

OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT

Report Release Date: May 23, 2016

Review of the Death of Payton Cockrell

Of McCurtain County, Oklahoma

General Information

The Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of Payton Cockrell. Payton died on July 23, 2013. Dakota Lane Williston, the boyfriend of Payton's mother, was charged on December 16, 2014, in the United States District Court, Eastern District of Oklahoma, with one count of Murder in the First Degree in Indian Country Committed During the Perpetration of Child Abuse.

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 OKDHS; 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:	Payton Cockrell
Date of Birth:	January 15, 2011
Date of Death:	July 23, 2013
Person(s) Responsible for the Child (PRFC):	Dakota Lane Williston, boyfriend of the biological mother
Biological Sibling One:	Ten-years-old
PRFC's Biological Child One:	Three-years-old
PRFC's Biological Child Two:	Two-years-old

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this family until after the death incident.

Death Incident (McCurtain County)

The child death report was received by the McCurtain County OKDHS on July 23, 2013. Reportedly, law enforcement and paramedics responded to the home of Mr. Williston, the boyfriend of Payton's mother. According to the report, Payton was found unresponsive and unable to be revived at the scene, so she was transported to a medical facility. The report documented that her body was bruised, scratched and other injuries consistent with physical abuse. Reportedly, Payton's mother was working when the death event occurred. The OKDHS accepted this report as a Priority I Investigation.

The investigation documented that the OKDHS completed a voluntary safety plan with the family to ensure the safety of Biological Sibling One. Later, upon receiving further information and completing a comprehensive safety analysis, the OKDHS requested and received emergency custody of Biological Sibling One. The OKDHS substantiated the allegations of Failure to Protect and Threat of Harm as to Sibling One and the Child Death allegation as to Payton, and closed the child death investigation on October 17, 2013.

The Report of Investigation by the Office of the Chief Medical Examiner indicated that the probable cause of death was “blunt force injuries of head and torso” and that the manner of death was Homicide.

Prior Involvement with the Department of Human Services

Five prior reports of abuse or neglect were pertinent to Payton’s death.

Report to the OKDHS Alleging Abuse/Neglect (November 27, 2012) (McCurtain County)

This report was received on November 27, 2012, and was assigned as a Priority I Investigation. The reporter indicated that Payton was the victim of abuse by burning and by beating. Mr. Williston was identified as the alleged perpetrator in the report. Allegedly, Payton had a burn mark on her left thigh that appeared to be a cigarette lighter burn, and had bruises on her chest and a bruise on her right cheek. The OKDHS documented that Payton was immediately taken to a local medical facility for observation and treatment, and the medical professional indicated the “burn” to be an infected insect bite. The OKDHS also documented that the medical professional did not have concerns about the faint bruising on Payton’s body. The OKDHS documented that Payton’s mother indicated she and Mr. Williston were no longer a couple.

The OKDHS made a finding of Unsubstantiated as to the abuse allegations.

Report to the OKDHS Alleging Abuse/Neglect (April 4, 2013) (McCurtain County)

This report was received on April 4, 2013, and was assigned as a Priority II Investigation with two days to initiate contact with the alleged victims. The report indicated that PRFC Biological Child One and PRFC Biological Child Two were the alleged victims of abuse due to threat of harm and neglect because of exposure to domestic violence by Mr. Williston. The OKDHS documented that the children did not have bruises or any developmental concerns. According to the OKDHS documentation, Mr. Williston admitted that he slapped the mother of these children. The mother of these children reportedly stated that the arguments between her and Mr. Williston were verbal but not physical. The OKDHS made a finding of Unsubstantiated as to the abuse and neglect allegations.

Report to the OKDHS Alleging Abuse/Neglect (May 14, 2013) (Statewide Abuse and Neglect Hotline)

This report was received on May 14, 2013, and was Screened-Out. The report indicated that PRFC Biological Child One and PRFC Biological Child Two were the

alleged victims of neglect due to threat of harm and exposure to domestic violence by Mr. Williston. The report was Screened-Out because it was a duplicate report to the one received on April 4, 2013.

Report to the OKDHS Alleging Abuse/Neglect (June 25, 2013) (McCurtain County)

This report was received on June 25, 2013, and was accepted as a Priority II Investigation with three days to initiate contact with the alleged victims. The report indicated that PRFC Biological Child One and PRFC Biological Child Two were the alleged victims of abuse due to threat of harm and neglect because of exposure to domestic violence by Mr. Williston. The report alleged that the biological mother of these children reported to law enforcement that Mr. Williston assaulted her over the Memorial Day weekend, and on at least one occasion, did so while she held one of the children. According to the report, Mr. Williston was arrested and the biological mother filed a Protective Order. Reportedly, the biological mother requested the order be dismissed and allowed Mr. Williston to move back into the home.

The OKDHS made a determination that the children were unsafe and a safety plan was developed with the biological mother to ensure the safety of the children. The OKDHS also documented that home-based services for the biological mother were requested. Reportedly, the biological mother was cooperative with the service provider for a while, but was seen with Mr. Williston on several occasions. The OKDHS made the determination to request emergency custody of these children due to the reconciliation. The District Attorney's office declined to remove the children from their home. The OKDHS documented continued efforts to work a family-centered services case with the biological mother. The OKDHS did document that a guardianship of PRFC Biological Child One and PRFC Biological Child Two was awarded to a relative of the children on December 15, 2014.

Report to the OKDHS Alleging Abuse/Neglect (January 14, 2014) (Statewide Abuse and Neglect Hotline)

This report was received on January 14, 2014, and was Screened-Out. The report indicated that PRFC Biological Child One and PRFC Biological Child Two were the alleged victims of neglect due to threat of harm by Mr. Williston and failure to protect by the biological mother. The report alleged that the children and their biological mother resided with Mr. Williston. Because Mr. Williston was an alleged perpetrator in a child death investigation, the caller was very concerned. The report was screened-out after an OKDHS worker determined that the children were not currently residing in the home.