



Summary Report	Near Fatality	02/03/2022
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1. Victim: One-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 February 25, 2020, the Department of Child Safety received a report regarding a one-year-old male involved in a near drowning incident. The victim arrived at the hospital where he was determined to be in critical condition. The child was in the care of his mother, Kenya Martinez Cardenas, when he nearly drowned at her home. The Department substantiated the allegation of neglect of the child by his mother.

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:

The child's mother, Kenya Martinez Cardenas, was involved in the following prior report:

On November 7, 2019, a report was received alleging neglect to another child by their mother, Kenya Martinez Cardenas, and another adult. The investigation assessed the other child to be safe with the mother and the allegation was unsubstantiated. The family was given information on community resources 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 report regarding the near fatality was investigated and the case was closed. The allegation of neglect to the near fatality victim by his mother was substantiated. There were no subsequent reports of abuse or neglect received.



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 children were found to be safe in the home with their parents. The Department substantiated the allegation of neglect as to Kenya Martinez Cardenas, the mother and the family participated in services offered by the Department. There have been no subsequent reports received.

The Department reminds all caregivers to always watch children around water and follow the Arizona Department of Health Services (ADHS) Pool Safety Recommendations.

For more information, please visit the ADHS website at:
http://www.azdhs.gov/phs/oeh/pool_rules.htm.

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 of fatality and near fatality cases, especially those with prior DCS involvement, are a key feature of the Strategic Plan and support the objective of increasing the accuracy of safety and risk assessments in investigations.

This case was 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 is using 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 will be compiled into an annual report to be shared on the DCS website. The target date for release of this report is December 1, 2022.

For more information regarding the Department of Child Safety's Strategic Plan for State Fiscal Year 2016, please visit the DCS website at: <https://dcs.az.gov/news/dcs-strategic-plan>.