

Office of Juvenile System Oversight

REVIEW OF THE NEAR DEATH OF T.H. BRYAN COUNTY, OKLAHOMA

Report Release Date: December 5, 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 T.H.

On January 31, 2024, the Pontotoc County District Attorney's Office charged the mother of T.H., Michaelle Stinson, with one felony count of Unlawful Possession of a Controlled Drug With Intent to Distribute (Fentanyl).

As of the drafting of this report, Ms. Stinson is on bond awaiting trial.

On September 14, 2023, the Choctaw Nation of Oklahoma charged the father of T.H., David Henderson, with one felony count of Possession of a Controlled Dangerous Substance and one felony count of Child Neglect. On May 15, 2024, the felony count of Possession of a Controlled Dangerous Substance was dismissed by the Choctaw Nation.

As of the drafting of this report, Mr. Henderson is free on bond while the remaining felony count of his criminal case proceeds.

IDENTIFIERS

Child's Name:	Age at Time of Incident:	Date of Near-Death Incident:
T.H.	Twelve Months	August 28, 2023
Person Responsible for Child (PRFC):	Additional Identifiers:	
Michaelle Stinson David Henderson	Sibling One, Eight Years Old Sibling Two, Five Years Old Sibling Three, Three 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 Title 10A § 1-6-105H.

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

NEAR-DEATH INCIDENT

On August 23, 2023, the Bryan County office of the OKDHS received a report of one-year-old T.H. being brought to a police station by Michaelle Stinson. Per documentation provided by the OKDHS, T.H. was unresponsive until emergency personnel administered Narcan. At that time, T.H. was transported by ambulance to the hospital and was admitted in critical condition. The OKDHS documented that T.H. tested positive for methamphetamines, fentanyl, norfentanyl, and Zofran. It was further documented that day that a subsequent drug test for Ms. Stinson was positive for methamphetamines and amphetamines.

- The OKDHS accepted this report as a Priority II Investigation to be initiated by August 29, 2023.
- On August 29, 2023, the OKDHS implemented a safety plan for the siblings.
- On September 8, 2023, the OKDHS requested and was granted emergency custody of the children.
- On September 14, 2023, the Bryan County District Attorney's office filed a petition alleging the children to be deprived.
- On October 31, 2023, the children were adjudicated to be deprived.
- On April 24, 2024, the OKDHS recommended and the Court ordered, the children to begin trial reunification with Mr. Henderson.

INVESTIGATION

The persons interviewed during the investigation conducted by OKDHS included the parents, third-party witnesses, medical personnel, and law enforcement.

On August 23, 2023, the OKDHS documented that the siblings were tested for substances, and the results were negative.

On August 28, 2023, the OKDHS documented that hospital staff noted Ms. Stinson as appearing to be under the influence when she tested positive for drug substances.

On September 8, 2023, the OKDHS documented that the children were placed into custody due to a history of Ms. Stinson's drug use and Mr. Henderson's failure to protect the children from that use. The OKDHS further documented that Ms. Stinson's account for how T.H. gained access to the substances varied during different interviews with OKDHS and law enforcement.

- The OKDHS made a Substantiated Finding of Neglect/Threat of Harm by Michaelle Stinson to Siblings One, Two, and Three.
- The OKDHS made a Substantiated Finding of Abuse/Near Death by Michaelle Stinson to T.H.
- The OKDHS made a Substantiated Finding of Neglect/Failure to Protect T.H., Sibling One, Two, and Three by David Henderson.
- The OKDHS recommended a deprived petition be filed on behalf of the children.

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

The OJSO identified four pertinent report(s) of child abuse or neglect before the near-death incident of one-year-old T.H.

Pertinent Investigation 1:

On November 1, 2018, the OKDHS office in Bryan County received the first pertinent report. Reportedly, Michaelle Stinson was arrested and charged with Possession of Marijuana with Intent to Distribute and Child Neglect.

The report was accepted as a Priority II Investigation.

The OKDHS documented that during its joint response with law enforcement, a warrant was served by law enforcement, which yielded illegal drug substances and paraphernalia, as well as a firearm where Ms. Stinson and her children were living. It was further documented that at the time of the arrest, two of her children were present with her in the home.

