



ARIZONA
DEPARTMENT
of CHILD SAFETY

David Lujan, Director
Katie Hobbs, Governor

Summary Report	Fatality	07/03/2023
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1. Victim: Emery Patterson – 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 fatality?

The child was residing in his home when the following incident occurred:

On September 19, 2022, the Department of Child Safety received a report regarding 1-year-old Emery Patterson who had been found unresponsive at home. Emery was transported to the hospital where he was pronounced deceased. The investigation determined the cause of death was fentanyl intoxication. On November 22, 2022, the mother, Gabrielle Marshall, was indicted on charges of first-degree murder, child abuse, tampering with physical evidence and attempting to commit tampering with physical evidence.

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:

DCS received the following prior reports involving Gabrielle Marshall:

On September 17, 2019, a report was received alleging neglect to a child by their father and mother, Gabrielle Marshall. The allegations were unsubstantiated. The family was provided with information on services available in the community and the case was closed on January 5, 2020.

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On January 30, 2020, a report was received alleging neglect to a child by their father and mother, Gabrielle Marshall. The allegations were unsubstantiated. The family was offered in-home services. The case was closed on July 30, 2020.

On August 24, 2021, a report was received alleging neglect to Emery Patterson by his father and mother, Gabrielle Marshall. The family agreed to participate in in-home services but ultimately an in-home dependency petition was filed with the Maricopa County Superior Court on March, 9, 2022. The parents were provided with services and the dependency was dismissed on June 1, 2022. The allegations were substantiated.

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 fatality:

The investigation of the fatality incident resulted in the child's mother, Gabrielle Marshall, being indicted on charges of first-degree murder, child abuse, tampering with physical evidence and attempting to commit tampering with physical evidence. Following an assessment of child safety, the other child in the home part-time was assessed as being safe with their other parent. There were no services provided to the family. 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 Scottsdale Police Department. The child's mother, Gabrielle Marshall, was indicted on charges of first-degree murder, child abuse, tampering with physical evidence and attempting to commit tampering with physical

evidence. Following an assessment of child safety, the other child in the home part-time was assessed as being safe with their other parent. There were no services provided to the family. 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, 2023.