

Summary Report	Near Fatality	12/15/2023
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1. Victim: 3-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 July 13, 2021, the Department of Child Safety received a report regarding a 3-year-old male who was taken to the hospital in critical condition. The child had multiple injuries that were believed to be non-accidental. On August 6, 2021, the father, Patrick Smith, was charged with 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 July 13, 2021 near fatality incident, there was one open report dated May 25, 2021. The last date of contact between the Department and the family was on May 28, 2021.

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 the parents and/or the near fatality victim:

On June 29, 2018, the Department received a report alleging neglect to the near fatality victim by his mother and father, Patrick Smith. A dependency petition was filed and the Department provided services. The child was reunified with his father. The allegation of neglect was unsubstantiated as to the father and substantiated as to the mother.

On May 25, 2021, the Department received a report alleging physical abuse to the near fatality victim by his father, Patrick Smith. The report was investigated with law enforcement and no evidence of abuse was found. The case remained open when the near fatality report was received on July 13, 2021.

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 arrest of the father, Patrick Smith. The children were removed and placed in foster care. The Department filed a dependency petition with the Pima County Superior Court and provided services to the family.

A subsequent report alleging neglect to the near fatality victim by the father, Patrick Smith, and another adult was received on November 13, 2022. The child was placed outside of the home but having weekend visitations with the father when the report was received. The report was investigated and no evidence was found to support the allegations. The allegations were unsubstantiated and the investigation was closed on January 20, 2023. The Department continued to provide services to the family for the open dependency.

The children were reunified with their parents and the dependency was dismissed on February 14, 2023.

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 Pima County Sheriff's Office. The father, Patrick Smith, was arrested and charged with child abuse. The children were removed and placed in foster care. The Department filed a dependency petition with the Pima County Superior Court and provided services to the family. A subsequent report alleging neglect to the near fatality victim by the father, Patrick Smith, and another adult was received on November 13, 2022. The child was placed outside of the home but having

weekend visitations with the father when the report was received. The report was investigated and no evidence was found to support the allegations. The allegations were unsubstantiated and the investigation was closed on January 20, 2023. The Department continued to provide services to the family for the open dependency. The children were reunified with their parents and the dependency was dismissed on February 14, 2023.

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.