



ARIZONA DEPARTMENT of CHILD SAFETY

David Lujan, Director
Katie Hobbs, Governor

Summary Report	Fatality	07/28/2023
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1. Victim: Esmeralda Tavares AKA Ania Gonzales – 1-month-old female

2. Was the child residing in the child's home or in an out-of-home placement at the time of the fatality?

The child was residing in her home when the following incident occurred:

On August 18, 2021, the Department of Child Safety received a report regarding 1-month-old Esmeralda Tavares who was transported to the hospital and was pronounced deceased. Upon investigation, it was determined the child died due to fentanyl intoxication following confirmation by the Maricopa Medical Examiner's report. On June 22, 2023, the Department substantiated the allegations of neglect by the child's parents, Vivian Tavares and Arturo Gonzales.

3. If the victim in the Preliminary Report involved a child residing in the child's home, the following information will be provided:

a. Services being provided to the child, a member of the child's family or the person suspected of the abuse or neglect at the time of the incident and the date of the last contact before the incident between the entity providing services and the person receiving services:

The Department was providing services to the family when the August 18, 2021 fatality incident occurred. The family was being investigated for two open reports dated June 28, 2021 and August 15, 2021 and there was a safety plan in place. The last date of contact between the Department and the family was on August 17, 2021.

b. Was the child, a member of the child's family or the person suspected of the abuse or neglect the subject of a report for investigation at the time of the incident?

Esmeralda Tavares, Vivian Tavares and Arturo Gonzales were subjects of the June 28, 2021 and August 15, 2021 reports.

c. All involvement of the child's parents and of the person suspected of the abuse or neglect in a situation for which a report for investigation was made or in services provided pursuant to this chapter in the five years preceding the incident:

DCS received the following prior reports involving Vivian Tavares and Arturo Gonzales:

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On January 10, 2019, a report was received alleging neglect to a child by Vivian Tavares. The allegation was unsubstantiated and the case was closed on March 7, 2019. There were no services provided to the family.

On July 15, 2019, a report was received alleging physical abuse to a child by Mr. Gonzales. This investigation was open when the next report was received. On August 12, 2019, a report was received alleging neglect to children by Arturo Gonzales. This report also generated another report for a child living in the home. The allegations were unsubstantiated in the three open reports and the case was closed on September 27, 2019. The family was provided with resources in the community.

On January 7, 2020, a report was received alleging neglect to a child by Vivian Tavares. The investigation was open when the next report was received. On February 1, 2020, a report was received alleging neglect to a child by Vivian Tavares. Ultimately, allegations as to both reports were unsubstantiated. The family was referred for in-home services.

On March 17, 2020, a report was received alleging physical abuse and neglect to children by Mr. Gonzales. The investigation was open when the next report was received. On April 1, 2020, a report was received alleging neglect to children by Mr. Gonzales. Ultimately, allegations as to both reports were unsubstantiated. The case was closed on April 21, 2020 and no services were provided by the Department.

On March 21, 2020, a report was received alleging neglect to children by Vivian Tavares and Arturo Gonzales. The family had agreed to participate in in-home services and the case was pending services when this report was received. One of the children was assessed as safe with their other parent and the other child was taken into DCS custody and an out of home dependency petition was filed with the Pinal County Superior Court. The allegations were substantiated and the family was provided with services.

On June 28, 2021, a report was received alleging neglect to Esmeralda by Vivian Tavares. A safety plan was implemented with a relative making unannounced visits to the home. This investigation was still open the next report was received. On August 15, 2021, a report was received alleging physical abuse and neglect to Esmeralda by Arturo Gonzales. Both investigations were open when the fatality report was received on August 18, 2021. The Department was providing services to the family when the fatality report was received. Ultimately, the allegations to the June 28, 2021 and August 15, 2021 reports were unsubstantiated. The family was participating in services.

d. Any investigation pursuant to a report for investigation concerning the child, a member of the child's family or the person suspected of the abuse or neglect or services provided to the child or the child's family since the date of the incident involving the fatality:

The report regarding the fatality incident was investigated and the case was closed on January 6, 2023. The allegations of neglect to Esmeralda by her parents, Vivian Tavares and Arturo Gonzales, were substantiated.

A subsequent report involving the parents and a newborn sibling was received on April 26, 2023, regarding an allegation of neglect by Vivian Tavares. A safety plan was implemented with relatives. The Department is providing services to the family.

4. If the victim in the Preliminary Report involved a child residing in an out-of-home placement, the following information will be provided:

a. Licensing Agency:

N/A

b. Licensing history of the out-of-home placement, including the type of license held by the operator of the placement and the period for which the placement has been licensed:

N/A

c. Summary of all violations by the licensee:

N/A

d. Any other actions by the licensee or an employee of the licensee that constitute a substantial failure to protect and promote the health, safety and welfare of a child.

N/A

5. Actions taken by the Department in response to the case including any changes to policy or practice and/or recommendations for further changes in policies, practices, rules or statutes:

The Department conducted a joint investigation with the Casa Grande Police Department. There were no other children in the home at the time of the incident and the case was closed January 6, 2023. The allegations of neglect to Esmeralda by her mother, Vivian Tavares, and her father, Arturo Gonzales, were substantiated.

A subsequent report involving the parents and a newborn sibling was received on April 26, 2023, regarding an allegation of neglect by Vivian Tavares. A safety plan was implemented with relatives. The Department is providing services to the family.

Additionally, in accordance with the DCS Strategic Plan for State Fiscal Year 2016 (FY16), multidisciplinary team (MDT) reviews of fatality and near fatality cases were implemented during the first quarter of FY16. The MDT reviews fatality and near fatality cases with prior DCS involvement, which are a key feature of the Strategic Plan and supports the objective of increasing the accuracy of safety and risk assessments in investigations.

Cases are reviewed by the MDT in order to identify any systemic factors, both internal and external to the Department that may have had an impact. The Department uses the aggregate data gathered through all of the MDT reviews to assess and guide future changes and/or recommendations to policies, practices, rules or statutes. Findings from these reviews are compiled into an annual report to be shared on the DCS website. The target date for release of the next report is December 1, 2023.

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