

Death of a child

Who failed to save Emma?

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James Nielsen Chronicle

Benjamin Thompson said his wife, Abigail Young, told him that his daughter Emma, 4, had a "childhood" version of herpes that turned into the sexual disease that adults contract.

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Two weeks before a sexually abused 4-year-old Spring girl with a fractured skull died in a Woodlands emergency room, Texas Child Protective Services was notified the girl had a sexually transmitted disease, but the agency did not take her into custody because they had no other physical signs the girl was in danger.

The child's official cause of death has not yet been determined by the Southeast Texas Forensic Center in Conroe, but details of the prior CPS abuse investigation and the missed chances to save Emma Thompson's life were presented at a custody hearing Tuesday over the fate of the girl's two siblings. Both have been removed from the home they shared with their mother, Abigail Elizabeth Young.

Emma died June 27 at Memorial Hermann-The Woodlands Hospital after she became unconscious and stopped breathing as her mother was driving her to the emergency room.

Estella Olguin, CPS spokeswoman, said the child had a severed pancreas, a skull fracture and bruising at the time of her death.

Outlining the inquiry

CPS investigator Kimberly Clayton recounted how her office began investigating a complaint of neglect and possible abuse involving Emma on June 8. The girl was examined for CPS by the child's pediatrician who found no signs of sexual intercourse.

He did note to investigators that the child had a 102-degree fever and blisters on her fingers, inside her mouth and in her vaginal area and that he ran a series of tests. The child was referred to Texas Children's Hospital for a more extensive exam, and on June 11, the tests came back positive for genital herpes.

Clayton said she confronted the child's mother about her daughter's condition.

"She had no idea where it came from," Clayton recalled, though Young, 33, is a registered nurse.

A lawyer representing the interests of Emma's 6-year-old sister and 11-year-old half-sister, pressed Clayton on why herpes wasn't enough to remove a child from a home, but the CPS worker said her agency needed more, a verification of the abuse from the mother or the child.

"There was no information stating where it came from," Clayton said of the herpes. "We did not have enough information that the child suffered abuse and neglect in that home."

Because genital herpes can be transmitted through other, nonsexual methods, CPS investigators cannot automatically remove a child who tests positive for it, agency officials said. Infection can be spread by touching an open blister, then another person.

Young had separated from her husband, Benjamin Thompson, 33, and was proceeding with a divorce. Both parents said the child had no other contact with adults, except maybe at a local swimming pool.

When asked if she had anything to do with the death, Young said, "absolutely not."

Thompson said his wife told him that the type of herpes their daughter contracted had started out as a "childhood" version and had somehow developed into the sexual disease adults contract. He also said his wife told him that their daughter could have contracted the disease from a toilet seat.

The night of her death, Harris County Sheriff's Office homicide investigators were summoned to the emergency room.

No explanation

Homicide division Lt. Rolf Nelson said the child had bruises and cuts on her body.

He said investigators did not receive adequate explanations for how the girl had been injured.

"Either there were no explanations offered, or the explanations offered for the cause of the injuries were not plausible," Nelson said Tuesday.

Some of the injuries also occurred before the day the child died, Nelson said.

Olguin, the CPS spokeswoman, said that a sexually transmitted disease alone is not enough to put a 4-year-old into protective custody. She said Emma shook her head, "no" when asked whether anyone had touched her inappropriately.

"We had a child without an outcry," Olguin said. "We didn't know about any perpetrator."

Harris County Sheriff's Investigator A.J. Kelly testified Tuesday that he believed Thompson, Emma's father, had nothing to do with her death but said Young and her boyfriend Lucas Coe, 27, of Magnolia, have not been ruled out as persons of interest. Coe has been indicted for injury to another child, a 7-year-old boy, in Montgomery County.

Mom is a 'gifted' nurse

Texas Board of Nursing Examiners records show the child's mother has been licensed as a registered nurse since June 2001 and has no record of any disciplinary actions. Her license is set to expire Aug. 31. State board officials said their records show she works in the in-patient hospital field .

"From everyone's accounts, relatives and friends, she's a 'gifted' nurse — this is a term they use," Nelson said.

The mother called 911 at 7:30 p.m. while driving the girl to the hospital in The Woodlands. After the child became unconscious, the mother called for an ambulance while at the intersection of Gosling and West Rayford Road, Nelson said.

Two motorists stopped to help and found the child had stopped breathing, so they performed CPR until an ambulance arrived, Nelson said. The child was pronounced dead at the hospital.

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