night.

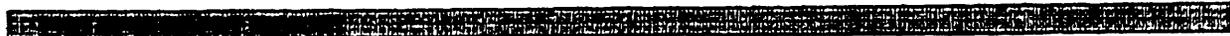
As per request of Justice of the Peace [redacted], I sent facsimilie (fax) copy of [redacted] and [redacted] statements to her office for review.

I was then advised by Sgt. Ford that he found the apartment to be in very clean living conditions and that he had located several items of property in the playpen of which he took custody pending disposition of this investigation.

Per conversation with Mexia Police Department Sgt-Inv. Ingram, she will complete a supplement report for this police agency and fax a copy to my attention.

At about 2200 hours, I received a telephone call from Southwest Institute of Forensic Sciences from Dallas. I spoke to a female subject named "Glen". She requested that the plastic spray cap that was located in the playpen be brought to their office for investigative comparison during the victim-child's autopsy in the morning hours on 05-07-1999. I did advise her that an officer from this police agency would be transporting items to their laboratory. The Justice of the Peace Inquest has yet to be completed pending further information to be provided to her from the Southwest Institute of Forensic Sciences. No further action was taken at this time pending further investigation. Please see supplemental narrative reports from Teague Police officer [redacted] and Sgt. [redacted] #201 as well as Mexia Police Det. [redacted] #201. INVESTIGATION CONTINUES.

[redacted] #206  
Teague Police Department/Patrol Division



# SUPPLEMENTAL REPORT

Page 1

Agency: **Teague Police Department**

INCIDENT NO  
**99091D**

|                           |                    |                   |              |                         |
|---------------------------|--------------------|-------------------|--------------|-------------------------|
| Report Purpose            | Reported On        | Date              | Time         | Incident Classification |
|                           | <b>Thursday</b>    | <b>05/06/1999</b> | <b>16:47</b> | <b>Death Unknown</b>    |
| Primary Charge            | Additional Charges |                   |              |                         |
| Officer Involved          |                    |                   |              |                         |
| <b>205, 213, 201, 200</b> |                    |                   |              |                         |

## SUPPLEMENTAL NARRATIVE

CASE NUMBER: #99091D  
OFFENSE: DECEASED PERSON

LOCATION: [REDACTED] TEAGUE, FREESTONE COUNTY, TEXAS

DATE: MAY 22, 1999

### NARRATIVE:

AS OF THIS DATE, 052299, THIS POLICE AGENCY RECEIVED CONFIRMATION FROM THE SOUTHWESTERN INSTITUTE OF FORENSIC SCIENCES AT DALLAS THAT THE DEATH OF THE VICTIM ([REDACTED]) WAS RULED AS ACCIDENTAL ASPHYXIATION. SUCH DEATH WAS SAID AND BELIEVED TO BE CAUSED BY THE VICTIM HAVING A PLASTIC LID FROM A SPRAY STARCH BOTTLE AFFIXED TO HER NOSE AND MOUTH BY UNKNOWN MEANS AND CAUSED FOR THE VICTIM TO HAVING LOSS OF BREATH AND THEREFORE CAUSING HER TO LOSE CONSCIOUSNESS. ATTEMPTS WERE MADE TO RESUSITATE THE VICTIM BY BOTH THE FATHER ([REDACTED]) AND TEAGUE EMERGENCY SERVICES BUT, EACH MET WITH NEGATIVE RESULTS. THE NINE MONTH OLD INFANT VICTIM WAS PRONOUNCED DECEASED ON THAT DATE BY LIMESTONE COUNTY JUSTICE WANDA TAYLOR.

THERE HAS BEEN NO EVIDENCE REPORTED OR FOUND FOR FURTHER INVESTIGATION BY THIS INVESTIGATING OFFICER IN THIS INCIDENT. NO FURTHER ACTION WILL BE TAKEN BY THIS INVESTIGATOR OR THIS POLICE AGENCY.

