



Summary Report	Fatality	01/25/17
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1. Victim: Marlen Hernandez, 16 year 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 January 10, 2017, the Department of Child Safety received a report regarding the death of Marlen Hernandez. On July 25, 2016, Marlen was shot in the head by her brother-in-law, Emmanuel Barrera-Hilerio. On July 26, 2016, Emmanuel Barrera-Hilerio was arrested for the manslaughter of Marlen.

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:

No services were being provided to the family by the Department of Child Safety at the time of the incident.

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?

No.

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:

There has been no DCS involvement of the child's parents within the past five years. DCS had no prior reports involving the perpetrator, Emmanuel Barrera-Hilerio.

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 investigation of the fatality report found the other children in the home to be safe with the other parents. The Department provided the family with information on services available in the community. No subsequent reports of abuse or neglect have been received at the DCS Hotline.

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 of Child Safety and Tempe Police Department conducted a joint investigation of the fatality report. Tempe Police Department arrested Emmanuel Barrera-Hilerio for manslaughter. The other children were determined safe with their parents. The Department provided the family with information on services available in the community. There have been no subsequent reports of abuse or neglect received at the DCS Hotline.

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 of fatality and near fatality cases, especially those with prior DCS involvement, are a key feature of the Strategic Plan and support the objective of increasing the accuracy of safety and risk assessments in investigations.

This case was 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 is using 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 will be compiled into an annual report to be shared on the DCS website. The target date for release of this report is December 1, 2017.

For more information regarding the Department of Child Safety's Strategic Plan for State Fiscal Year 2016, please visit the DCS website at: <https://dcs.az.gov/news/dcs-strategic-plan>.

Websites:

Gun Safety:

The Department reminds all caregivers to practice firearm safety and always store all firearms unloaded, in a secure locked location.

For additional information on firearm safety, please visit the Arizona Firearm Injury Prevention Coalition's website at: <http://www.afipc.org/afipc.html>.



Arizona Department of Child Safety

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