

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

Report Release Date: February 2, 2016

Review of the Near Death of L.C.

of Comanche County, Oklahoma

General Information

The Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the near-death of L.C. A Felony charge of Child Abuse by Injury was filed by the Comanche County District Attorney on October 2, 2015, against Eddie Cano, the biological father and Person Responsible for the Child (PRFC). A Felony charge of Enabling Child Abuse by Injury was filed by the Comanche County District Attorney on October 2, 2015, against Joann Garza, the biological mother and Person Responsible for the Child (PRFC).

Authorization

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the DHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105.

Identifiers:

Child's Name:	L.C.
Age at time of Incident:	Eighteen-month-old
Date of Near Death:	September 28, 2015
Person Responsible for the Child:	Eddie Cano, biological father Joann Garza, biological mother
Sibling 1	5 years old
Sibling 2	2 years old
Sibling 3	7 months old

The Oklahoma Commission on Children and Youth (OCCY) was not aware of L.C. before the child's near death.

Near-Death Incident

The near death report was received by the Comanche County Oklahoma Department of Human Services (OKDHS) on September 28, 2015. L.C. and her siblings were currently in the custody of the OKDHS at the time of L.C.'s near death incident and had been placed back into her parent's home in trial reunification on June 17, 2015.

Reportedly, the biological mother Joann Garza stated that L.C. had bumped her head earlier while at a relative's home but appeared fine. Ms. Garza had placed L.C. down to sleep but heard L.C. crying and went to check on L.C. and observed L.C. standing on the bed and then L.C. fell.

L.C. was unresponsive and not breathing when she arrived by ambulance to a local hospital. The hospital stabilized L.C. for medi-flight transport to a metropolitan hospital.

L.C. was admitted to the Pediatric Intensive Care Unit where she was operated on for a subdural hematoma. In addition, doctors documented that L. C. suffered from diffuse retinal hemorrhages consistent with non-accidental trauma.

The OKDHS accepted this as a Priority I Investigation. The OKDHS made timely contact with L.C. and her siblings. The OKDHS did a verbal Safety Plan with a relative allowing the siblings to stay with the relative with the stipulation of no unsupervised contact with either Joann Garza or Eddie Cano. L.C. was observed to have a bump on her forehead, bruises on her upper left arm, back, buttocks, sides, neck, and along her jawline. A medical doctor stated her neck was consistent with being grabbed.

The parents were both interviewed and arrested. The OKDHS documented Eddie Cano first denied having abused L.C. and then admitted to spanking L.C with sandal approximately ten or more times. Ms. Garza admitted to knowing Eddie Cano had disciplined L.C. and she was aware of the bruising L.C. had. Ms. Garza did not know how L.C. received the bruise on her forehead but it was not there before Eddie had disciplined L.C.

The OKDHS made a finding Substantiated as to Abuse-Near Death as to Eddie Cano. The OKDHS made a finding of Substantiated as to Threat of Harm as to children by both parents. The OKDHS recommended a Shocking and Heinous petition be filed on both parents for all the children with reasonable efforts not required to reunite the children with either parent as well as requested the Termination of Parental Rights. The children remain in OKDHS custody.

Judicial Proceedings

As a result of previous non-pertinent reports of child abuse/neglect, the children were placed back into trial reunification on June 17, 2015, as the parents were actively working their service plan and demonstrating behavioral changes.