



**REVIEW OF THE NEAR DEATH OF E.C.
CLEVELAND COUNTY, OKLAHOMA**

Report Release Date: March 31, 2023

Overview

The Office of Juvenile System Oversight received a request regarding the near-death of nine-month-old E.C. The Cleveland County District Attorney filed a felony charge of Child Neglect on October 21, 2021, against the biological mother, Cassandra Leyva. Ms. Leyva entered a plea of guilty on September 1, 2022. She was sentenced to twenty years in prison. The Cleveland County District Attorney filed a felony charge of Child Neglect on October 21, 2021, against the mother's boyfriend, Jason Knight. An amended information was filed against Mr. Knight on December 2, 2022 with formal arraignment scheduled for May 3, 2023.

Identifiers

Child's Name:	E.C.	Sibling One:	Nine Months
Age at Time of Incident:	Nine Months	Sibling Two:	Four Years
Date of Near-Death:	February 6, 2021		

Person(s) Responsible for the Child (PRFC):

- Cassandra Leyva
- Jason Knight

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 E.C.

Near-Death Incident

The Cleveland County OKDHS received the near-death report on February 6, 2021. Reportedly, the biological mother, Cassandra Leyva, stated that at 9:00 a.m. she gave nine-month-old E.C. a bottle and then put E.C. back to bed. Ms. Leyva stated she checked on E.C. at 11:00 a.m. and E.C. appeared limp and unresponsive. It was reported Ms. Leyva's boyfriend, Jason Knight, started cardiopulmonary resuscitation (CPR) while Ms. Leyva called 911. Emergency Medical Services Authority (EMSA) transported E.C. to a medical facility.

A computerized tomography (CT) scan of E.C.'s head showed subdural blood and evidence of head trauma. E.C. was admitted to the Pediatric Intensive Care Unit (PICU) of the medical facility in critical condition. A computerized tomography (CT) scan of E.C.'s abdomen showed healing rib fractures. E.C. was also observed to have an abrasion on the nose and lower lip. Ms. Leyva had no explanation for E.C.'s injuries.



The OKDHS accepted the report as a Priority II Investigation.

Investigation

The persons interviewed during the investigation included the biological mother, Cassandra Leyva; the mother's boyfriend, Jason Knight; and various collaterals.

The OKDHS documented medical professionals determined on February 6, 2021, E.C. had bilateral subdural hematomas, retinal hemorrhages of both eyes, multiple healing rib fractures, and mediastinal hematoma. The Chief Child Abuse Examiner said these findings are indicative of physical abuse, including abusive head trauma.

The OKDHS documented that Ms. Leyva was interviewed on February 7, 2021 by law enforcement. Ms. Leyva stated that on February 6, 2021, she gave E.C. and Sibling One a bottle about 9:00 a.m. She stated she checked on E.C. and Sibling One at 11:00 a.m. and found E.C. limp and unresponsive. Ms. Leyva stated she called 911, while her boyfriend, Mr. Knight, performed cardiopulmonary resuscitation (CPR) on E.C. After EMSA transported E.C., Ms. Leyva stated she stayed at the medical facility with E.C. "for a while." Ms. Leyva stated she then decided to pick up Sibling Two, who was with a collateral witness.

The OKDHS documented that when Ms. Leyva was told E.C.'s injuries were determined to be from child abuse, she stated she did not know what happened. Ms. Leyva denied hurting E.C. The OKDHS documented when asked about discipline, Ms. Leyva stated she may swat Sibling Two on the butt with a hand, but that was rare. While the OKDHS and law enforcement were still in the home, Sibling Two started to act out. Ms. Leyva picked up Sibling Two and walked towards the bedroom. Sibling Two began yelling "Not the belt, not the belt, not the belt!" Ms. Leyva's response was a chuckle and she sweetly said, "You know you don't get the belt." Ms. Leyva came back into the room and said, "We threaten with the belt, but [Sibling Two] doesn't get spanked with a belt."

The OKDHS documented that Mr. Knight was interviewed on February 7, 2021, by law enforcement. Mr. Knight's explanation of what happened was consistent with Ms. Leyva's. He could not provide any explanation for E.C.'s injuries.

The OKDHS documented that due to the severity E.C.'s injuries, E.C., and Siblings One and Two were placed in a safety plan on February 7, 2021.

Siblings One and Two were seen by a medical professional on February 7, 2021. Sibling One was found to have a left femur fracture, which was displaced with the bone side by side. Sibling One also had rib fractures to three of the right ribs as well as healing fractures in the right tibia and right femur. Sibling Two had bruising on the back that was consistent with a belt.

All three of the children were placed in the custody of the OKDHS on February 11, 2021.

The OKDHS made a Substantiated Finding of Abuse/Beating/Hitting by Ms. Leyva and Mr. Knight to Sibling One. The OKDHS made a Substantiated Finding of Abuse/Injury from Spanking by Ms. Leyva to Sibling Two. The OKDHS made a Substantiated Finding of Abuse/Near-Death by Ms. Leyva and Mr. Knight to E.C. The OKDHS recommended a deprived petition be filed on behalf of the children.

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

The OJSO identified one pertinent report of child abuse prior to the near-death incident of nine-month-old E.C.

The report was received by Oklahoma County OKDHS on September 16, 2020. Reportedly, the biological mother, Cassandra Leyva, admitted she hit Sibling Two on the back and butt. It was reported Ms. Leyva did not state how she hit Sibling Two or whether she left bruises. It was reported Ms. Leyva stated she would hit Sibling Two when Sibling Two did not listen or when Sibling Two refused to eat. It was reported Ms. Leyva smoked marijuana in the home while the children were present. It was reported the children would smell of marijuana.

The OKDHS accepted the report as a Priority II Investigation.

The OKDHS documented they observed the children on September 22, 2020. The children did not have any marks or bruises. The children were found to be appropriately dressed. The children did not appear fearful of Ms. Leyva.

The OKDHS documented that during the interview with Ms. Leyva on September 22, 2020, she stated she was being harassed by someone. Ms. Leyva stated she received a note stating that "I know where you live Cassy, I'm watching you and [Sibling Two]." Ms. Leyva stated that she knows the person that the threats were coming from. She stated that the person had been calling and had sent threatening messages. Ms. Leyva denied abusing her children and stated they were too young to be disciplined. Ms. Leyva denied substance use of any kind.

The OKDHS documented collateral witnesses did not have any concerns for the children or Ms. Leyva. The OKDHS documented the collateral witnesses also stated they had received calls and messages of harassment toward Ms. Leyva.

The OKDHS made an Unsubstantiated Finding of Abuse/Beating/Hitting by Ms. Leyva to Sibling Two. The OKDHS made an Unsubstantiated Finding of Neglect/Threat of Harm by Ms. Leyva to all the children.

Judicial Proceedings Prior to the Child's Death Incident

The OJSO identified no relevant judicial proceedings prior to the near-death incident.

