

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

Report Release Date: May 22, 2008

**Review of the Death of Christopher Barnard
of Rogers County, Oklahoma**

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

General Information

On, May 1, 2008, the Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of a child, Christopher Barnard. The death incident occurred on April 28, 2008. On May 1, 2008, a criminal felony murder in the first degree-child abuse charge was filed against Steven Lockler, Jr, Christopher's stepfather. The following is a summary of the actions taken by the Department of Human Services (DHS); 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, D and E (below).

Authorization

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

D. 1. At any time subsequent to seven (7) days, but no more than thirty (30) days, of 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 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 [DHS] 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: Christopher Barnard
Date of Birth: August 19, 2003

Alleged Perpetrator : Steven Lockler, Jr.

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

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

The OJSO reviewed the DHS child welfare case history on the family prior to and including the death of Christopher. The DHS documentation included twelve referrals related to Christopher.

**September 2, 2003 at 10:30 a.m.
First Referral to DHS**

The DHS received a referral regarding Christopher and his mother.
The person who made the referral alleged:

- The mother was staying with her parents. The home was dirty with bugs and dogs were also allowed to stay in the home.
- The mother and her parents were unemployed.
- The mother had filed a protective order against her father in 2001 which would expire in August 2004.
- The mother's father used marijuana.

The referral was assigned as an Assessment and child welfare did not conduct an investigation regarding the allegations.

September 12, 2003

DHS Initiation of the CPS Family Assessment

The DHS completed an assessment regarding the family and the allegations documented in the referral. The worker documented that the home was cluttered due to the recent return to the family home by Christopher and his mother. There were no bugs in the home and the worker was told that the dogs were not allowed around the baby. It was also reported that Christopher's grandfather would be able to assist in the caretaking of Christopher as he was unemployed due to health related problems. Christopher's grandmother was working at a restaurant and the mother was unemployed but received WIC, TANF and child support. It was further reported that the father of Christopher was in prison due to a second degree rape conviction. Everyone in the home denied drug use and it appeared that Christopher was "doing well."

The worker reported, "CPS Counseling was provided upon visit and seems to be substantial intervention in this case."

April 16, 2004 at 12:20 p.m.

Second Referral to DHS

The DHS received a referral regarding Christopher, his mother and her boyfriend, Steven Lockler, Jr. The DHS allegations included:

- Christopher was always dirty.
- The child had several injuries over the past few weeks such as, a knot the size of a golf ball on his head, bruises on his cheeks and arms and a busted lip.
- Christopher was rarely let out of his car seat or walker.
- Steven Lockler, Jr, had pinched Christopher on the cheeks and caused him to cry. He also swung Christopher around by the neck of his footed sleeper pants until Christopher turned purple.
- Christopher appeared upset when Steven Lockler, Jr, was present.

The referral was assigned as a Priority I investigation to be initiated within 24 hours.

April 16, 2004

DHS Initiation of the Second Referral

The DHS initiated the investigation within approximately two hours of assignment of the investigation. The DHS made contact with Christopher, his mother and the mother's boyfriend, Steven Lockler, Jr, at the home of the mother of Steven Lockler, Jr. Christopher, his mother and Steven Lockler, Jr, had moved to Claremore to the home of the mother of Steven Lockler, Jr, approximately six weeks prior to the referral. According to the DHS Report to the District Attorney, Christopher's mother and Steven Lockler, Jr, denied all of the allegations noted in the referral. The report also documented that Christopher's mother stated that the allegations were retaliation efforts made by a friend who was mad because she could no longer provide child care for her friend.

The Summary/Recommendation section of the DHS Report to the District Attorney documented that the family members and collaterals interviewed denied any type of abuse toward Christopher. The worker observed Christopher to be free from marks, scratches and bruises. The worker documented that Christopher appeared to be very bonded with his mother and Steven Lockler, Jr. The finding of the investigation was Services Not Needed.

October 4, 2004 at 3:46 a.m.

Third referral to DHS

The DHS received a referral regarding Christopher and his mother. The DHS allegations included:

- Christopher's mother keeps the house really cold. Christopher's hands and body are always cold.
- Christopher had been sick with pink eye and runny nose for three months.

