

Information for Release		2/4/2011
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Date of the notification to CPS: 11/15/2010

Fatality

The date the child suffered the fatality: 11/15/2010

Child's name: Diego Magallanes

Age at time of incident: 1 Year

Perpetrator(s): America Magallanes

Age: 38

City, town or general location of residence of the child and perpetrator(s): Both the child and perpetrator resided in Yuma at the time of the incident.

A. Circumstances of the fatality or near fatality that indicate it was the result of abuse or neglect:

Diego wandered from the house, unnoticed. He was found floating in a canal about a mile from the family's home. He did not survive.

B. Whether CPS has received any reports or past cases of child abuse, abandonment or neglect involving the child and the current alleged abusive or neglectful parent, guardian or custodian* :

CPS had received one prior report alleging neglect of Diego by America on March 19, 2009. CPS provided services to America, and the case was closed in August 2009 with America having met the identified goals for the services .

1. Actions taken by CPS in response to the fatality or near fatality of the child including:

CPS completed a joint investigation with the Yuma County Sheriff's Office.

2. Actions taken regarding the child and/or other children in the home:

CPS assessed the safety of the other children in the home and determined they could remain in the home safely.

3. Whether the agency is or intends to provide direct services or service referrals to the family:

The family is being provided in-home services.

*Posted information provides whether there have been reports or any current or past cases of child abuse, abandonment or neglect involving the child who has died or suffered a near fatality and the current alleged abusive or neglectful parent, guardian or custodian pursuant to A.R.S. § 8-807(F)(2)(a)(iv).