



<b>Preliminary Report</b>	<b>Near Fatality</b>	<b>3/17/2021</b>
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- 1. Near Fatality Victim:** 1-month-old male
- 2. Date of notification to DCS:** 1/6/20
- 3. Date of near fatality:** 1/6/20
- 4. Date of determination that the near fatality was the result of abuse or neglect\*:** 7/10/20
- 5. County and general location of the residence of the victim:** Maricopa County – Phoenix, AZ
- 6. Alleged perpetrator(s) name, age and city, town or general location:**

Donald Ferguson – age 38 – Phoenix, AZ  
Emmaline Ramirez – age 29 – Phoenix, AZ

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

On January 6, 2020, the Department of Child Safety received a report regarding a 1-month-old male who was taken to the hospital in critical condition after he was having difficulty breathing. The police were already on scene after the near fatality victim’s sibling, Emmanuel, had been found deceased in the home. Mr. Ferguson and Ms. Ramirez were charged with child abuse on January 9, 2020. The Department filed a dependency petition with the Maricopa County Superior Court on January 9, 2020. On July 10, 2020 the court found that Mr. Ferguson abused the near fatality victim and Ms. Ramirez failed to protect the child from abuse and terminated the parents’ rights to their children.

**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 received no prior reports involving Emmanuel Ferguson.

DCS received the following prior reports involving Donald Ferguson and/ or Emmaline Ramirez:

On June 20, 2008, a report was received alleging physical and emotional abuse to two children by Donald Ferguson. The allegations were unsubstantiated and the case was closed.

On July 21, 2009, a report was received alleging physical abuse and neglect to two children by Donald Ferguson. The allegations were unsubstantiated and the case was closed.

On August 11, 2015, a report was received alleging neglect to a child by Donald Ferguson and Emmaline Ramirez. The allegations were unsubstantiated and the case was closed.

On August 31, 2016, a report was received alleging neglect by Donald Ferguson and Emmaline Ramirez. The family was unable to be located and the case was closed.

On August 13, 2017, a report was received alleging neglect by Donald Ferguson and Emmaline Ramirez. The family was unable to be located and the case was closed.



On December 1, 2017, a report was received alleging physical abuse and neglect to a child by Donald Ferguson. The allegations were unsubstantiated and the case was closed.

On May 28, 2019, a report was received alleging neglect by Donald Ferguson and Emmaline Ramirez. The allegations were unsubstantiated and the family was offered in-home services. The family declined to participate in services.

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

A joint investigation was conducted with the Phoenix Police Department.

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

Following an assessment of child safety, the other children in the home were placed in foster care. Upon release from the hospital, the near fatality victim was also placed in foster care.

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

The Department provided 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.