The referral was Screened Out noting that the allegations did not meet child abuse/neglect criteria. Child welfare did not conduct an investigation.

November 29, 2006 at 8:10 a.m.

Fourth Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- Christopher was brought to the preschool with a black eye and when asked what happened to his eye, Christopher stated, "My daddy did it."
- Christopher has gone to preschool with numerous bruises and with stitches in his lip.

The referral was assigned as a Priority I investigation to be initiated within 24 hours.

November 29, 2006

DHS Initiation of the Fourth Referral

The DHS initiated the investigation approximately eight hours of assignment of the investigation. The DHS made contact with Christopher in the home of a family friend. According to the DHS Report to the District Attorney, a family friend reported that Christopher, his mother and Steven Lockler, Jr, were

currently residing in their home. It was reported that the mother was a full-time student and the friend would watch Christopher while the mother was at school.

The Summary/Recommendation section of the Report to the District Attorney documented the worker talked with all relevant parties including Christopher who reported several different scenarios of how he came to have a black eye. It also documented that everyone else interviewed related the same facts as to how Christopher received the black eye, which were that Christopher and his cousin were playing. Christopher lifted-up the cousin's dress and she punched him in the eye.

The section further documented the concern regarding the different bruises over a period of time, however; only the "black eye" had been reported and was the only bruise that was investigated. The worker documented her belief that if the bruises were of concern at the time that they were observed "the observing party would have reported these."

During this investigation the DHS worker was in receipt of Christopher's medical records dating from August 2005 through November 2006. The records documented that Christopher was routinely treated at the Claremore Emergency Room. The records also documented Christopher had tubes placed in his ears in August of 2005 due to the chronic ear infections and allergies. The records further documented that Christopher was treated on May 7, 2006, due to a swollen nose and the tubes in his ears were perforated and painful. Christopher's mother reported to the physician that Christopher had hit his head on a chair. On June 6, 2006, Christopher was treated due to abrasions and swelling on his forehead. The mother reported to the physician that Christopher hit his forehead on a bookcase and tripped at day care. In September 2006 Christopher was treated for a busted lower lip. The mother reported to the physician that Christopher pulled a high chair down on his face.

On January 28, 2006, March 15, 2006, June 5, 2006, July 10, 2006, August 2, 2006 and November 30, 2006, Christopher was treated for coughing, sinus problems, ear pain/infection, fever, and vomiting.

The finding of this investigation was Services Recommended.

February 13, 2007 at 2:30 p.m.

Fifth Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- Christopher has had mysterious bruises since his mom started dating Steven Lockler, Jr. Christopher had a black eye, the side of his face was messed up, and his lips were red and swollen two days ago.
- Christopher appeared to be afraid of Steven Lockler, Jr.
- Christopher does not attend day care when he has had bruises.

- When asked how he had received the red mark Christopher stated, “daddy did it,” then he changed his story and stated that he fell off of the bed.

The referral was assigned as a Priority I investigation to be initiated within 24 hours.

February 13, 2007

DHS Initiation of the Fifth Referral

The DHS initiated the investigation within two hours of assignment of the investigation. The DHS made contact with Christopher, his mother and Steven Lockler, Jr, at the home of a family friend. The friend reported that Christopher, his mother and Steven Lockler, Jr, were currently residing in her home. The friend also reported that she provides child care in her home for family members and was actively involved in this child’s care as well.

According to the DHS Report to the District Attorney the worker observed the bruise under Christopher’s left eye and on the side of his face. Christopher stated that the bruise was the result after he fell on a large toy in his room. Christopher’s mother related the same account of the incident. She added that Christopher would fall often and felt that his balance was off due to problems with his ears. Christopher’s mother also reported that Christopher was receiving services from a psychologist because of his angry outbursts, which involved Christopher throwing himself on the floor, hitting his head against the wall, biting his lip and arms and saying that he wanted to hurt himself. According to Christopher’s mother, a psychologist taught her how to manage Christopher’s behavior, which included therapeutic holds.

