

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

Report Release Date: October 18, 2016

**Review of the Death of Colt Levi River Clark
of Seminole County, Oklahoma**

General Information

The Office of Juvenile System Oversight (OJSO) received a request for a public report regarding the death of nine-year-old Colt Levi River Clark. Felony Murder in the First Degree, Four Counts of Child Abuse by Injury, Child Neglect, Conspiracy to Commit a Felony, Child Neglect and Intimidation of Witness charges were filed in Seminole County District Court on April 19, 2016, against the adoptive parents James and Rebecca Clark. James Clark was the paternal uncle of Colt Clark and the Clarks were the Persons Responsible for the Child (PRFC).

Authorization

The following is a summary of the actions taken by the Oklahoma Department of Human Services (OKDHS); the dates and outcome of investigations and actions taken by the OKDHS; the actions taken by the district attorney; the dates and summary of judicial proceedings; and the rulings of the court, as authorized by 10A O.S. Section 1-6-105.

Identifiers:

Child's Name:	Colt Levi River Clark
Date of Birth:	May 24, 1996
Date of Death:	Undetermined
PRFC	James Rex Clark, Adoptive Parent
PRFC	Rebecca Faith Clark, Adoptive Parent
Sibling 1:	Age Eleven

The Oklahoma Commission on Children and Youth (OCCY) did not become aware of this case until May 10, 2006, after Colt Clark was reported missing.

Death Incident

The OKDHS was notified of the alleged death of nine-year-old Colt Clark on April 15, 2016. The OKDHS documented that James and Rebecca Clark were arrested in connection with the alleged death of Colt Clark on or around April 9, 2016. The OKDHS had documentation of the suspicious disappearance of Colt Clark in April of 2006. At that time, the OKDHS had an open report of Threat of Harm that was received on March 24, 2006. The OKDHS did not investigate Colt's disappearance since the disappearance was referred to law enforcement.

The OKDHS documentation reflected Colt and Sibling 1 were in OKDHS custody previously and had been placed in the home of James and Rebecca Clark on October 31, 2003. The Clark's adopted Colt and Sibling 1 on November 19, 2004.

The OKDHS Investigation into the death of Colt was still pending at the writing of this public report.

Prior Involvement of the PRFC with the Department of Human Services

There are four previous reports to the OKDHS which are pertinent to the child death.

On June 27, 2005, OKDHS received allegations that the children were suffering from issues because of their past alleged abuse.

The report was assigned as a Priority II Assessment in Seminole County. The OKDHS made contact on August 24, 2005. The OKDHS documented that the adoptive mother stated to OKDHS that the children had had five counselors within the previous year and that Sibling 1 was now withdrawn and Colt was involved in self-mutilation and other inappropriate behaviors, such as killing the family's pet bird, starting fires in occupied beds, and prowling around at night with a knife while the other family members slept.

It was reported to the OKDHS that the adoptive dad handcuffed him (Colt) to the bed and as a result, everyone got a good night sleep. OKDHS recommended the family continue to access all mental health services.

On March 24, 2006, the OKDHS received a report regarding the safety and well-being of Colt Clark and Sibling 1. Reportedly, Colt and Sibling 1 were alleged to be in threat of harm by the adoptive parents.

The OKDHS in Seminole County assigned the report as a Priority II Investigation. The OKDHS had two failed attempts to contact the family. The OKDHS made contact with the adoptive parents and Sibling 1 on April 17, 2006. The OKDHS documentation stated that when the worker arrived at the adoptive parents' home on April 17, 2006, the adoptive father's clothes were wet and he explained that he had fallen in the pond when trying to retrieve an "almost dead catfish." The worker documented that the adoptive

father appeared to be on medication, as his speech was slightly slurred. The worker spoke with the adoptive father, the adoptive mother, and Sibling 1; Colt was unavailable, due to reportedly being at his relative's home. The OKDHS scheduled an appointment with the parents to interview Colt on April 20, 2006. The OKDHS worker was informed by the adoptive parents' on April 20, 2006, Colt had reportedly gone missing from the home on that day. Mrs. Clark reported Colt missing later that evening to law enforcement. On April 25, 2006, OKDHS spoke with Sibling 1 who reported Colt had run away. Sibling 1 feared other family had taken him. On April 26, 2006, the OKDHS spoke with a family member who verified Colt was at their family home on April 17, 2006, as previously reported.

The OKDHS made a finding of Services Recommended as to Threat of Harm by the adoptive parents. The OKDHS recommended the family continue search efforts for Colt and continue with current counseling.

On May 10, 2006, OCCY received a complaint alleging OKDHS inadequately investigated abuse of a child. The OJSO became aware of Colt Clark's disappearance while investigating the abuse allegations.

On May 15, 2006, the OKDHS received a report alleging threat of harm to Sibling 1 following Colt's disappearance.

