

On March 22, 2018 my life changed forever. In a moment, my heart was shattered and the pieces sent scattering everywhere. A normal day after school turned tragic. From snack at the table inside to calling 911 was less than 5 minutes. We were all outside in different parts of the yard when Kade was able to leave our back yard. Kade was found unconscious hanging by his neck at the top of our neighbor's 4-foot-tall wrought iron exposed picket fence. He had attempted to climb over to go to his friend's house. Kade had never left the yard without us before. Because of this short fence's design, he was able to get a simultaneous foothold on the bottom horizontal bar and handhold on the top horizontal bar in his attempt to climb the fence. Being able to use his feet and hands as leverage allowed my two-year-old to get his head completely over the pickets but he couldn't get the rest of his body over. When he came back down, his neck became wedged between the pickets and over the top horizontal bar where he hung and died. My husband found him and started CPR immediately. He is a trained first responder. I called 911 and within minutes they arrived and took Kade to Seton Williamson. He was pronounced dead at 5:02 pm. [Click to view a video we made about what happened.](#)

I am here today to ask for your support in making changes to the code concerning fencing in Austin, TX. This code change costs the people, business owners, and stake holders of Austin nothing. Yet, it is vital to the safety of wildlife, pets, and children. In early 2019, the City of Lakeway passed fence code change shortly after seeing a news story about what happened to Kade. A group called Citizen Advocates for Animals had been working on change due to the high volume of deer found entrapped, gutted, and impaled on the wrought iron fences in the City. Why people think that this type of fence can do those things to a deer and not a human is beyond me. The group was successful in getting the new fence code passed. The new code simply states that "all fences, including wood, wrought iron, and ornamental fencing, shall be continuously flat topped without spikes or sharp points." This simple wording change could have saved Kade's life. I am sure it will save the lives of many deer, pets, and children in the future.

Working on fence change has been exhausting. When your child dies tragically, people are quick to judge. It is easy to point a finger and blame the parents. "Where were they? Why weren't they paying attention? Why was a 2-year-old allowed to be outside playing? Etc...." I have heard it all and honestly, I have learned to use the ugly comments and judgements as a way to steer my research.

This presentation is a compilation of pictures and information gathered since Kade's death. We are working from many different angles to promote much needed change. Yes, fence code is needed, but so is fence design change. As you will see in the pictures, children like to climb. Fences provide a perfect opportunity and challenge for children of all ages. Exposed picket fencing creates a danger that children do not bargain for. We have been told stories about children climbing trees on a property line (their own property) and falling onto a wrought iron fence. One child was impaled and narrowly missed the femoral artery in the leg. Another fell and impaled their arm also narrowly missing the artery. Both children required numerous stitches. Another man was inspecting a roof and fell impaling himself down the length of his body. His life will never be the same. Another women told us about her German Shepard who

died in a thunder storm. He got nervous and jumped up getting trapped on the wrought iron fence. They found the dog hanging dead by the neck. If you Google fence accidents you will find a story about a young boy in Fort Worth who was impaled trying to climb over a swimming pool fence at an apartment complex. He made it over and then died on his way back over.

Another story will come up on Snopes about decapitation. A man in Georgia was running from police and jumped. He fell “just right” onto an exposed picket fence that took his head right off.

Those are some examples of injuries and deaths involving people.

There are many groups around the country working on fence change because of the high price wildlife and pets pay in encounters with fences. Deer are regularly entrapped, gutted, and impaled.

A community in Edmonton, Canada has been working to change the fence installed by the builder near a park which has killed numerous deer and elk. There is a professor who began a page called Deer Friendly that educates people about fencing dangers. Another woman in Utah has worked for change in her community after finding a deer impaled on the low wrought iron fence along her walk one day.

If you pull the animal control records in communities with wrought iron fencing there are numerous calls every year in which an animal has been impaled when trying to clear the fence. Many of these animals endure a painful and long death.

Our family has spoken with the executive director of the San Antonio Zoo about the low wrought iron exposed picket fencing that is used extensively throughout the facility. The Zoo is currently working to replace all the fencing. You can see examples of just what happened to Kade in the presentation. These were taken of children viewing the animals at the San Antonio Zoo. The executive director was actually at a zoo design conference when he learned about Kade and shared with the other attendees about the danger.

