

Summary Report	Near Fatality	06/12/2024
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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 March 20, 2021, the Department of Child Safety received a report regarding a 1-month-old female who was taken to the hospital. Upon examination, the child was determined to be in critical condition and was diagnosed with failure to thrive and malnutrition. The investigation determined that the mother, Elisa Martinez, and her significant other, Gabriel Martinez, had not consistently provided the child with food or medical care prior to her hospitalization. On December 5, 2023, the Department substantiated the allegations of neglect to the child by Gabriel Ramirez. On May 23, 2024, the Department substantiated the allegations of neglect to the child by the mother, Elisa Martinez.

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 were no prior DCS reports involving Gabriel Ramirez.

DCS received the following prior report involving Elisa Martinez:

On July 22, 2020, a report was received alleging physical abuse to two children by their mother, Elisa Martinez. There was no evidence found to support the allegations. The allegations were unsubstantiated and the case was closed.

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 a safety plan that allowed the child to remain in the home with Ms. Martinez. The other children were assessed as safe. The family participated in services offered by the Department and the case was closed on November 17, 2021. On December 5, 2023, the Department substantiated the allegations of neglect by Gabriel Ramirez. On May 23, 2024, the Department substantiated the allegations of neglect by the mother, Elisa Martinez.

A subsequent report involving Ms. Martinez, Mr. Ramirez, and the children was received on April 7, 2021, regarding allegations of neglect and abuse that occurred prior to the near fatality report. The allegations were unsubstantiated.

An additional subsequent report involving the mother, Elisa Martinez, and the children, was received on August 3, 2021, regarding allegations of neglect. The allegations were unsubstantiated and the family continued engaging in services that were already in place following the near fatality incident. The case was closed on November 17, 2021.

An additional subsequent report involving the near fatality victim and her father was received on November 1, 2022, regarding allegations of abuse. The allegations were unsubstantiated and the case was closed.

An additional subsequent report involving the near fatality victim and her father was received on July 24, 2023, regarding allegations of neglect. The allegations were unsubstantiated and the case was closed.

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. The investigation of the near fatality report resulted in a safety plan that allowed the child to remain in the home with Ms. Martinez. The other children were assessed as safe. The family completed services offered by the Department and the case was closed on November 17, 2021. On December 5, 2023, the Department substantiated the allegations of neglect to the child by Gabriel Ramirez. On May 23, 2024, the Department substantiated the allegations of neglect to the child by the mother, Elisa Martinez.

A subsequent report involving Ms. Martinez, Mr. Ramirez, and the children was received on April 7, 2021, regarding allegations of neglect and abuse that occurred prior to the near fatality report. The allegations were unsubstantiated.

An additional subsequent report involving the mother, Elisa Martinez, and the children, was received on August 3, 2021, regarding allegations of neglect. The allegations were unsubstantiated. The family continued engaging in services that were already in place following the near fatality incident and the case was closed on November 17, 2021.

Two additional subsequent reports involving the near fatality victim and her father were received on November 1, 2022 and July 24, 2023, regarding allegations of abuse and neglect. The allegations were unsubstantiated and the cases were closed.

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.