

AMENDED

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

Report Release Date: January 8, 2009

**Review of the Death of Vincent An'Dreas Johnson
of Comanche County, Oklahoma**

Dates and Outcome of Investigations and Actions Taken by the Oklahoma Department of Human Services; Actions Taken by the District Attorney; and Dates and Summary of Judicial Proceedings and Rulings of the Court

General Information

On November 17, 2008, the Office of Juvenile System Oversight (OJSO) received a request for inquiry into the death of Vincent An'Dreas Johnson, a two-year-old child who was taken to a hospital in critical condition by his biological father. Vincent later died from his injuries. On October 22, 2008, a criminal felony charge of murder in the second degree was filed against Michael Lynn Bean Jeffries, the biological father of Vincent.

The Oklahoma Department of Human Services (OKDHS) first became aware of Vincent's case in November 2007 when the OKDHS received a request through the Interstate Compact on the Placement of Children (ICPC), an agreement among states that regulates the movement or placement of children from one state to another. The child had lived in Texas until July 2008, when he was placed with Jeffries in Oklahoma.

The following is a summary of the actions taken by the OKDHS; the actions taken by the district attorney; judicial proceedings; and the rulings of the court, as authorized by 10 O.S., Section 7005-1.9, B, D, and E (below).

Authorization

Title 10, Section 7005-1.9, B, D, and E, of the Oklahoma Statutes, states:

B. In cases involving the death or near death of a child when a person responsible for the child has been charged by information or indictment with committing a crime resulting in the death or near death of the child, there shall be disclosure of certain information concerning the circumstances of the investigation of the death or near death of the child and any other investigations within three (3) years of the death or near-death and one (1) year after the death

or near-death concerning that child, or other children while living in the same household.

D. 1. At any time subsequent to seven (7) days after the date the person responsible for the child has been criminally charged, the Oklahoma Commission on Children and Youth shall, upon request, release certain information to the public within sixty (60) days of the request as follows:

a. a confirmation shall be provided by the Commission as to whether a report of suspected child abuse or neglect has been made concerning the alleged victim or other children while living in the same household and whether an investigation has begun,

b. confirmation shall be provided by the Commission as to whether previous reports of suspected child abuse or neglect have been made and the dates thereof, a summary of those previous reports, the dates and outcome of any investigations or actions taken by the Department [OKDHS] and the Commission in response to any previous report of child abuse or neglect, and the specific recommendation made to the district attorney and any subsequent action taken by the district attorney,

c. the dates of any judicial proceedings prior to the death or near death of the child,

d. recommendations submitted by the Department [DHS] and the Commission shall be provided in writing including recommendations made at the hearing as they relate to custody or placement of a child, and

e. the rulings of the court.

2. Specific recommendations made by the Commission described in any progress reports of a pending case submitted to the court may be disclosed by the Commission.

E. Any disclosure of information pursuant to this section shall not identify or provide an identifying description of any complainant or reporter of child abuse or neglect, and shall not identify the name of the child victim's siblings or other children living in the same household, the parent or other person responsible for the child or any other member of the household, other than the person criminally charged.

Identifiers:

Child's Name: Vincent An'Dreas Johnson
Date of Birth: November 9, 2006

Alleged Perpetrator: Michael Lynn Bean Jeffries

The Oklahoma Commission on Children and Youth did not become aware of this case until after the child's death.

Summary of Actions Taken by the Oklahoma Department of Human Services; Actions Taken by the District Attorney; Judicial Proceedings; and the Rulings of the Court:

Letter from Texas DFPS to OKDHS (November 20, 2007)

The OKDHS ICPC unit received a letter, dated November 20, 2007, from the Texas Department of Family and Protective Services (DFPS) regarding one-year-old Vincent Johnson and the possible placement of Vincent with his biological father, Michael Jeffries, in Oklahoma. In the letter, the Texas DFPS provided the OKDHS ICPC with the following information:

Vincent Johnson was taken into Texas DFPS custody on November 29, 2006, due to neglect.

A Texas Child Protective Services (CPS) worker documented on October 18, 2007, that it had been determined that Michael Jeffries, who resided in Oklahoma, was the biological father of Vincent. Texas DFPS began to pursue the possible placement of Vincent with Jeffries. At the time, Vincent and his biological mother were living with Vincent's godparents in Texas.

A hearing was held on November 20, 2007, in Texas, in which Jeffries indicated to the judge that he wanted custody of Vincent. Jeffries was enlisted in the U.S. Army at the time and told the court that he intended to marry in the near future. At the time of the hearing, Vincent's biological mother was incarcerated in a Texas county jail because of arrest warrants.

At the November 20 hearing, a request was made to expedite an ICPC home study in Oklahoma and a court order was issued for the pursuance of an ICPC placement of Vincent with Jeffries in Oklahoma.

Texas ICPC Request for Parent Home Study (November 21, 2007)

On November 29, 2007, the OKDHS ICPC unit received correspondence dated November 21, 2007, from the Texas DFPS requesting the Oklahoma ICPC unit to conduct an initial home study on Jeffries. The OKDHS denied the request on December 28, 2007, and documented the reason as Unable to Locate the biological father.