Children love to climb. They are going to test these skills. I see pictures of home owners who have placed play equipment right along an exposed picket fence. Children are going to climb on the equipment and may even try to climb on the fence or incorporate the fence into their play. It makes my heart stop! The parents have no idea about the danger! Why? The fence installer, retailer, and manufacturer have not informed them of the dangers. The fence industry is aware of the how dangerous the fence can be. Yet, they do not provide warning labels or any warnings in the information provided to consumers. I have been told over and over again that “it’s my property I can do what I want”. We live in a time that embraces small government. Regulation should be done by the business or industry. That may have a time and place, but this is not it. When the rivers in Ohio caught on fire, the government stepped in to clean up the mess made by the industries. Now is time to send the fence industry a message that safety is important to Austin residents, business owners, and policy makers.

The manufacturer of the fence that Kade died on actually had a committee of people review measurements of children (neck size and height) because they were considering the danger of the low exposed picket fence. This committee met back in the 1980's. They had the power to inform consumers of the potential risk of entrapment and said nothing! There are not warning labels on the fence panels about entrapment or impalement. There is no warning information in the brochures they provide to retailers to share with consumers. Parents and families are unaware of the danger to their children and pets. This type of fencing is sold to daycare centers, parks, zoos, restaurants with playscapes, and to neighbors in neighborhoods surrounded by families with small children. This is why government must step in to create code that regulates where businesses have chosen profit over safety. Our family has also learned that it costs the manufacturer the same amount of money to make a flat topped or exposed picket fence panel. So, safe fence options currently exist at the same price.

This fence code change uses words to protect those without any. A simple sentence will prevent exposed picket fencing from being placed into new neighborhoods, parks, daycares, businesses, and other high traffic children and family areas. This change can be made with no expense to anyone. We are asking that the change be made concerning all fences moving forward. That means that eventually, when a fence needs to be replaced it will be brought up to code. I just hope that a fence already installed does not kill another child in the meantime. However, I have learned also that I have to pick my battles and be content with the victories that pave the way for more progress.

Right after Kade died, I began researching fence injuries and regulations. I learned that Sun City, a community not far from my house in Georgetown, TX had made fence ordinance changes about 10 years before Kade died. I wish the City of Georgetown had followed this example. Kade would still be alive today. Sun City made their ordinance retroactive. All fences had to be updated at the time the ordinance was changed. The community was tired of removing dead deer from the low exposed picket fences that were required in the bylaws.

In the presentation, I provide several links to videos that show children and animals that have been affected by exposed picket fences. I have chosen to use videos and images that do not show the blood and gore. There are so many examples that are horrific, but I think that the ones provided give a pretty vivid idea of the issues that will be solved with this fence code change. When Kade died, the hospital staff said that it was particularly hard because he looked like he was sleeping. He didn't have gruesome injuries.

I have also provided examples of several places that have already made changes to protect wildlife, pets and children. Our youngest Krusader, Will, is a perfect example. His mama has told me that he speaks up any time he sees a dangerous fence. He does not shy away from telling people about Kade and why they need to make a change. You will see his picture on the slide. He went right to the top and his mom helped him talk to the CEO at a local shopping center about a dangerous fence on the property near his home. The CEO took immediate action and the fence was change within a day. The CEO also promised that future properties would be designed without exposed picket fencing. A day care owner posted about her home

center on Facebook and I shared with her Kade's story because she had a white picket fence surrounding the children's play area. Yes, this is ironically the iconic symbol of the American Dream (the white picket fence). The owner went out and cut off the tops of the fence that same day. Community Montessori in Georgetown, TX did the exact same thing after Kade died. A business in Southwest Austin removed the pickets from the wrought iron fence surrounding their play area after a friend told them about Kade. The majority of people welcome change that protects the ones they love and also their business from lawsuits. I have many more examples of people who have made fence changes and worked with their own HOA to change fence ordinances after Kade died. This has been a tedious, exhausting and emotional journey. Since fence code is not regulated through the State or National government it means talking to each city to work on change. I hope that one day, a large enough City (maybe Austin) will catch the attention of State Legislators who will support change on a higher level. I will not give up. This is important. No parent should ever experience what my husband and I have. No sibling should lose a brother. No one ever got to say goodbye. Kade was gone so quickly. Healthy, filled with love, laughter, and life then just gone. People talk about finding a dead animal on a fence and how horrible and disgusting it is. I can promise it is nothing compared to finding your child on the fence. I am asking you to support fence code change in honor of our sweet boy Kade. But also, in honor of his siblings and all children now and in the future, who deserve to grow up in a safe place.