LEE W. PICKETT/TPD #205 *L.W. Pickett 205*  
THIS CASE IS RULED AS CLOSED, DUE TO LACK OF FURTHER INVESTIGATIVE LEADS

|                                 |                         |                     |           |              |
|---------------------------------|-------------------------|---------------------|-----------|--------------|
| ID No/Name of Reporting Officer | Print Date/Time         | Signature           | Date/Time | Distribution |
| <b>205 PICKETT, LEE W.</b>      | <b>06/22/1999 15:36</b> | <i>L.W. Pickett</i> |           |              |

# SUPPLEMENTAL REPORT

Agency: **Teague Police Department**

|                               |
|-------------------------------|
| INCIDENT NO.<br><b>99091D</b> |
|-------------------------------|

|  |   |      |      |   |
|--|---|------|------|---|
| Report Purpose<br><b>Investigation</b>   | Reported On<br><b>Thursday 06/08/1999 18:47</b> | Date | Time | Incident Classification<br><b>Death Unknown</b> |
| Primary Charge                           | Additional Charges                              |      |      |   |
| Officer Involved<br><b>206, 213, 201</b> |   |      |      |   |

**CASE NUMBER: 99091D/Supplement Report**

**OFFENSE: Deceased Person**

**LOCATION:** [REDACTED]

**DATE: May 8, 1999**

**NARRATIVE:** While on patrol with fellow police officer [REDACTED] was informed by Pickett that he had received a call from Teague E.M.S. about a child not breathing. Officer [REDACTED] and I then went to Parkview Regional Hospital for the investigation. Upon arrival we were met by one of the E.M.T.'s from Teague E.M.S. in front of the hospital. While Officer Pickett got the information from the E.M.T. I went to the patrol car and contacted Freestone CO. Sheriffs Department by Radio, to contact Sgt. [REDACTED] #201 and Chief [REDACTED] #200 to let them know what was happening. I then went back over to Officer [REDACTED] to tell him that Freestone was attempting to reach both 201 and 200. We then went inside the hospital to begin the investigation, at this time I was informed that the child had expired. Officer [REDACTED] then asked me to get some information from the Doctors who had cared for the child, I spoke with a Michelle Hall M.D. and a Stan Abrams M.D., both doctors gave me their personal information, (date of birth, social security, name and phone number.) which is contained in Officer Pickett's Report. I also asked the doctors if there was anything suspicious about the child's death, both replied not as far as they could see. I then went into the treatment room where the child was and observed the child on its back with a white cloth covering all but the child's head and left arm. There were two people in the room one was a nurse and the other was introduced to me as Sgt. Detective Lisa Ingram #304 of Mexia P.D.. At this time another nurse informed me that I had a phone call from Sgt. [REDACTED] who spoke with Ford on the phone and informed him of the situation. Ford then spoke with Officer Pickett on the phone, Pickett then told me that we needed to get some photographs of the child. At this time I went to the patrol car and got the camera out. After going back inside the hospital I went into the treatment room where the child was, Officers [REDACTED] and Ingram assisted in the taking of the photographs from camera #3 which is a Minolta 35mm using poliroid film numbering (6) from different views, contained in Officer Pickett's report. Officer Pickett was then provided a Polaroid camera from which he took four pictures. At the time the photographs were being taken I observed a small semi-circle around the mouth and nose area of the child, along with a breathing tube in the mouth of the child. At this time Justice of the Peace (Precinct 2) Wanda Taylor walked into the room, Taylor then pronounced the child at 1725 hours. The parents were then allowed to come into the treatment room and view the child. I was asked by the J.P. and Officer Pickett to keep the parents from picking up the child in any way. The parents were then taken back into the hallway and we went outside to wait on the parents family to take them to the Teague Police Department for statements. After leaving the hospital we received a call on the radio from Sgt. [REDACTED] asking if we had got consent from the parents to go into their apartment, Officer

|  |  |          |           |              |
|--|--|----------|-----------|--------------|
| I.D. No. Name of Reporting Officer<br><b>206 PICKETT, LEE W.</b> | Print Date/Time<br><b>06/07/1999 23:57</b> | Approval | Date/Time | Distribution |
|--|--|----------|-----------|--------------|