Texas Court Order for Priority ICPC Placement (January 10, 2008)

On January 10, 2008, a hearing regarding the priority ICPC placement of Vincent with Jeffries in Oklahoma was held. (A priority ICPC request is Regulation 7 of the federal Safe and Timely Interstate Placement of Foster Children Act of 2006. A Regulation 7 Priority Order provides timeframes for the receiving state to complete requests made to them, in order to expedite the placement of children into safe, suitable, and permanent homes across state lines.)

The court order stated:

The court finds all necessary prerequisites of the law have been satisfied and that a priority placement request is necessary and is so ordered for proposed placement with Michael Jeffries. It is further ordered that the Texas Department of Protective and Regulatory Services shall transmit over night express mail this order, the completed Form 100-A (Request for Placement) with supporting documentation pursuant to Article III, to the Compact Administrator for Texas within three (3) business days following receipt of this signed order. It is further ordered that the Compact Administrator shall transmit by overnight express mail all of the aforementioned documents, with a notice that the case is entitled to priority processing, to the Compact Administrator for the receiving state within two (2) business days.

Texas ICPC Request for Placement (January 15, 2008)

On January 15, 2008, the Texas DFPS made a new ICPC request to Oklahoma for the proposed placement of Vincent with Jeffries in Oklahoma. On February 19, 2008, the OKDHS approved the Texas ICPC request for the proposed placement.

Initial Home Study: Background Histories (February 7, 2008)

The OKDHS requested criminal and child abuse histories on Jeffries. The criminal history documented that Jeffries was charged on February 28, 2005, with "aggravated assault causes serious bodily injury", a felony level offense in the second degree.

Initial Home Study: Recommendation for Placement (February 12, 2008)

The OKDHS documented that one employer and two personal references were contacted. The OKDHS also documented that criminal and child welfare histories were requested on all of the adult household members and that no Oklahoma criminal histories were found. However, OKDHS documentation indicated that Jeffries had stated during the home study that in 2004 he was arrested in Texas for assault and had served 30 days in jail. According to OKDHS documentation, Jeffries explained that while protecting his mother, he engaged in a fight with his mother's husband. According to Jeffries, after he was released from jail, he never heard anything more regarding the altercation.

On February 12, 2008, the OKDHS recommended placement of Vincent with Jeffries in Oklahoma.

Regulation 7/Priority Home Study (February 19, 2008)

OKDHS documentation indicated that on February 19, 2008, the OKDHS approved the request from Texas DFPS for the OKDHS ICPC unit to conduct a priority home study.

Texas DFPS Family Service Plan Evaluation (June 26, 2008)

According to OKDHS documentation, the Texas DFPS documented that as of June 26, 2008, Jeffries had been cooperative and that Jeffries and his wife had complied with the request by Texas DFPS to obtain psychological evaluations, a condition Texas DFPS required before deciding whether or not to approve the home study. The OKDHS documented that Texas DFPS documented, "Mr. Jeffries is ready and willing to comply with services in order for his son to be placed with him."

Order for Placement (July 15, 2008)

According to OKDHS documentation, on July 15, 2008, the Texas court was considering the placement of Vincent with his father in Oklahoma with Texas DFPS continuing as temporary or permanent managing conservator of the child.

Placement of the Child (July 17, 2008)

The OKDHS had documented that Texas DFPS placed the child with Jeffries in Oklahoma on July 17, 2008. The OKDHS documentation did not indicate that OKDHS was notified prior to the placement occurring.

Notification of Placement (August 18, 2008)

According to OKDHS documentation, on August 18, 2008, the OKDHS was notified by Texas DFPS that Vincent had been placed with Jeffries in Oklahoma.

OKDHS Contacts With the Family (August 29 and September 29, 2008)

The OKDHS conducted visits with Vincent's family in Oklahoma on August 29 and September 29, 2008.

Referral 1 (October 4, 2008)

The OKDHS received the first referral in Oklahoma regarding Vincent Johnson as a victim of child abuse on October 4, 2008. Reportedly, Vincent had been taken to a hospital emergency room and was near death allegedly due to subdural hematoma. Reportedly, the child had been in the care of a relative and was found unresponsive.

The OKDHS accepted the referral as a Priority I investigation. The OKDHS worker documented that she observed Vincent in the hospital and made contact with Jeffries and his wife (Vincent's stepmother) on October 4, 2008. According to OKDHS documentation, Jeffries reported that Vincent was in the legal custody of the State of Texas but that the child had been placed with him.

Referral 1 was completed by OKDHS on December 30, 2008, with a finding of confirmed child fatality against Michael Jeffries.

Child Death (October 6, 2008)

The OKDHS documented that Vincent Johnson died on October 6, 2008.

Child Abuse Charges (October 22, 2008)

Michael Lynn Bean Jeffries, the biological father of Vincent Johnson, was charged with criminal felony murder in the second degree on October 22, 2008.