The OKDHS assigned the report as a Priority II Investigation, which was initiated within ten days. In the course of the investigation, the OKDHS learned that the parents gave Sibling 1 half of a valium pill even though Sibling 1 did not have a prescription for valium. A collateral witness stated that the adoptive mother withdrew Colt from school in January 2005 because she wanted to home school the children. The OKDHS documented the adoptive parents were interviewed together. The OKDHS made a finding of Services Recommended. The OKDHS recommended the Clark's continue counseling and routine medical services for Sibling 1.

On May 17, 2006, the OJSO expressed concerns to the director of the OKDHS Field Operations Division and director of the OKDHS Area IV office regarding the safety of Sibling 1 in the adoptive home, based on the abuse and neglect allegations of the June 27, 2005, report. The OKDHS Field Operations director advised the OJSO that the OKDHS would check into the safety of Sibling 1 remaining in the home.

On May 18, 2006, the OJSO contacted the OKDHS Child Welfare Field Liaison (CWFL) to inquire as to why the report dated June 27, 2005, was assigned as an Assessment, given the serious allegations of abuse. The OJSO expressed concern to the CWFL regarding Sibling 1 remaining in the adoptive parents' home. The child's safety in the adoptive home was a concern to the OJSO, based on the allegations in the June 27, 2005, report regarding the adoptive father handcuffing Colt to the bed and Colt allegedly killing the family's pet bird, and speculation in December 2005 that Colt had set fires. The OJSO was advised at a later date by the CWFL that the OKDHS worker had

requested a pick-up order from the Seminole County district attorney's office for Sibling 1; however, the district attorney's office declined to request an order from the court.

The OKDHS re-interviewed Sibling 1 and documented that the child maintained eye contact during the interview and that Sibling 1's story was consistent. The OKDHS did not find that the child was at-risk or unsafe in the adoptive parents' home.

The OJSO made a recommendation to the OKDHS that a report be opened regarding the adoptive father giving Sibling 1 medication that was not prescribed for the child and requested that Sibling 1 receive a physical examination and psychological evaluation. The CWFL stated there was a current investigation regarding the medication issue and that a physical examination would be requested. The CWFL also stated a psychological evaluation would be suggested, but because the child was not in state custody, an evaluation was not a requirement.

On May 31, 2006, the OJSO was advised the OKDHS supervisor and worker had staffed the case with an assistant district attorney, who did not believe an emergency existed to remove Sibling 1 from the home.

On June 6, 2006, the OJSO met with the Seminole County District Attorney and the Assistant District Attorney to discuss the OJSO's concerns. The District Attorney stated more evidence was needed to remove Sibling 1 from the adoptive parents' home.

On July 26, 2006, the Child Welfare Field Liaison (CWFL) advised the OJSO that Colt's whereabouts were still unknown. The CWFL stated that Sibling 1 attended weekly counseling sessions and OKDHS continued to recommend a pick-up order for Sibling 1.

The OKDHS received a report on September 30, 2006, stating the Seminole County Sheriff's Office had taken Sibling 1 into police protective custody.

The report was assigned as a Priority I investigation, and OKDHS initiated contact with the family on the same day. Sibling 1 ran away from his adoptive parents' home. He did not disclose new information about Colt's disappearance at that time to OKDHS. Sibling 1 stated that he had been neglected in the adoptive parents' home more than was previously reported. Reportedly, Sibling 1's whereabouts were unknown for five days before the adoptive parents reported him missing. On October 9, 2006, Sibling 1 reported he was abused and was not truthful with OKDHS in the past. Sibling 1 stated James and Rebecca Clark threatened him not to tell OKDHS. Sibling 1 reported he did what they told him to do. He stated Colt went missing on March 23, 2006. Sibling 1 stated when he woke up Colt was gone.

The OKDHS confirmed Lack of Supervision, as Sibling 1 was missing from the home for at least five days before the adoptive parents reported Sibling 1 missing. The OKDHS also confirmed Mental Injury, based on a counselor's professional opinion and the adoptive father calling Sibling 1 names ("pervert," "thief," "liar," "flawed", and "broke") and cursing at him. In addition, OKDHS recommended services regarding Failure to

Obtain Medical Attention, as Sibling 1 did not receive medical attention for a previous dog bite. The OKDHS confirmed Physical Abuse regarding Sibling 1's statement of spankings and a medical examination confirming scars consistent with physical abuse. The OKDHS completed the investigation, with a finding of Confirmed Court Intervention Requested regarding the allegations.

Sibling 1 was placed in emergency OKDHS custody on September 30, 2006. The Show Cause hearing took place on October 3, 2006.

The OJSO sent a letter to the OKDHS on September 27, 2007, which documented policy violations. The OJSO stated in the summary the Clark children met criteria for Oklahoma Foundation for Medical Quality (OFMQ) gatekeeping or, at the very least, request for mental health evaluations. In the June 2005 report, the severity of the allegations supported a Priority I investigation.