



Summary Report	Near Fatality	10/25/2018
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1. Victim: 3 month-old-male

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

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

On August 18, 2017, the Department of Child Safety received a report regarding a 3-month-old child who was taken to the hospital after being found unresponsive at home. Upon examination, the child was determined to be in critical condition with severe head trauma and other injuries. The parents didn't have any explanations for the injuries. On February 14, 2018 and September 20, 2018, the Maricopa County Juvenile Court found through a dependency proceeding that the child's parents', Jesus Rivera and Jozelin Amaya, home was unfit by reason of abuse or neglect.

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:

On April 25, 2015, a report was received alleging physical abuse to another child by Jesus Rivera and Jozelin Amya. The investigation was still in progress when another report was received. The allegations were later unsubstantiated.

On June 29, 2015, a report was received alleging neglect to other children by Jesus Rivera and Jozelin Amaya. A dependency was filed, the family participated in services, and the allegations were later unsubstantiated.

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 near fatality:

The investigation of the near fatality report resulted in the child and his siblings being placed with relatives. The Department filed a dependency petition with the Maricopa County Juvenile Court and is providing services to the family. No subsequent reports of abuse or neglect have been received.



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 Phoenix Police Department. The investigation resulted in the near fatality victim and his siblings being placed with relatives. The Department filed a dependency petition with the Maricopa County Juvenile Court and is providing services to the family. No subsequent reports of abuse or neglect have been received.

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.

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, 2018.

For more information regarding the Department of Child Safety's Strategic Plan for State Fiscal Year 2016, please visit the DCS website.