



**ARIZONA**  
DEPARTMENT  
*of* CHILD SAFETY

David Lujan, Director  
Katie Hobbs, Governor

<b>Summary Report</b>	<b>Near Fatality</b>	<b>06/15/2023</b>
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**1. Victim:** two-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 February 4, 2023, the Department of Child Safety received a report regarding a two-month-old male who was transported to the hospital. Upon examination, it was determined that the child was in critical condition with multiple injuries including fractures, bruising, abrasions, and brain injuries. On February 14, 2023, the father, Martin Nino-Cota, was charged with two counts of child abuse. On March 8, 2023, a dependency petition was filed with the Maricopa County Superior Court. On May 10, 2023, the court made a finding that the mother, Yajaira Perez, failed to protect the child from 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:**

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 parents, Martin Nino-Cota or Yajaira 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**

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**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 with relatives after his release from the hospital. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. On May 10, 2023, the court found that the mother, Yajaira Perez, failed to protect the child from abuse. The child's father, Martin Nino-Cota, was charged with child abuse on February 14, 2023. No subsequent reports of abuse or neglect were received regarding 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:**

The Department conducted a joint investigation with the Phoenix Police Department. Upon release from the hospital, the near fatality victim was placed with relatives. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. On May 10, 2023, the court found that the mother, Yajaira Perez, failed to protect the child from abuse. The child's father, Martin Nino-Cota, was charged with child abuse on February 14, 2023. No subsequent reports of abuse or neglect were received regarding the family.

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, 2023.