

Summary Report	Near Fatality	02/21/2024
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1. Victim: 6-week-old female

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 her home when the following incident occurred:

On April 28, 2021, the Department of Child Safety received a report regarding a 6-week-old child who was brought to the hospital after the twin sibling was evaluated for nonaccidental injuries. Upon examination, the child was determined to be in serious condition with severe trauma to the brain. On May 12, 2021, Odessa Cruz and Xavion Washington-Wilson were indicted by Pima County grand jury with seven counts of child abuse. Odessa Cruz was convicted of child abuse on January 9, 2024, and is serving 3.5 years in prison with a lifetime of probation supervision. Xavion Washington-Wilson was convicted of child abuse on December, 22, 2023, and is serving 8 years in prison with a lifetime of probation supervision. On November 15, 2021, the Department filed a dependency petition with the Pima County Superior Court. The court terminated the parental rights of Odessa Cruz and Xavion Washington-Wilson on November 21, 2023.

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:

There were no services 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 were no DCS reports involving Odessa Cruz, Xavion Washington-Wilson, and/or the near fatality victim within the last five years.

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:

Upon release from the hospital, the near fatality victim and sibling were placed in a licensed foster home. On May 12, 2021, Odessa Cruz and Xavion Washington-Wilson were indicted by Pima County grand jury with seven counts of child abuse. Odessa Cruz was convicted of child abuse on January 9, 2024, and is serving 3.5 years in prison with a lifetime of probation supervision. Xavion Washington-Wilson was convicted of child abuse on December, 22, 2023, and is serving 8 years in prison with a lifetime of probation supervision. On November 15, 2021, the Department filed a dependency petition with the Pima County Superior Court. The court terminated the parental rights of Odessa Cruz and Xavion Washington-Wilson on November 21, 2023.

A subsequent report alleging neglect to a newborn sibling was received on September 24, 2023. The allegation was substantiated and an in-home dependency was filed with a safety plan.

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 Tucson Police Department. Upon release from the hospital, the near fatality victim and sibling were placed in a licensed foster home. On May 12, 2021, Odessa Cruz and Xavion Washington-Wilson were indicted by Pima County grand jury with seven counts of child abuse. Odessa Cruz was convicted of child abuse on January 9, 2024, and is serving 3.5 years in prison with a lifetime of probation supervision. Xavion Washington-Wilson was convicted of child abuse on December, 22,

2023, and is serving 8 years in prison with a lifetime of probation supervision. On November 15, 2021, the Department filed a dependency petition with the Pima County Superior Court. The court terminated the parental rights of Odessa Cruz and Xavion Washington-Wilson on November 21, 2023. A subsequent report alleging neglect to a newborn sibling was received on September 24, 2023. The allegation was substantiated and an in-home dependency was filed with a safety plan.

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, 2024.