

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

Report Release Date: November 21, 2014

Review of the Near-Death of B.B.

of Pontotoc County, Oklahoma

General Information

On August 26, 2013, the Office of Juvenile System Oversight (OJSO) received an inquiry regarding the near-death of B.B. Three Counts of Child Abuse by Injury were filed against David Stewart, the mother's new spouse on August 30, 2013. Three charges of Child Abuse by Injury and two charges of Child Neglect were filed against Cassie Stewart, the Person Responsible for the Child (PRFC) on August 30, 2013. All charges were filed in Pontotoc County.

Authorization

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates, outcomes 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:

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| Child's Name: | B.B. |
| Age at time of Incident: | Four-months-old |
| Date of Near Death: | August 16, 2013 |
| Person Responsible for the Child: | Cassie Victor - Stewart David Stewart |

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this case until after the near-death of B.B.

Criminal Charges

The On Demand Court Records (ODCR) documented that three charges were filed against David Stewart for Child Abuse by Injury. The ODCR also documented that three charges of Child Abuse by Injury and two Child Neglect charges were filed against Cassie Stewart. The charges were filed by the Pontotoc County District Attorney's office.

Near Death Incident

The alleged victim, four-month-old B.B. was taken to the Emergency Room by the child's mother Cassie Stewart and step-father David Stewart due to a decreased level of consciousness on August 16, 2013. The mother was reported to have been working an evening shift and the step-father was caring for the alleged victim and three siblings. It was reported that the step-father called the mother at her job and told the mother that B.B. had fallen out of the swing and had been unconscious for approximately fifteen minutes.

The mother was reported to have left work, gone to the home, picked up all four children, placed them into the vehicle and driven the child to the Emergency Room. Upon arrival at the local Emergency Room the child was med-flighted to a metropolitan hospital and admitted into the pediatric intensive care unit in critical condition. The child was found to have a subdural hematoma, retinal hemorrhaging, and rib fractures.

The step-father, David Stewart, reportedly stated the child had been wrapped in a towel, which was described as a cocoon, placed in the infant swing, securing the abdominal strap but not the strap between the child's legs. The step-father further reported he was vacuuming in another room and heard a loud thud. David Stewart then stated he found B.B. on the tiled kitchen floor, lying beside the swing. He reported that B.B. was unconscious for approximately fifteen minutes. The step-father stated he called the mother rather than 911 because the mother, Cassie Stewart, had told him how long it took to get Law Enforcement or an ambulance to arrive.

The OKDHS accepted the report as a Priority I Investigation. After an in-depth investigation, the OKDHS made an overall finding of Substantiated and requested that the District Attorney file a Petition on behalf of these children as Heinous and Shocking.

Prior Involvement with the Department of Human Services

There were three prior reports, (November 18, 2010, December 16, 2010 and November 11, 2011) that were pertinent to the Near Death of B.B. The reports were in regard to allegations of physical abuse.

The first of these reports was accepted as a Priority II Assessment with two days in which to initiate contact with the child victims. The information from the second report dated December 16, 2010, in regard to the physical abuse of the children was Screened Out and documented that those allegations would be addressed in the other report. The two reports alleged that the mother had kicked one of her children, and called him vulgar names. The report also alleged the child appeared to be underweight and cried. The added report alleged that a child was sick with a high fever of 103 degrees and was throwing up but the mother stated the child did not need to see a doctor. The mother was also documented to have been observed cursing and screaming at the child for being constipated. The reports alleged the PRFC, Cassie Victor, would punch the child in the stomach and press his stomach down if he got constipated. The report also documented the child had a bump on his head.

The OKDHS documented the allegations were Unsubstantiated and the report appeared to have been made in bad faith.

The third report dated November 11, 2011, which was pertinent to physical abuse alleged that the mother had been intoxicated, and passed out. The report documented that when a relative arrived to pick up the children, Cassie allegedly grabbed the left arm of one of the children, jerking him hard and causing bruising to the child. Law Enforcement reportedly had been at the residence.

The OKDHS accepted the report as a Priority II Assessment with five days in which to initiate contact with the children. The report was closed with a statement that the OKDHS was unable to locate the family.

Judicial proceedings prior to the child's near death

The OJSO identified no judicial proceedings prior to the near death incident which would be pertinent to this report.