**SUPPLEMENTAL REPORT CONTINUED**

Page 2

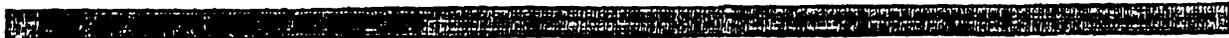
|   |   |                            |
|---|---|----------------------------|
| AGENCY: <u>Teague Police Department</u> | Incident Classification: <u>Death Unknown</u> | Incident No: <u>99091D</u> |
|---|---|----------------------------|

Pickett informed Ford that he had got verbal consent from the father of the child. We then followed the Mother and her sister to the Teague Police Department. Upon arrival at the P.D. Officer Pickett began to take the statement of the Mother, a short time after the Father arrived and was placed into the Chief's office with his father. Sgt. Ford then came into the office and went into the chief's office and read the Miranda Warning to the Father. After obtaining the mother's statement she was released and left with her sister. Officer Pickett then began to take the father's statement after which he to was released. Later that that evening I went back to [REDACTED] to obtain a written statement from [REDACTED] to ascertain what had occurred, a statement was given by [REDACTED]. I then went back to the P.D. and gave the statement to Officer Pickett.

Investigation On Going

James M. Ashley #213  
 Teague Police Department/Patrol Division

*James M. Ashley #213*



# SUPPLEMENTAL REPORT

Page 1

Agency: **Teague Police Department**

|                              |
|------------------------------|
| INCIDENT NO<br><b>99091D</b> |
|------------------------------|

|  |                                |                           |                      |   |
|--|--------------------------------|---------------------------|----------------------|---|
| Report Purpose                         | Received On<br><b>Thursday</b> | Date<br><b>05/06/1999</b> | Time<br><b>16:47</b> | Incident Classification<br><b>Death Unknown</b> |
| Primary Charge                         | Additional Charges             |                           |                      |   |
| Other involved<br><b>208, 213, 201</b> |                                |                           |                      |   |

**Case # 99091D**

**Offense : Deceased Person**

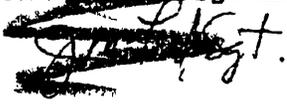
**Location : [Redacted]**

**Date : 05-12-99**

**Narrative :** On this date, 05-12-99, I received a Cause of Death statement from the Southwestern Institute of Forensic Sciences at Dallas in reference to the autopsy performed on the victim in this case, [Redacted] b/f 9 months old. The statement was from the Deputy Chief Medical Examiner J. [Redacted] M.D. and stated that the cause of death was from Asphyxiation by foreign object (plastic Lid). Manner of Death, Accidental. The statement is enclosed in this case folder.

I also contacted the Child Protective Services in Austin of the incident. Their reference number is 25167230.

Reporting Officer : **J.M. Ford, Sgt. #201**



|  |  |          |           |              |
|--|--|----------|-----------|--------------|
| I.D. No. Name of Reporting Officer<br><b>[Redacted] M. Sgt</b> | Prep. Date/Time<br><b>05/12/1999 11:10</b> | Approval | Date/Time | Distribution |
|--|--|----------|-----------|--------------|

# SUPPLEMENTAL REPORT

Agency: **Teague Police Department**

INCIDENT NO  
**99091D**

|                           |                    |                   |              |                         |
|---------------------------|--------------------|-------------------|--------------|-------------------------|
| Report Purpose            | Reported On        | Date              | Time         | Incident Classification |
|                           | <b>Thursday</b>    | <b>05/06/1999</b> | <b>16:47</b> | <b>Death Unknown</b>    |
| Primary Charge            | Additional Charges |                   |              |                         |
| Officer Involved          |                    |                   |              |                         |
| <b>205, 213, 201, 200</b> |                    |                   |              |                         |

**Case :** 99091D  
**Offense :** Deceased Person  
**Location :** [REDACTED]  
**Date :** 05-12-99

**Narrative :** On Friday 05-07-99 at 7:30am, I received evidence listed as P-1, a white spray can cap with blood on it in a brown paper bag, from Officer [REDACTED] unit #205. I took the evidence to the Southwester Institute of Forensic Sciences in Dallas Texas and turned the evidence over to Linda M [REDACTED] DLS CO Evidence Registrar at 9:30am.

The evidence was checked with the victim in this case and returned to me and sealed by Linda [REDACTED] at 10:10 am. The evidence was then brought back to the Teague Police Department and turned over to Sgt. J.M. Ford at which time it was logged in and returned to the evidence room and secured.

