

Summary Report	Near Fatality	10/30/2024
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1. Victim: 1-month-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 October 19, 2023, the Department of Child Safety received a report regarding a 1-month-old female whose parents transported her to the hospital. Upon examination, the child was determined to be in critical condition and experiencing seizures. Multiple injuries were found, including fractures and brain bleeds, which indicated non-accidental trauma. On October 24, 2023, the Department filed a dependency petition with the Maricopa County Superior Court. On December 5, 2023, the court found the child dependent as to her parents, Arabella Finnigan and Albert Guillen, due to abuse and/or neglect.

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 October 19, 2023, near fatality incident, the family was being investigated for an open report dated September 29, 2023. The last date of contact between the Department and the family was on September 29, 2023.

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?

The near fatality victim and her father, Albert Guillen, were subjects of the September 29, 2023, report.

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 report involving Albert Guillen and the near fatality victim:

On September 29, 2023, the Department of Child Safety received a report alleging physical abuse to the child by her father, Albert Guillen. An investigation was initiated and still in progress when the near fatality incident occurred.

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 a relative after her release from the hospital. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. On December 5, 2023, the court found the child dependent as to her parents, Arabella Finnigan and Albert Guillen, due to abuse and/or neglect. 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 a relative. The Department filed a dependency petition with the Maricopa County Superior Court and is providing services to the family. On December 5, 2023, the court found the child dependent as to her parents, Arabella Finnigan and Albert Guillen, due to abuse and/or neglect. 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, 2024.