

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

Report Release Date: February 11, 2016

Review of the Near Death of A.W.

of Oklahoma County, Oklahoma

General Information

The Office of Juvenile System Oversight (OJSO) received an inquiry regarding the near-death of A.W. A Felonious Child Neglect charge was filed in Oklahoma County District Court on January 30, 2015, against Mary Warden, the child's mother. A Felonious charge of Child Neglect was also filed against Jori Franklin, the mother's boyfriend.

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 (below).

Identifiers:

Child's Name:	A. W.
Age at time of Incident:	Ten months old
Date of Near Death:	January 21, 2015
Persons Responsible for the Child:	Mary Warden and Jori Franklin

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

Death/Near Death Incident

On January 21, 2015, the OKDHS received a report that A.W. was brought to the hospital via Emergency Medical Service Ambulance (EMSA) for the second time in one week due to having been found unresponsive. The report stated that A.W. was admitted to the hospital a few days prior to this incident, but had been discharged on this date only to be brought back in hours later. The report stated that the family made their way home from the hospital when the Oklahoma City Police Department (OCPD) received a call to assist because A.W. was again found unresponsive. The report stated that upon the child's second hospital admittance, A.W. was in a very critical medical state and near death. The report alleged that A.W.'s mother acted uninterested, and kept getting

on her phone. The report also alleged that Mary Warden could not account for where the family had been between the time of the hospital discharge and the call to 911 regarding the near death incident. The report further alleged that Jori Franklin would not stay awake to answer questions.

The OKDHS accepted the report as a Priority I Investigation and conducted a Joint Response with OCPD. The OKDHS documented that A.W. was admitted to the hospital in critical condition with Hypothermia, Respiratory Failure, and Altered Mental Status. The OKDHS documented that A.W. had been in the care of the child's mother, Mary Warden and the mother's boyfriend, Jori Franklin. The OKDHS documented that both Mary Warden and Jori Franklin allegedly appeared to be under the influence as they both struggled to stay awake and showed difficulty when they responded to questions.

The OKDHS documented that initially upon interview of Mary Warden, her stories changed and that she could not answer simple questions about when or why A.W. was admitted and discharged from the hospital. The OKDHS documented that the mother also could not keep track of where her child was during the police, EMSA, and fire department's response, and that she was unaware that first responders had taken A.W. back to the hospital. The OKDHS documented that another person had to instruct the mother to call 911 for emergency assistance. The OKDHS documented that Jori Franklin simply stated that "the baby sleeps too much" when asked what was wrong with A.W.

The OKDHS documented that later, the mother admitted to the police she and Jori Franklin had used "K2" in the presence of A.W., on the day A.W. was discharged from the hospital (January 21, 2015). According to the OKDHS documentation, the mother explained she and Jori Franklin smoked "K2" in the car, while A.W. was in the back seat. The OKDHS documented that A.W.'s initial hospital admit was on January 19, 2015, and was due to seizure activity and lethargy. The OKDHS documented that medical staff suspected a possible Clonidine ingestion at that time, due to the mother and Jori Franklin's claims which were that A.W. was observed with a white substance in the child's mouth. According to the OKDHS documentation the mother also allegedly claimed that other family members took medication and that a pill might have fallen to the floor. The OKDHS documented that upon further investigation, no one in the household or the extended family had a prescription for Clonidine.

The OKDHS documented that on both hospital visits (January 20, 2015, and January 21, 2015) the hospital ran drug screens on A.W. The OKDHS documented that both tests returned no positive results for drugs, but it was also noted that according to medical staff, "K2" would not show up on a standard drug screen. The OKDHS documented that another drug screen was ordered to test specifically for the synthetic marijuana, but those results were not completed at the time of this report. The OKDHS documented that the Oklahoma City Police Detectives collected a "green potpourri substance" which was found in the home on top of a formula can, inside of a diaper bag in A.W.'s bedroom.

According to the OKDHS documentation A.W. was placed into Protective Custody on January 21, 2015. The OKDHS documented that the allegations were found to be Substantiated and due to the Shocking and Heinous nature of the allegations, the OKDHS requested the termination of Mary Warden's parental rights. A deprived petition was filed on January 30, 2015, and the investigation was closed on March 1, 2015, according to the OKDHS documentation.

Prior Involvement of the PRFC with the Oklahoma Department of Human Services

There was one report that was pertinent to the near death incident. On April 21, 2014, the OKDHS received a report which alleged that Mary Warden had used illegal substances in the presence of A.W.

The OKDHS documented that there was not clear evidence to support the allegations and noted an overall finding of Unsubstantiated. The OKDHS documented that services were recommended such as Sooner Start and Comprehensive Home Based Services (CHBS). These services were not documented to have been established. The OKDHS noted that Parent Aide services were established for the family on August 1, 2014, and remained active at the time of this report.

Judicial proceedings prior to the child's near death incident:

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