



Preliminary Report	Near Fatality	11/5/15
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Amendments to the information originally posted on 8/21/15 are displayed below in red.

1. Near Fatality Victim: 1-year-old male

2. Date of notification to DCS: 8/3/15

3. Date of near fatality: 7/31/15

4. Date of determination that the near fatality was the result of abuse or neglect*:

Diana Vazquez – 8/4/15

Thomas Smith – 10/24/15

Matthew Harrington – 10/26/15

5. County and general location of the residence of the victim: Maricopa County – Tempe, AZ

6. Alleged perpetrator(s) name, age and city, town or general location:

Diana Vazquez – age 23 – Tempe, AZ

Thomas Smith – age 20 – Tempe, AZ

Matthew Harrington – age 28 – Phoenix, AZ

7. Circumstances of the near fatality that indicate it was the result of abuse or neglect:

On August 3, 2015, the Department of Child Safety received a report regarding a one-year-old boy who had been admitted to the hospital on July 31, 2015 due to severe malnourishment. It was reported that the child weighed 14.5 pounds at his one-year check-up and had previously weighed 28 pounds at his six-month check-up. The child's mother, Diana Vazquez, stated she had stopped breastfeeding him after the six-month check-up due to him being in the 98th percentile of weight at that time. On August 4, 2015, the mother was charged with child abuse. **The DCS investigation determined that the mother's boyfriend, Thomas Smith, neglected the child by failing to provide him with adequate nutrition. It was also determined that the child's father, Matthew Harrington, failed to protect him from neglect. The allegations of neglect pertaining to both Mr. Smith and Mr. Harrington have been substantiated.**

8. Whether DCS has received any reports or past cases, of child abuse, abandonment or neglect involving the child or the current alleged perpetrator(s):**

DCS has received no prior reports involving Diana Vazquez, **Thomas Smith, Matthew Harrington**, and/or the near fatality victim.

9. Actions taken by DCS in response to the near fatality:

A joint investigation is being conducted with the Tempe Police Department.

10. Actions taken regarding the child and/or other children in the home:

Upon release from the hospital, the child was placed in a licensed foster home. There were no other children in the home.



11. Whether the agency is or intends to provide direct services or service referrals to the family:

The Department of Child Safety is providing services to the family.

*The determination that a fatality or near fatality is the result of abuse, abandonment or neglect is based one or more of the following criteria: (1) The perpetrator(s) arrest related to the incident, (2) Substantiated finding(s) linking the alleged perpetrator(s) action(s) to the fatality or near fatality and/or (3) Results of the Medical Examiner's report.

** Information released after July 3, 2015 provides reports, or any current or past cases, of abuse, abandonment or neglect involving the child or the alleged perpetrator pursuant to A.R.S. § 8-807.01(A)(1)(e).
Posted information may be updated as new information becomes available.