



Summary Report	Near Fatality	04/07/2020
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1. Victim: 8-year-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 December 18, 2019, the Department of Child Safety received a report regarding an 8-year-old child who was taken to the hospital after he had difficulty breathing. Upon examination, the child was determined to be in critical condition with internal injuries and bruising on several different parts of his body. On December 27, 2019, Jorge Elias, the child's father, was indicted by a Maricopa County grand jury with six counts of child abuse.

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:

Although no services were being provided to the family prior to the December 18, 2019 near fatality incident, the family was being investigated on one open report dated November 18 2019. The last date of contact between the Department and the family was on November 21, 2019.

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?

The near fatality victim and his father, Jorge Elias, were subjects of the November 18, 2019 report.

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:

The child's mother and father, Jorge Elias, were involved in the following reports in the five years preceding the near fatality incident:

On July 6, 2015, a report was received alleging neglect to the near fatality victim by his mother. The allegation was unsubstantiated and closed.

On February 25, 2016, a report was received alleging neglect to another child by Jorge Elias. The allegation was unsubstantiated and closed.

On March 23, 2016, a report was received alleging neglect to another child by Jorge Elias. The allegation was unsubstantiated and closed.

On September 1, 2017, a report was received alleging Neglect to the near fatality victim by his mother and his father, Jorge Elias. The allegation was substantiated. The Department filed a



dependency petition with the Maricopa County Juvenile Court and provided services to the family. Mr. Elias successfully completed his services and the near fatality victim was returned to his father's care.

On December 3, 2017, a report was received alleging neglect to another child by the near fatality victim's mother. The family was not located and the case was closed.

On December 15, 2017, a report was received alleging physical abuse to another child by Jorge Elias. The allegation was unsubstantiated and the family was referred to in-home services.

On November 18, 2019, a report was received alleging physical abuse to the near fatality victim by his father, Jorge Elias. An investigation was initiated when the report of the near fatality incident was received.

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 being placed in licensed foster care after his release from the hospital. The Department filed a dependency petition with the Maricopa County Juvenile Court and is providing services to the family.

The investigation also resulted in a separate report regarding other children who lived in the home. That investigation assessed the children as unsafe and the Department placed them with relatives. The Department also filed a dependency petition in regards to the other children and 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:



ARIZONA
DEPARTMENT
of CHILD SAFETY

Mike Faust, Director
Douglas A. Ducey, Governor

The Department conducted a joint investigation with the Glendale Police Department. Jorge Elias, the child's father, was indicted by a Maricopa County grand jury with six counts of child abuse. The Department removed the other children from the home and filed a dependency petition with the Maricopa County Juvenile Court. Upon release from the hospital, the near fatality victim was also placed in out-of-home care. Services are being provided.

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, 2020.

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>.