The OKDHS documented that on the day of the arrest, the children's maternal grandfather went to the home to assume temporary placement of the children. It was further documented that Ms. Stinson reported that she had just broken up with the children's father and was short on money. Ms. Stinson further stated to the OKDHS that the children were never around drugs or a firearm.

- The OKDHS made a Substantiated Finding of Neglect/Threat of Harm by Michaelle Stinson to Sibling One and Sibling Two.

No court action was recommended.

Pertinent Report 2

On February 7, 2020, the OKDHS office in Bryan County received the second pertinent report. Reportedly, Michaelle Stinson gave birth to Sibling Three in a Texas hospital. It was further reported that Ms. Stinson admitted to heroin use during the pregnancy, attended a detox facility, and then subsequently was prescribed Methadone a month before the birth.

The OKDHS documented that Ms. Stinson admitted to her use of heroin during the pregnancy but that she received treatment for her addiction and was prescribed Methadone to cope with the withdrawals. It was further documented that Ms. Stinson was not tested for drug substances while at the hospital. The OKDHS further documented that collateral witnesses were unaware of Ms. Stinson's drug use, yet they were supportive of her rehabilitative treatment.

- The OKDHS accepted the report as a Priority II Investigation with an initiation date of February 11, 2020.
- The OKDHS made a Substantiated Finding of Neglect/Threat of Harm to Siblings One, Two, and Three by Michaelle Stinson.
- No Court action was recommended.

On March 20, 2020, a Child Safety Meeting was held where the children were placed into an in-home safety plan with the maternal grandparents.

On August 5, 2020, the OKDHS case closed successfully.

Pertinent Report 3

On March 22, 2021, the OKDHS in Bryan County received the third pertinent report. Reportedly, a mother [name not provided] and her child were cleaning the home of Ms. Stinson when the child ingested what were believed to be gummies containing tetrahydrocannabinol (THC). It was further reported that the family took the child to the emergency room. It was further reported that the child tested positive for THC.

- The OKDHS accepted the report as a Priority II investigation with an initiation date of March 24, 2021.

On March 24, 2021, the OKDHS documented that Ms. Stinson reported she had forgotten that she had the gummies. It was further documented that the gummies were cannabidiol (CBD) with a slight chance of a low percentage of THC present. It was further documented that the child recovered with no complications.

- The OKDHS made an Unsubstantiated Finding of Neglect/Threat of Harm to Sibling One, Sibling Two, and Sibling Three by Michaelle Stinson.
- The OKDHS recommended that Ms. Stinson continue to participate in substance abuse services.

Pertinent Report 4

On July 21, 2023, the OKDHS in Bryan County received the fourth pertinent report. Reportedly, Sibling Three was observed at a daycare as unable to stay awake with his eyes rolling back into his head. It was further reported that the mother, Michaelle Stinson, stated she put Benadryl in one of the children's bottles. It was further reported that Ms. Stinson had lost a lot of weight and had sores on her face, indicative of drug use.

- The OKDHS accepted the report as a Priority I Investigation, with an initiation date of July 21, 2023.

On July 21, 2023, the OKDHS documented that Ms. Stinson stated she was adding Tylenol to the baby's bottle to help with teething. It was further documented that Ms. Stinson denied using drugs to make her children sleep. The OKDHS further documented that Sibling Three was seen at a local urgent care facility that same day and did not appear to be under the influence of any substances. It was further documented that Ms. Stinson stated she had been sober for the past five years. It was documented that the OKDHS worker observed bug bites on Ms. Stinson but not the appearance of sores indicative of drug use.

- The OKDHS made an Unsubstantiated Finding of Neglect/Threat of Harm to T.H., Sibling One, Sibling Two, and Sibling Three by Michaelle Stinson.

There were no recommendations made.

JUDICIAL PROCEEDINGS PRIOR TO THE CHILD'S NEAR-DEATH

The OJSO identified one relevant judicial proceeding that occurred prior to the near-death incident.

CF-2018-0476. Bryan County

On November 1, 2018, Michaelle Stinson was charged in Bryan County with one felony count of Unlawful Possession of Marihuana [Marijuana] with Intent to Distribute and one felony count of Child Neglect.

On November 19, 2019, Ms. Stinson pled No Contest and received five years of probation for each count to run concurrently.

