



**REVIEW OF THE NEAR DEATH OF K.G.
OKLAHOMA COUNTY, OKLAHOMA**

Report Release Date: March 31, 2023

Overview

The Office of Juvenile System Oversight (OJSO) received a request regarding the near death of four-month-old K.G. A felony charge of Manslaughter in the 1st Degree, Causing an Accident While Driving a Vehicle without a Valid Driver’s License, Causing an Accident Resulting in Great Bodily Injury While Driving Under the Influence, and Child Endangerment was filed by the Oklahoma County District Attorney on July 18, 2019, against the biological mother, Sheena Clemons, due to the near-death incident occurring in Oklahoma County. On January 24, 2022, she entered a negotiated plea of guilty and was sentenced to 20 years with ten years to be served incarcerated and ten years suspended.

Identifiers

Child’s Name:	K.G.	Sibling One:	Three Years
Age at Time of Incident:	Four Months	Sibling Two:	Six Years
Date of Near-Death:	April 21, 2019	Sibling Three:	Eight Years
Person(s) Responsible for the Child (PRFC): · Sheena Clemons		Sibling Four:	Nine Years
		Sibling Five:	Thirteen Years
		Sibling Six:	Fifteen Years
		Sibling Seven:	Seventeen Years

Actions

The release of the following summary of the actions taken by the Oklahoma Department of Human Services (OKDHS) and the proceedings in the District Court is authorized by 10A O.S. Section 1-6-105.

The OJSO did not become aware of this case until after the near death of K.G.

Near-Death Incident

Muskogee County OKDHS received the near-death report on April 21, 2019. Reportedly, the mother, Sheena Clemons, and her boyfriend, father of K.G., were arrested for public intoxication following a car accident that the family was involved in. It was reported K.G., Sibling Two, Sibling Four, and Sibling Five were in the vehicle when the accident occurred. Reportedly, the three siblings were checked out by medical professionals and found not to be critically injured. They were taken home by family members following the accident. K.G. was transported by emergency personnel to a medical facility in critical condition. K.G. was admitted to the Pediatric Intensive Care Unit (PICU) with a brain injury. It was reported that the driver of the vehicle was unknown immediately following the accident due to conflicting stories as to who was driving. One version was Ms. Clemons was in the back seat with K.G., who was not in a car seat, and the boyfriend was driving. The second version was Ms. Clemons was driving, and the boyfriend was in the backseat with K.G., not in a car seat.



The OKDHS accepted the report as a Priority I Investigation.

Investigation

The OKDHS documented a medical professional reported K.G. was in critical condition upon admittance to the medical facility and it was unclear the extent of the injuries suffered in the accident. The medical professional reported K.G. had subdural hemorrhaging, which led them to insert a bolt into K.G.'s head. The medical professional stated it was reported to them that K.G. was not in a car seat but was on the boyfriend's lap at the time of the accident.

The OKDHS documented that Sibling Two, Sibling Four, and Sibling Five all stated the boyfriend was driving the vehicle and Ms. Clemons was in the backseat holding K. G. The OKDHS documented Sibling Five stated the boyfriend had been drinking during the day, prior to driving.

The OKDHS informed law enforcement that the children disclosed the boyfriend was the one driving and Ms. Clemons was in the backseat. The OKDHS documented that law enforcement reported they had witnesses stating Ms. Clemons had been driving, not the boyfriend.

The OKDHS documented Ms. Clemons stated the boyfriend was driving; however, the boyfriend stated Ms. Clemons was driving.

The OKDHS documented that the collateral witnesses that were interviewed expressed concerns about domestic violence and substance abuse by Ms. Clemons and her boyfriend.

The OKDHS documented that K.G. was transferred from the PICU to a regular room on May 3, 2019. The OKDHS documented a medical professional reported K.G. was awake and moved both legs when tickled; however, K.G. was not at baseline for K.G.'s age. The medical professional stated they did not know if K.G. would "reach baseline neurologically," meaning it was unknown if K.G. would be neurologically comparable to other infants' K.G.'s age.

