

## Office of Juvenile System Oversight

# REVIEW OF THE NEAR DEATH OF D.L. TEXAS COUNTY, OKLAHOMA

Report Release Date: June 26, 2024

## OVERVIEW

The Office of Juvenile System Oversight (OJSO) received a request to conduct a case review concerning the near death of one-year-old D.L.

On October 11, 2022, the biological mother, Claudia Lopez received a felony charge of Child Neglect by the Texas County District Attorney. On November 10, 2022, Ms. Lopez was convicted

On October 11, 2022, the maternal grandfather, Marcos Mejia, received a felony charge of Child Neglect by the Texas County District Attorney. On January 25, 2023, Mr. Mejia was convicted.

## IDENTIFIERS

Child's Name:

Age at Time of Incident:

Date of Near-Death Incident:

D.L.

Twelve Months Old

October 7, 2022

Person Responsible for Child (PRFC):

Additional Identifiers:

Claudia Lopez  
Marcos Mejia

Sibling One: Twelve Months Old  
Sibling Two: Seven Years Old

## 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. § 1-6-105H.

The OJSO did not become aware of this case until after the near-death incident of D.L.

## NEAR-DEATH INCIDENT

On October 7, 2022, the OKDHS office in Texas County received the near-death report regarding D.L. D.L. arrived at a medical facility and was having seizure like symptoms, was sweating, and agitated. After a medical exam and blood work were completed, it was learned that D.L. tested positive for methamphetamines. A Child Protective Services (CPS) worker responded to the medical facility, soon after the mother, Claudia Lopez, and the maternal grandfather, Marcos Mejia, were drug tested. Both tested positive for methamphetamines. D.L. and the siblings were removed from the home and placed in the custody of the OKDHS. Law enforcement later arrested the mother and the grandfather.

- OKDHS accepted the report as a Priority I Investigation.

## INVESTIGATION

The persons interviewed during the investigation included the biological mother, Claudia Lopez; the maternal grandfather, Marcos Mejia, and various third parties.

At the beginning of the investigation, it was learned that the children had been in trial reunification with Ms. Lopez due to a previous investigation.

On October 7, 2022, the OKDHS documented that D.L. displayed symptoms resembling seizures, including erratic behavior, profuse sweating, finger biting, and attempts to bite the inside of the cheeks, prompting the mother, Claudia Lopez, and maternal grandfather, Marcos Tulio Galvan-Mejia, to take D.L. to a medical facility. On the same day, a urine drug test administered to D.L. revealed positive results for methamphetamine and amphetamine. When they found out about D.L.'s positive drug test, both Ms. Lopez and Mr. Mejia said they didn't know how D.L. could have been exposed to drugs and denied using methamphetamine. On the same day, despite their denial, both voluntarily underwent urine drug testing, yielding positive results for methamphetamine and amphetamine. In subsequent interviews with law enforcement, Ms. Lopez admitted she bought methamphetamine on October 5, 2022, but she only used a bit before throwing the rest away. Mr. Mejia admitted he got methamphetamine as a birthday present on October 6, 2022, smoked some, and accidentally lost the rest, which he told Ms. Lopez about afterward.

On October 7, 2022, D.L. and the siblings were removed from the home and placed in OKDHS custody after OKDHS requested that trial reunification should end due to the near death of D.L. The OKDHS recommended a deprived petition be filed on behalf of the children.

- OKDHS made a Substantiated finding of Neglect/Threat of Harm-Substance by Ms. Lopez and Mr. Mejia to D.L., Siblings One and Two.
- OKDHS made a Substantiated finding of Neglect/Near Death by Mr. Mejia to D.L.
- OKDHS made a Substantiated finding of Failure to Protect by Ms. Lopez to D.L.

## PRIOR INVOLVEMENT OF THE PRFC WITH OKLAHOMA DEPT. OF HUMAN SERVICES

### Pertinent Investigation

On January 13, 2022, the first pertinent report was received by the OKDHS office in Texas County. Reportedly, there were concerns that the mother, Claudia Lopez, was using drugs in the home while the children were there. It was reported she had made a small room in the bedroom where she smoked the drugs. It was reported the drugs were "small white rocks". It was reported the last time Ms. Lopez used drugs was three days ago. The drugs and paraphernalia are within the children's reach. It was reported that Sibling Two has seen Ms. Lopez use drugs and that Sibling Two is left to care for D.L.

- OKDHS accepted the report as a Priority I Investigation.

On January 14, 2022, the OKDHS documented that Sibling Two stated that Sibling Two knew that drugs were bad and there were people in the home that used drugs. Sibling Two showed OKDHS where in the home the drugs were used and that the children were not allowed in that room. Sibling Two stated that there were times when Ms. Lopez would be in that room and Sibling Two and D.L. would be in the other part of the house by themselves. Sibling Two stated Sibling Two would feed D.L. milk. Ms. Lopez initially denied any drug use. She stated the drugs and paraphernalia belonged to someone else. She did admit to smoking marijuana four days prior. Ms. Lopez stated she knew the drug paraphernalia was in the bathroom and had planned to throw it away but forgot. Ms. Lopez later admitted to using methamphetamine but had not used recently. Mr. Mejia stated he tried to talk to Ms. Lopez about her drug use telling her to stop using and to go outside if she used. He stated Sibling Two would be left to care for D.L. when Ms. Lopez would be in the back room using drugs.

The OKDHS documented that methamphetamine was found in the home along with drug paraphernalia. The OKDHS documented the home was observed to be in deplorable condition. There was old food on the stove and piles of clothing. The bathroom was unsanitary with used and bloody toilet paper on the floor. In the bedroom

there was a formula can and a water bottle full of urine. There were also tools in the bedroom with a saw in a dresser drawer, a circular saw; all of which was accessible to the children.

- OKDHS made a Substantiated finding of Neglect/Threat of Harm-Substance by Ms. Lopez to Sibling Two and D.L.
- OKDHS made a Substantiated finding of Lack of Supervision by Ms. Lopez to Sibling Two and D.L.
- OKDHS made an Unsubstantiated finding of Failure to Protect by Mr. Mejia to Sibling Two and D.L.
- OKDHS made an Unsubstantiated finding of Abuse/Beating/Hitting by Ms. Lopez to Sibling Two and D.L.

OKDHS requested a deprived petition be filed on behalf of Sibling Two and D.L.

## **JUDICIAL PROCEEDINGS PRIOR TO THE CHILD'S NEAR-DEATH**

The OJSO identified one relevant judicial proceeding prior to the near-death incident. It involved D.L., Sibling One, and Sibling Two.

On January 14, 2022, Sibling Two and D.L. were removed from their mother's care and placed into the custody of OKDHS.

On April 7, 2022, the mother stipulated to the petition and her Individualized Service Plan (ISP) was court ordered. Sibling Two was born during the open permanency case; however, was not removed due to Ms. Lopez being successful with her treatment. On July 7, 2022, Sibling Two and D.L. were placed in trial reunification with Ms. Lopez due to successful completion of her ISP.

On October 7, 2022, the near-death incident of D.L. occurred. At that time trial reunification was ended and the children were removed from the home.