The Summary/Recommendation section of the DHS Report to the District Attorney documented that the psychologist reported that Christopher’s mother had been consistent and cooperative in following her recommendations. The finding of this investigation was Services Not Needed.

March 22, 2007 at 9:05 a.m.

Sixth Referral to DHS

The DHS received a referral regarding Christopher, his mother and Steven Lockler, Jr. The person who made the referral alleged:

- The reporter saw bruises on Christopher’s face, arms and back reportedly as a result of Christopher falling down.
- Christopher had a large red handprint on his buttocks as a result of the spanking by Steven Lockler, Jr.
- Steven Lockler, Jr, had anger problems regarding Christopher and would allow Christopher ten minutes to eat his dinner before the boyfriend would “yank” Christopher from his chair and put him in his room.
- Christopher’s mother and her boyfriend would wrap Christopher in a blanket so he could not move. The mother told the reporter that this was necessary to protect Christopher when he was acting-out due to his ADD.

The referral was assigned as a Priority I investigation to be initiated within 24 hours.

March 22, 2007

DHS Initiation of the Sixth referral

The DHS initiated the investigation within five and one-half hours of assignment of the investigation. The DHS made contact with Christopher at his day care center. Later, the DHS made contact with Christopher, his mother and Steven Lockler, Jr, at the home of the parents of Steven Lockler Jr, It was reported by the mother that the family moved-in with the parents of Steven Lockler Jr, due to a disagreement the family had with the previous couple with whom they were residing. The mother reported that she felt the allegations noted in the referral were retaliation attempts made by the friends as a result of the family moving out of the home as the friends relied on the monetary contribution made by the family. Steven Lockler, Jr, stated the disagreement stemmed from the mental health related problems of one of the friends. According to the DHS Report to the District Attorney, Christopher was hyper upon contact with the worker.

The worker observed small bruises on Christopher's shins, an eraser size bruise, dark in color and circular located on his spine and in the middle of his back. The worker also noted a fading green colored bruise, the size of a half-dollar located on Christopher's forehead area by his hair line. The child care facility reported that they had observed a fading greenish line that curved somewhat under Christopher's buttocks. The report also documented that Christopher stated that he did not know that he had a bruise on his back, or remembered when he got the bruises on his shins. He also stated to the worker that he had hit his head when he had been playing at day care. He further stated that he got into trouble because he did not want to eat and added that, his mom and dad did not hurt him and that he was not hungry. The report further documented that Christopher stated that his mommy put a blanket around him when she was holding him and that it did not hurt. The Summary/Recommendation section of the DHS Report to the District Attorney documented that Christopher denied being harmed in his home by either of his parents. It also documented that Christopher's mother had continued to take Christopher to a psychologist for his behavior problems and that Christopher had been prescribed Adderal to calm his hyper and aggressive behaviors.

The finding of this investigation was Services Recommended.

May 4, 2007 at 12:25 p.m.

Seventh Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- Christopher had bruises on his back, above his buttocks and under his arm.
- This was not the first time that Christopher has had bruises.
- Christopher appeared to be afraid of Steven Lockler, Jr.

The referral was assigned as a Priority II investigation to be initiated within three days.

May 4, 2007

DHS Initiation of the Seventh Referral

The DHS initiated the investigation within three days of assignment of the investigation. The DHS Report to the District Attorney documented two failed attempts before contact was made with Christopher by the DHS on May 9, 2007. The contact with Christopher, his mother and Steven Lockler, Jr, was at the home of the parents of Steven Lockler, Jr. According to the DHS Report to the District Attorney, the worker did not observe any bruises on Christopher. The report also documented that Christopher stated that he had not been hurt and that his mommy and daddy do not spank him. Christopher also stated that no one in his home had hurt him. The report further documented that Christopher's mother had been contacted by the Claremore Police Department. Christopher's mother reported that she had taken Christopher to the police department and an officer took pictures of Christopher and that the officer found one faded bruise on Christopher's lower back. She denied that she knew how Christopher received the bruise.