The OKDHS made a Substantiated Finding as to the allegations of Neglect/Near Death to K.G. by the mother, Sheena Clemons, and K.G.'s biological father; and as to the Failure to Protect Sibling Two, Sibling Four, and Sibling Five by Ms. Clemons and K.G.'s biological father. The OKDHS did not request a deprived petition be filed as all of the children were placed in guardianships with family members in April 2019.

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

There were six pertinent reports identified prior to the near-death incident of four-month-old K.G.

The first pertinent report was received by Muskogee County OKDHS on June 16, 2004. Reportedly, law enforcement had conducted a drug bust and several drugs were found in the home. It was reported there were two small children that lived in the home. It was reported the home was dirty and not fit for children.

The OKDHS accepted the report as a Priority I Investigation. The OKDHS documented making contact with the family on June 16, 2004.

The OKDHS documented law enforcement removed Sibling Six and Sibling Seven from their home during a drug bust. The children were placed in the emergency custody of the OKDHS. The mother, Sheena Clemons, was arrested for Possession of a Controlled Dangerous Substance (crack cocaine), Possession of a Police Scanner During the Commission of a Felony, and Child Endangerment. Ms. Clemons also faced a felony warrant with charges of First-degree Burglary, and Assault and Battery with a Dangerous Weapon.

The OKDHS documented that when they interviewed Ms. Clemons, she denied she lived at the home where the drug bust occurred. Ms. Clemons stated she had only been going to the home so the resident of the home could see the children. The OKDHS documented Ms. Clemons denied that any of the drugs found in the home had belonged to her and she had no knowledge there had been drugs in the home.

The OKDHS documented that when they observed the children for the first time on June 16, 2004, the children were filthy and unkempt. The children's clothes were dirty and soiled, and both children were wearing saturated diapers. The children's hair was filthy and uncombed, and both children had a strong body odor. The OKDHS documented the home was cluttered and in disarray. There were clothes observed in the corners of each room and on the floor, and trash was seen in the bedrooms and the kitchen. The kitchen sink and cabinets were covered with dirty dishes, pots, and pans containing dried food.

The OKDHS made a Confirmed Finding as to the allegations of Neglect/Substance Abuse, Neglect/Threat of Harm, and Inadequate or Dangerous Shelter of Sibling Six and Sibling Seven by Ms. Clemons. The OKDHS requested a deprived petition be filed on the children's behalf on July 8, 2004.

The second pertinent report was received by Muskogee County OKDHS on February 22, 2007. Reportedly, three young children were found in Sheena Clemons's home where marijuana smoke was so thick a person would need a "fan to wave through the house". It was reported the toilet was stopped up and there were feces in the sink.

The OKDHS accepted the report as a Priority II Investigation.

The OKDHS documented an attempt to make contact with the family in February. No attempts were documented for the month of March.

The OKDHS documented that on April 17, 2007, they were informed by a collateral witness, the family had been evicted on April 8, 2007.

The OKDHS documented they were able to contact the family on April 19, 2007.

The OKDHS documented Ms. Clemons denied the allegations regarding the condition of the previous home. Ms. Clemons did admit to feces being in the sink as she was cleaning her child's underwear from when the child was sick. The OKDHS documented that Ms. Clemons first stated she was "trying to stay clean," but then changed her statement and said she was clean and not using drugs.

The OKDHS documented the family temporarily stayed with relatives until Ms. Clemons could find her own place.

On April 19, 2007, the children were observed to be clean and healthy. The OKDHS documented that collateral witnesses did not report any problems with the family.

The OKDHS made a finding of Services Recommended as to the allegations of Neglect/Substance Abuse and Inadequate or Dangerous Shelter by Ms. Clemons.