**Reporting Officer:** Joseph [REDACTED] Chief of Police Teague Texas

|                                    |                         |          |           |              |
|------------------------------------|-------------------------|----------|-----------|--------------|
| I.D. No./Name of Reporting Officer | Prep Date/Time          | Approval | Date/Time | Distribution |
| <b>200-CA-100-123456789</b>        | <b>05/12/1999 11:30</b> |          |           |              |

ID #514

### TEAGUE POLICE DEPARTMENT VOLUNTARY STATEMENT

CASE # 99-091D

DL# Tx-98982768 SS# 467-41-7875 TELE#(work) [REDACTED] DOB: 09-22-1964

DATE: May 6, 1999 TIME: 8:00PM PLACE: Teague Police Department

I, [REDACTED], AM: 34 YEARS OLD AND I LIVE AT [REDACTED]

Teague, Texas 75860

I AM GIVING THIS STATEMENT TO [REDACTED] ID# 205

WHO HAS IDENTIFIED HIMSELF AS A Teague Police Officer AND HE HAS DULY WARNED ME THAT I HAVE THE FOLLOWING RIGHTS:

[REDACTED] \* YOU HAVE THE RIGHT TO REMAIN SILENT AND NOT MAKE ANY STATEMENT AT ALL;

[REDACTED] \* THAT ANY STATEMENT YOU MAKE MAY BE USED AGAINST YOU IN A COURT OF LAW;

[REDACTED] \* YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED;

[REDACTED] \* IF YOU CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH;

[REDACTED] \* YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.

PRIOR TO AND DURING THE MAKING OF THIS STATEMENT, I HAVE AND DO HEREBY KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVE THE ABOVE EXPLAINED RIGHTS AND DO MAKE THE FOLLOWING VOLUNTARY STATEMENT TO THE AFOREMENTIONED PERSON OF MY OWN FREE WILL AND WITHOUT PROMISES OF OFFERS OF LENIENCY OR FAVORS, AND WITHOUT COMPULSION OR PERSUASION BY ANY PERSON OR PERSONS WHOMEVER.

Around 4:00 p.m. today, we went to our house after we walked [REDACTED]. My fiancée came home from work, we had the baby in the playpen and [REDACTED] and I were on the couch. We checked on her later and we could still see and hear my daughter, [REDACTED] playing. I took some spoiled food from the refrigerator to the trash dumpster when my fiancée [REDACTED] ran out of the house and holding the baby saying for me to call 911. I ran to my friend James' house and he called 911. He and I started doing C.P.R. on the baby even though I did not know how to do it. When E.M.S. got to the house, I jumped in with them and took my baby, [REDACTED] to Mexia hospital, but the ambulance was not fast enough to get there to save my baby because of heavy traffic. I tried blowing in [REDACTED] mouth and asked for the paramedic to give her oxygen but, he only wanted to do C.P.R. The baby would not take oxygen from the E.M.S. or at the Mexia Hospital. \*\*\*\*\*END OF STATEMENT\*\*\*\*\*

I HAVE READ THIS STATEMENT CONSISTING OF (1) PAGE, WHICH BEARS MY SIGNATURE, AND I DO AFFIRM THAT ALL FACTS AND STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT.

SIGNATURE [REDACTED]

THE ABOVE WARNINGS WERE GIVEN BY AND THIS VOLUNTARY STATEMENT WAS TAKEN

BY: [REDACTED] 205

WITNESSED BY: [REDACTED] 205

### TEAGUE POLICE DEPARTMENT VOLUNTARY STATEMENT

CASE # 99-091D

DL# TX-09801194 SS# 466-42-8309 TELE# None DOB: 02-23-1977

DATE: May 6, 1999 TIME: 7:00PM PLACE: Teague Police Department

I, [REDACTED] AM 22 YEARS OLD AND I LIVE AT: [REDACTED]

Teague, Texas 75860

I AM GIVING THIS STATEMENT TO Lee W. Pickett, ID# 205

WHO HAS IDENTIFIED HIMSELF AS A Teague Police Officer AND HE HAS DULY WARNED ME THAT I HAVE THE FOLLOWING RIGHTS:

[REDACTED] \* YOU HAVE THE RIGHT TO REMAIN SILENT AND NOT MAKE ANY STATEMENT AT ALL;

[REDACTED] \* THAT ANY STATEMENT YOU MAKE MAY BE USED AGAINST YOU IN A COURT OF LAW;

[REDACTED] \* YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED;

[REDACTED] \* IF YOU CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH;

[REDACTED] \* YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.

