



Summary Report	Near Fatality	01/25/2023
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Amendments to the information originally posted on 01/24/22 are displayed below in red.

1. Victim: 1-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 August 21, 2021, the Department of Child Safety received a report regarding a 1-year-old male who was taken to the hospital after being found unresponsive at home. Upon examination, the child was determined to be critical condition due to fentanyl ingestion. Ultimately, the near fatality victim was taken into custody. On September 24, 2021, a dependency petition was filed with the Maricopa County Superior Court alleging neglect to the near fatality victim. On November 27, 2021, the court ruled the mother, Eden Rivera, neglected the near fatality victim. **On January 23, 2023, the Department substantiated the allegation of neglect to the near fatality victim by mother's significant other, Joel Perez.**

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 has been no prior involvement of the child's mother, Eden Rivera, or her significant other, Joel Perez, with DCS.

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 a kinship caregiver's home after his release from the hospital. The Department filed a dependency petition on September 24, 2021 with the Maricopa County Superior Court and is providing services to the family. On January 23, 2023, the Department substantiated the allegation of neglect to the near fatality victim by mother's significant other, Joel Perez.

A subsequent report alleging neglect to a substance exposed newborn sibling was received on October 3, 2021. The sibling was assessed as unsafe with her parents and a safety plan was implemented with relatives. An in-home dependency petition was filed with the Maricopa County Superior Court on October 12, 2021. The dependency matter is still ongoing.

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 Phoenix Police Department. Upon release from the hospital, the near fatality victim was placed in a kinship caregiver's home. The Department filed a dependency petition with the Maricopa County Superior Court on September 24, 2021. On January 23, 2023, the Department substantiated the allegation of neglect to the near fatality victim by mother's significant other, Joel Perez. Services are being provided to the family. A subsequent report alleging neglect to a substance exposed newborn sibling was received on October 3, 2021. The sibling was assessed as unsafe with her parents and a safety plan was implemented with relatives. An in-home dependency petition was filed with the Maricopa County Superior Court on October 12, 2021. The dependency matter is still ongoing.

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 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, 2023.