The third pertinent report was received by Muskogee County OKDHS on April 18, 2014. Reportedly, Ms. Clemons, was babysitting an eight-year-old child and the child ran away from her home. When law enforcement arrived at the home, they found Ms. Clemons intoxicated. Ms. Clemons stated she started drinking when the child started "acting up." Ms. Clemons stated she had enough of the child, and just let the child run away. It was reported Ms. Clemons admitted to drinking vodka but denied being intoxicated. However, it was reported Ms. Clemons



appeared to be confused at times and showed signs of intoxication when she spoke. Ms. Clemons' two younger children, Sibling Three and Sibling Two, were home during the time Ms. Clemons was babysitting the child. It was reported that when they found the missing child, the child stated they were hit on the back of their head and hands with a stick, and that was why the child ran away from Ms. Clemons.

The OKDHS accepted the report as a Priority I Investigation.

The OKDHS documented that Ms. Clemons disclosed she had been drinking vodka that day, starting around noon, and had taken about two to four shots. The OKDHS documented Ms. Clemons "was clearly under the influence, had a dazed expression when asked questions by the worker, and forgot the name of one of her children." Ms. Clemons "tried for several minutes to remember her child's name" and kept repeating "I know I have another one." Ms. Clemons disclosed that she drank daily.

The OKDHS documented they placed all of the children in a voluntary Immediate Protective Action Plan on April 18, 2014. The OKDHS documented Ms. Clemons did not understand why her children were unsafe in her home or why it was dangerous to drink when there was no one else in the home to watch the children.

The OKDHS documented the children disclosed substance abuse by Ms. Clemons, stating that Ms. Clemons was drinking "more and more heavily" and was "drinking every day." The children disclosed when Ms. Clemons drank, she often became "irate and hostile," and would often get into physical fights with Sibling Seven. Sibling Five disclosed Ms. Clemons would hit Sibling Seven with "her fists and choke [Sibling Seven]." The children also disclosed a regular occurrence of domestic violence between Ms. Clemons and her significant other and that they physically fought "almost every time" they drank.

The OKDHS documented that the safety plan monitor, Ms. Clemons, and the significant other become uncooperative with the department during the investigation. The OKDHS documented that on April 28, 2014, Ms. Clemons "did not want to abide by or sign the safety plan."

The OKDHS documented that the safety plan monitor contacted the OKDHS worker on May 2, 2014, stating that they "had to work the next day and would be returning the children" to Ms. Clemons. The OKDHS documented they requested and were granted an Emergency Custody Order on May 2, 2014, due to the lack of cooperation from the family.

A Show Cause Hearing was held on May 5, 2014. The OKDHS documented the judge ordered the children back into Ms. Clemons' custody but also ordered they remain in a safety plan with relatives.

On May 8, 2014, the OKDHS made a Substantiated Finding as to the allegations of Abuse/Beating/Hitting, Neglect/Threat of Harm, Exposure to Domestic Violence, and Lack of Supervision by Ms. Clemons and her significant other. The OKDHS documented they recommended a deprived petition be filed on behalf of the children.

The fourth pertinent report was received by Muskogee County OKDHS on March 21, 2016. Reportedly Ms. Clemons was involved in an open Court Supervision Case with the OKDHS. It was reported Ms. Clemons' children were placed out of the home. However, the judge stated Ms. Clemons could have Sibling One, who was six months old at the time, back in her care if she obtained her own home. It was reported Ms. Clemons moved into her home on March 11, 2016, and Sibling One was placed back in her care on March 14, 2016. It was reported when Ms. Clemons moved into the home, the home had electricity, but no refrigerator or stove. On March 18, 2016, Ms. Clemons had electricity and a refrigerator but still did not have a stove. It was reported that the OKDHS made contact with Ms. Clemons on March 20, 2016, and the electricity had been shut off. It was reported Ms. Clemons appeared to be "under the influence as she slurred her words, had bloodshot eyes, and could not stay on topic." It was reported Ms. Clemons had a friend at the home at that time. The friend was holding Sibling One and almost

dropped the child. The friend appeared to be under the influence as well and was seen stumbling around. It was reported the OKDHS determined the child needed to be placed in emergency custody and received a court order for the child's removal. The OKDHS returned to the home later that same day and upon arrival, the OKDHS could smell marijuana in the home. A court hearing was held on March 21, 2016, and Ms. Clemons was given a drug test at that time. It was reported Ms. Clemons tested positive for benzodiazepine and a faint positive line was observed for THC and methamphetamine. It was reported Ms. Clemons admitted to drinking on March 20, 2016, but stated she had other people at the home caring for the child.