PRIOR TO AND DURING THE MAKING OF THIS STATEMENT, I HAVE AND DO HEREBY KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVE THE ABOVE EXPLAINED RIGHTS AND DO MAKE THE FOLLOWING VOLUNTARY STATEMENT TO THE AFOREMENTIONED PERSON OF MY OWN FREE WILL AND WITHOUT PROMISES OF OFFERS OF LENIENCY OR FAVORS, AND WITHOUT COMPUSSION OR PERSUASION BY ANY PERSON OR PERSONS WHOMEVER.

*At around 3:35 p.m. today, I went to my and my fiancée's bedroom to check on my baby [REDACTED] who was playing in her playpen. At that time, everything seemed alright and she was playing. A short while later, while [REDACTED] and I were sitting on the couch, we could see her and she was playing. A short time after that she got quiet, so I went to check on her. When I walked into the room, I could see her laying on her back in the playpen with what looked like a spray starch bottle lid on her face. I quickly removed the lid from her face and noticed blood and foam coming from her nose. I picked her up and ran to [REDACTED] (who was outside) and told him to call 911. He ran to my friend [REDACTED]'s house and her husband (whose name I do not know) called the ambulance. [REDACTED] and [REDACTED] started C.P.R. on [REDACTED] until paramedics got there and took control and took [REDACTED] to Meade Hospital. \*\*\*END OF STATEMENT\*\*\* [REDACTED]*

I HAVE READ THIS STATEMENT CONSISTING OF (1) PAGE, WHICH BEARS MY SIGNATURE, AND I DO AFFIRM THAT ALL FACTS AND STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT.

SIGNATURE [REDACTED]

THE ABOVE WARNINGS WERE GIVEN BY AND THIS VOLUNTARY STATEMENT WAS TAKEN

BY Lee W. Pickett 205 WITNESS Lee W. Pickett # 205

17

|  |  |   |  |   |
|--|--|---|--|---|
| 1. TASK NUMBER<br>000211CCN0100  |  | 2. INVESTIGATOR'S ID<br>8929                |  | <b>EPIDEMIOLOGIC<br/>INVESTIGATION<br/>REPORT</b> |
| 3. OFFICE CODE<br>830  | 4. DATE OF ACCIDENT<br>YR MO DAY<br>00/01/00 | 5. DATE INITIATED<br>YR MO DAY<br>00/02/09  |  |   |
| 6. SYNOPSIS OF ACCIDENT OR COMPLAINT<br>UPC Doc. No. G0020161A<br><br>This investigation was initiated in response to a report made in connection with a toy recall. The victim, a three year old female, was found unconscious in bed with one half of the toy ball covering her nose and mouth. Her mother was able to revive her. She sustained marks on her face for approximately one week. |  |   |  |   |
| 7. LOCATION (Home, School, etc.)<br>Home 1   |  | 8. CITY<br>Blue River                       |  | 9. STATE<br>WI                                    |
| 10A. FIRST PRODUCT<br>Toy Premium 5004   |  | 10B. TRADE/BRAND NAME<br>[REDACTED]         |  | 10C. MODEL NUMBER<br>[REDACTED]                   |
| 10D. MANUFACTURER NAME AND ADDRESS<br>[REDACTED]   |  |   |  |   |
| 11A. SECOND PRODUCT<br>None  |  | 11B. TRADE/BRAND NAME                       |  | 11C. MODEL NUMBER                                 |
| 11D. MANUFACTURER NAME AND ADDRESS<br>N/A  |  |   |  |   |
| 12. AGE OF VICTIM<br>003   | 13. SEX<br>Female 2                          | 14. DISPOSITION<br>Treated 1                | 15. INJURY DIAGNOSIS<br>Anoxia 65            |   |
| 16. BODY PART (S)<br>INVOLVED<br>All 85  | 17. RESPONDENT<br>Mother 1                   | 18. TYPE OF<br>INVESTIGATION<br>Telephone 2 | 19. TIME SPENT<br>(OPERATIONAL HOURS)<br>8.0 |   |
| 20. ATTACHMENT(S)<br>None 0  | 21. CASE SOURCE<br>Manufacturer 13           |   | 22. SAMPLE COLLECTION NUMBER<br>None         |   |
| 23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY)  |  |   |  | Yes   |
| 24. REVIEW DATE<br>2/18/00   | 25. REVIEWED BY<br>8929                      |   | 26. REGIONAL OFFICE DIRECTOR<br>[Signature]  |   |
| 27. DISTRIBUTION<br>O:EHDS CC: FOCR;Rogers, T.   |  |   |  |   |

