



Summary Report	Near Fatality	09/25/2023
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1. Victim: 4-year-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 January 7, 2023, the Department of Child Safety received a report regarding a 4-year-old child who was taken to the hospital after being shot in the head. Upon examination, the child was determined to be in critical condition. On January 25, 2023, the Department filed a dependency petition with the Maricopa County Superior Court alleging neglect by the mother, Hivana Silfator. On September 6, 2023, the court found the mother, Hivana Silfator, neglected the near fatality victim and her siblings by failing to provide a safe and effective home environment or to provide the children with appropriate supervision.

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:

DCS received the following prior reports involving Hivana Silfator and the near fatality victim:

On November 27, 2014, a report was received alleging neglect to a child by their mother, Hivana Silfator. The investigation assessed the child as safe with their

mother and the allegation was unsubstantiated. The family was offered voluntary in-home services by the Department and the case was closed on May 5, 2016.

On October 9, 2018, a report was received alleging neglect to the near fatality victim by her mother, Hivana Silfator. The investigation assessed the child as safe with her mother and the allegation was unsubstantiated. The family was referred to community resources and the case was closed on December 11, 2018.

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 with relatives after her release from the hospital. The other children in the home were placed with the same relatives. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. On September 6, 2023, the court found the mother, Hivana Silfator, neglected the near fatality victim and her siblings by failing to provide a safe and effective home environment or to provide the children with appropriate supervision. 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 other children in the home were placed with the same relatives. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to

the family. On September 6, 2023, the court found the mother, Hivana Silfator, neglected the near fatality victim and her siblings by failing to provide a safe and effective home environment or to provide the children with appropriate supervision. No subsequent reports of abuse or neglect were received regarding the family.

The Department reminds all caregivers to practice firearm safety and always store all firearms unloaded, in a secure locked location.

For additional information on firearm safety, please visit the Arizona Firearm Injury Prevention Coalition's website at: <http://www.afipc.org/afipc.html>.

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.