

Summary Report	Near Fatality	08/06/2024
-----------------------	----------------------	-------------------

1. Victim: 1-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 April 25, 2023, the Department of Child Safety received a report regarding a 1-year-old male who was found minimally responsive in the family home. The child was transported to the hospital where he was determined to be in critical condition due to fentanyl ingestion. On May 23, 2023, a dependency petition was filed with the Pima County Superior Court. On August 11, 2023, the court found that the parents, Desmond Powell and Karina Saenz, neglected the child.

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 Desmond Powell and/or the near fatality victim.

DCS received the following prior report involving Karina Saenz:

On December 29, 2013, a report was received alleging neglect to a child by their mother, Karina Saenz. An investigation was initiated and efforts were made to locate the family without success 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 dependency petition being filed with the Pima County Superior Court. The near fatality victim and their sibling were assessed as safe in the care of their mother, Karina Saenz, and a safety plan was implemented for any contact between the children and father, Desmond Powell, to ensure their safety. The allegations of neglect for both parents have been substantiated. The family engaged in services offered by the Department. The dependency was dismissed on January 4, 2024, and the case was closed. 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 Tucson Police Department. The investigation of the near fatality report resulted in a dependency petition being filed with the Pima County Superior Court. The near fatality victim and their sibling were assessed as safe in their mother's care and a safety plan was implemented for any contact between the children and father, Desmond Powell, to ensure their safety. The allegations of neglect for both parents have been substantiated. The family engaged in services offered by the Department. The dependency was dismissed on January 4, 2024, and the case was closed. 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.