CPSC FORM 182 (12/96) Approved for use through 5/31/2000

CPSA 6 (b)(7)(C) Cleared  
 Products No Mfrs/Providers of  
 No Identified  
 Excepted  
 Firms Notified,  
 Comments Processed.

000211CCN0100

**SUMMARY:**

This investigation involved a toy premium that was given with a children's meal at a fast food restaurant. The premium consisted of a hard plastic ball, that separated into two halves and enclosed a plastic figure. The three year old female had received the toy approximately one week prior to the date of the incident, though the actual date of the purchase or this incident is unknown. On the date of this incident the mother laid the daughter down for a nap. The mother went to check on her daughter who was in her bedroom, because she was sleeping longer than she normally would. She found her daughter unconscious with one half of the toy ball over her nose and mouth. She pulled the toy off of her face by placing her fingernails under the edge of the ball which was "suctioned" to her face. Her daughter did not require any additional medical attention, though she does not recall the incident. The ball did leave marks on her face which lasted approximately one week.

**PRE-INCIDENT:**

The victim's mother was interviewed for this report. She stated that she did not purchase the toy at the restaurant, adding that her boyfriend had obtained the toy for her daughter in connection with a children's meal. The mother could not describe the figure which was in the plastic ball or the color of the ball itself.

The victim was a three year old female, her date of birth is July 13, 1996. The premium toy was purchased in mid-January, 2000, (in the interview conducted on February 14, 2000 with the mother, she stated that it had been purchased "approximately three weeks ago" but the exact date is unknown. The mother stated that she had never noticed her daughter playing with the toy prior to the date of the incident.

Approximately one week after purchase, the mother stated that she had fed her daughter lunch, and as a normal part of her schedule had then laid her down for a nap. The mother stated that this was at approximately 1:00 p.m. Her daughter generally takes a nap for 1 ½ to 2 hours.

**INCIDENT:**

The mother stated that between 3:30 and 3:45 p.m. on the date of this incident, she went into her daughter's bedroom to check on her since she would generally be up from her nap at that time. She stated that the head of her daughter's bed is pointed toward the door. She therefore had to walk around the head of the bed and she found her daughter lying on her back, with one half of the outside plastic shell of the toy premium egg covering her nose and mouth. Her arms were down to her side.

**POST-INCIDENT:**

She found her daughter unconscious. She stated that she does not know how long her daughter was lying in that position. The mother then, who is a Certified Nurses Assistant, began to slap

her daughter's face in an effort to bring her into consciousness, She stated that when her daughter still did not respond, she administered CPR. Her daughter revived and was found to be alright with no additional medical treatment required. The mother stated that her daughter sustained marks on her face as a result of this incident, but did not require any medical treatment.

The mother further stated that she did not report this incident to the restaurant chain where it had been purchased until she heard about the recall of this toy over the television. She then reported the incident to the restaurant chain.

The mother stated that she disposed of the plastic ball after the incident and therefore it was not available for examination or photographs in connection with this incident. She did not recall the color of the toy ball, or which plastic figurine had been packaged inside. Her daughter does not recall the incident in any way.

**PRODUCT INFORMATION:**

Premium packaged with children's meals through [REDACTED] restaurants.

**ATTACHMENTS:**

There are no attachments due to the product being discarded by the mother prior to contact.