The OKDHS accepted the report as a Priority I Investigation.

The OKDHS documented Ms. Clemons was court-ordered to take a drug test and was positive for benzodiazepine, and faint positive lines for THC and methamphetamine. Ms. Clemons admitted to taking a friend's prescription medication after Sibling One was removed from her home. Ms. Clemons denied any other drug use and did not have an answer as to why other drugs would be in her system. Ms. Clemons stated her friend that had been at her home when the OKDHS came by had a disability with their feet that caused them to stumble.

The OKDHS made a Substantiated Finding as to the allegations of Neglect/Threat of Harm of Sibling One by Sheena Clemons. The OKDHS requested a deprived petition be filed on behalf of the child.

The fifth pertinent report was received by Muskogee County OKDHS on November 26, 2018. Reportedly, Ms. Clemons tested positive during her pregnancy for marijuana on April 19, 2018, and October 6, 2018. However, Ms. Clemons' drug test upon delivery was negative. It was reported Ms. Clemons denied any drug use. It was reported Ms. Clemons did great with the baby and was appropriate. It was reported there were no concerns with Ms. Clemons' parenting and the infant was healthy.

The OKDHS Screened-Out the report as Not Child Abuse/Neglect. The OKDHS documented that "Mom tested positive for marijuana while pregnant. Mom is appropriate with baby and there are no current concerns with her ability to meet the children's needs."

Judicial Proceedings Prior to the Child's Near Death

The OJSO identified three relevant judicial proceedings prior to the near-death incident. The first proceeding took place between 2004 and 2007. The children were removed for Inadequate or Dangerous Shelter, Neglect/Substance Abuse, and Neglect/Threat of Harm. The mother's court-ordered service plan was adopted on September 7, 2004. The mother completed her court-ordered service plan and was reunified with her children on August 6, 2006. The court dismissed the case on February 20, 2007, as successful reunification.

The second judicial proceeding took place between 2014 and 2016. The OKDHS got involved due to Substantiated allegations of Exposure to Domestic Violence, Lack of Supervision, Abuse/Beating/Hitting, and Neglect/Threat of Harm. The OKDHS originally obtained a court order on May 2, 2014, placing the children in the emergency custody of the OKDHS. However, the judge returned the children to Ms. Clemons' custody at the Show Cause hearing in a safety plan with court supervision on May 5, 2014. On March 21, 2016, the OKDHS again requested and was granted Emergency Custody during the open court supervision plan for Substantiated allegations of Abandonment and Neglect/Threat of Harm-Substance Abuse. On April 6, 2016, Sibling Seven was placed in a guardianship with a relative and dismissed from the case on April 26, 2016. The judge released Sibling Six back into Ms. Clemons' custody on April 19, 2016, and dismissed the child from the case. Trial reunification with Ms. Clemons began on August 23, 2016, for Sibling Five, Sibling Four, Sibling Three, Sibling Two, and Sibling One, upon the judge's order. The judge dismissed the case as successful reunification on December 6, 2016.

The third judicial proceeding took place between June 1, 2018, and June 4, 2018. The judge placed the children in



emergency custody of the OKDHS due to allegations of Abuse/Beating/Hitting, Exposure to Domestic Violence, Failure to Protect, and Neglect/Threat of Harm. The OKDHS substantiated the allegations and requested court involvement. However, at the Show Cause hearing on June 4, 2018, the OKDHS documented the judge “returned custody of the children” to Ms. Clemons, stating “there was no emergency, against DHS recommendations.”

