



Summary Report	Near Fatality	1/7/16
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1. Near Fatality Victim: 2-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 June 26, 2015, the Department of Child Safety received a report regarding a 2-year-old male child. The child had been taken to the hospital with life-threatening injuries including a severe head injury. Attending physicians determined the injuries were non-accidental and occurred while the child was in the care of his mother, Ashley Fry, and her live-in boyfriend, Kyle McConnell. Both have been 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 June 26, 2015 near fatality incident, the family was being investigated for two open reports dated March 12, 2015 and April 28, 2015. The last date of contact between the Department and the family was on April 29, 2015.

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?

Ashley Fry, Kyle McConnell, the near fatality victim, and a sibling were subjects of the March 12, 2015 and April 28, 2015 reports.

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, Ashley Fry, and her boyfriend, Kyle McConnell, were involved in the following:

On March 12, 2015 a report was received alleging physical abuse to the child by Ashley Fry. Ms. Fry was reported to have slapped the child across the face at least three times within 15 minutes. The child was reported to be crying, but no signs of swelling or bruising were observed as the incident had just occurred. An investigation was initiated and in progress when another report was received.

On April 28, 2015, a report was received alleging neglect to the child and a sibling due to concerns that Kyle McConnell was living in the home and has a history of domestic violence with the family. He was also reported to be using heroin and leaving paraphernalia around the home. Both reports were being investigated when the near fatality 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 arrest of both Ashley Fry and Kyle McConnell for child abuse. The Department substantiated the allegations of physical abuse and neglect pertaining to each of them. The child and a sibling have been placed with relatives and the Department filed a dependency petition with the Pima County Juvenile Court. Services are being provided.

A subsequent report involving a sibling was received on August 5, 2015 regarding allegations of abuse or neglect that occurred prior to the child coming into care. The allegation was unsubstantiated and the sibling was assessed as safe in out-of-home placement.

An additional subsequent report alleging neglect to a newborn sibling was received on October 5, 2015. The allegation was substantiated and the sibling was assessed as safe in out-of-home placement.

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 child's mother, Ashley Fry, and her boyfriend, Kyle McConnell, were both arrested and charged with child abuse. The Department substantiated the allegations of physical abuse and neglect pertaining to each of them. The Department removed a sibling from the home and filed a dependency petition with the Pima County Juvenile Court. Upon release from the hospital, the near fatality victim was also placed in out-of-home care. Two subsequent reports were investigated with one resulting in a newborn sibling also being placed in out-of-home care. Services are being provided by the Department.

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



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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 September 1, 2016.

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>