It was documented on the DHS Report to the District Attorney that the mother stated that she was informed by the reporter of the referral that the referral had been made. The mother also stated that Steven Lockler Jr.'s parents had been providing child care since she was informed about the referral. The worker documented that the family shared a bedroom and that Christopher slept on a futon. The worker also documented that the home was adequately clean and safe. The Summary/Recommendation section of the DHS Report to the District Attorney documented that Christopher's mother was consistent in keeping the appointments scheduled with the psychologist. The section also documented that Christopher appeared to interact easily and without fear with his mother's boyfriend.

The finding of this investigation was Services Not Needed.

August 1, 2007 at 9:40 a.m.

Eighth Referral to DHS

The DHS received a referral regarding Christopher, his mother and Steven Lockler, Jr. The person who made the referral alleged:

- Christopher was alone in the front yard playing.
- Christopher had a black eye and stated that his step dad had hit him hard.
- There were a lot of people living in a two bedroom home.

The referral was assigned as a Priority I investigation to be initiated within 24 hours.

August 1, 2007

DHS Initiation of the Eighth Referral

The DHS initiated the investigation within one hour of assignment of the investigation. The DHS made contact with Christopher at the Claremore Police Department. According to the DHS Report to the District Attorney the three year old child was found playing in the yard by himself. Contact was made with the Claremore Police Department who requested that Christopher be transported to the police department. The report also documented that the attempts to locate Christopher's mother at the home were unsuccessful. The report further documented that Christopher stated that he was home alone because his mom had taken his dad to work. It was documented that the attempts to locate Christopher's mother by phone but were unsuccessful. The worker documented that Christopher had a single point of contact mark below his left eye.

Christopher reported to the worker that his dad had hit him with a belt. It was also documented that Christopher was also interviewed at the Children's Advocacy Center in Claremore (CAC) later that day. The interviewer at the CAC documented that Christopher reported that he had hurt himself by hitting himself on the floor and denied that he had been hit by his parents. The interviewer also documented that Christopher was very active and it was difficult for Christopher to focus on the interview. Based on Christopher's statements and his aggressive behavior history, the worker documented his conclusion that Christopher was not injured by his parents.

The finding of this investigation was Services Not Needed.

April 28, 2008 at 12:15 p.m.

Ninth Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- Christopher died at the hospital after the monitors were removed.
- Christopher had bruises all over his body.
- Christopher's core body temperature was "really low" indicating that, there might have been a delay before Christopher received medical attention.
- Christopher's mother reported to the medical professional that Christopher had fallen over and bumped his head on the bathtub.

The referral was assigned as a Priority I to be initiated within 24 hours.

April 28, 2008

DHS Initiation of the Ninth Referral

The DHS initiated the investigation within one hour of assignment of the investigation. The DHS made contact with Christopher, his mother and Steven Lockler, Jr, at the Claremore Hospital.

April 28, 2008 at 1:49 p.m.

Tenth DHS Referral

The DHS received a referral regarding Christopher's death. The person who made the referral alleged:

- The abuse of Christopher by his step-father had been reported to DHS prior to Christopher's death.
- The DHS did nothing when informed of the abuse.
- Christopher would arrive at the child care home with bruises on his body.

This referral was Screened Out with the reason documented as a Duplicate Report.

April 28, 2008 at 2:24 p.m.

Eleventh Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- Christopher's step-father had abused Christopher last summer and the reporter saw the bruises.
- Christopher's child care provider took pictures of the bruises on Christopher's body and gave copies to the Claremore Police Department.

This referral was Screened Out with the reason documented as Duplicate Report.

April 28, 2008 at 3:20 p.m.

Twelfth Referral to DHS

The DHS received a referral regarding Christopher. The person who made the referral alleged:

- The reporter had previously emailed pictures of Christopher with bruises, to DHS.
- Christopher died at the hands of his step-father today.

The referral was Screened Out with the documented reason as Duplicate Report.

May 1, 2008

Criminal Felony charges filed

A Criminal Felony charge of Murder in the First Degree-Child Abuse was filed on May 1, 2008, against Christopher's step-father Steven Lockler, Jr.

May 5, 2008

Arrest

Christopher's mother was arrested by the Claremore police department for permitting child abuse.