Child Fatality Report Release of Information to the Public

Person ID: 111164093

County of Child's Residence: EL PASO

Gender: Female

Age: 0 Year(s) 6 Month(s)

Date of Death: 06/10/2023

On the date of the fatality, the child was not in DFPS conservatorship and was living with the child's parent, a managing conservator, a legal guardian or other person entititled to the child's possession.

Child's Name: Morales,Maliyah E

Current Report(s) of Abuse/Neglect:

Intake Date(s): 6/10/2023; 6/11/2023 - two reports merged into single investigation

Summary of Allegation(s)/Investigation:

The Department received a report after the deceased child was transported to the hospital due to an incident in the home. The child reportedly fell three feet from the bed onto the carpeted floor. The deceased child's father reported hearing the child fall, despite the child falling onto a carpeted area. The father also reported the child hit her head on a baby swing prior to landing on the floor, but later disclosed to other medical staff, the child was already on the floor when he walked into the room. The child was noted to have a brain bleed and fracture as well as having a mark on her forehead and a hematoma on the back of her head. The deceased child required resuscitation and emergency surgery after having six seizures. A subsequent report was received regarding the same incident. The deceased child's mother reportedly described the child as normally fussy from colic and crying. The report indicated the extent of the child's injuries were not consistent with the explanation provided.

The Department determined the father was the child's primary caregiver when the incident occurred. The Department further determined the father, per his admission, placed the child in danger by laying her on the corner of the bed, which caused her to fall and hit her head on a baby swing prior to landing on the carpeted floor. The Department also determined, although the father was the child's primary caregiver when the incident occurred, the mother was present in the home and provided inconsistent statements as to how she found out about the child's fall. The child's treating physician indicated the child's injuries were not consistent with the explanations provided as the child suffered injuries

indicative of a fall from a very high altitude or with significant force.

The Department further determined the deceased child's 4-year-old sibling had not been seen for possible autism and the mother failed to follow through with having her assessed. Such failure affected her developmental growth per the medical provider. The deceased child's 7-year-old sibling has been diagnosed with autism and, per the medical provider, the mother's failure to follow through with services has affected his developmental growth.

The medical examiner conducted an autopsy of the deceased child. However, the results were not final by the conclusion of the Department's investigation.

Law enforcement initiated an investigation of the incident, which continued to be underway at the conclusion of the Department's investigation.

Investigation Findings:

The Department confirmed the mother and father committed Neglectful Supervision and Physical Abuse of the deceased child, which led to the child's death.

The Department confirmed the mother committed medical neglect of the surviving siblings.

The Department administratively closed whether an unknown individual physically abuse the deceased child, since the mother and father were her only caregivers.

Safety and Risk Assessment Factors Identified:
6/11/2023: Initial Safety Assessment: Safe with a Plan
6/12/2023: Safety Reassessment: Safe with a Plan
7/11/2023: Safety Reassessment: Safe with a Plan

Safety and Risk Assessment Factors Identified:

Case Action:

Family Preservation

Services and Referrals Provided to the Family:

Other Services:

Services will be provided during the Family Based Safety Services stage, which the mother accepted.

Other Actions Taken to Mitigate Risk:

The Department implemented a Safety Plan in which the mother and father's contact with the surviving siblings would be supervised at all times. This Plan was updated prior to transferring the case to Family Based Safety Services and required the mother to be supervised around the siblings at all times and for the deceased child's father to have no contact with the siblings, since he was not their biological father.

If one or more children were previously removed from the home, for each conservatorship episode, summarize dates of conservatorship and type of placement at the end of conservatorship:

Previous Report of Abuse/Neglect:

Intake Date(s): 9/13/2018

Summary of Previous Allegation(s)/Investigation:

The Department received a report of drug and alcohol use by the deceased child's mother, who was reportedly 7-months pregnant, as well as drug and alcohol use by the deceased child's oldest sibling's (age 2) biological father. The report also had concerns of domestic violence between mother and father.

The Department determined that the deceased child's mother and the oldest siblings father did not reside in Texas and the reported abuse and neglect of the oldest sibling occurred in another state.

Investigation Findings:

The Department administratively closed the case as it lacked the authority to investigate allegations of abuse and neglect that occurred in another state.

No safety or risk assessments required per policy.

Safety and Risk Assessment Factors Identified:

Case Action:

ADMIN - Lacks Authority

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

A report was made to New Mexico Children, Youth and Families Department to address the concerns with the family.

Previous Report of Abuse/Neglect:

Intake Date(s): 4/19/2019, 5/14/2019 - two reports merged into single investigation

Summary of Previous Allegation(s)/Investigation:

The Department received a report concerning the deceased child's mother leaving the deceased child's siblings (age 3 and 5 months) home alone. The deceased child's maternal grandmother returned to the home and found them alone and the 5 month old was crying and had a soaked diaper. The report indicated this was not the first time this had occurred. The report also stated that the mother had a previous child die two years prior. The child was said to be only five days old. A subsequent report was received indicating the child death was due to co-sleeping. There were also concerns the mother abuses substances and used cocaine when pregnant with the now 6 month old sibling.

The Department determined that the mother did not leave the siblings alone at the house as the maternal grandmother as present. The mother submitted to an instant drug test and was negative and the siblings pediatrician had no concerns. The 3 year old had a recent evaluation for early childhood intervention and the mother was receiving services regarding past domestic violence.

Investigation Findings:

The Department did not confirm the mother committed neglectful supervision or physical neglect of the siblings.

Safety and Risk Assessment Factors Identified:

4/23/2019: Initial Safety Assessment - Safe
Risk Assessment Final Risk Level: Moderate

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Other Services:

No services or referrals provided as the mother was already accepting services in the community.

Other Actions Taken to Mitigate Risk:

Previous Report of Abuse/Neglect:

Intake Date(s): 7/15/2019, 8/25/2019 - two reports merged into single investigation

Summary of Previous Allegation(s)/Investigation:

The Department received a report stating on 7/10/19, the deceased child's mother and three other people were using marijuana outside the residence. The deceased child's older siblings (age 3 and 9 months) remained inside the home unsupervised. There were concerns that the mother does not care for the children and allows the 9 month old to take her diaper off and play with her feces. On 7/14/19, at 4am, the house had a strong smell of marijuana, the mother was passed out on the couch and the siblings were also on the couch sleeping. The mother did not wake, even though the 9 month old was crying. The report also indicated mother has had suicidal ideations in the past and the mother has failed to take the oldest sibling to speech therapy as the oldest sibling is Autistic and non-verbal. A subsequent report was received stating the mother drove home from drinking with a relative and although not intoxicated, left the home again leaving the siblings alone, as the maternal grandmother had left the home.

The Department determined that the mother had the 3 year old enrolled in speech therapy, tested negative on an instant drug test, and neighbors had no concerns for the care of the siblings. It was also determined that the maternal grandmother had not heard the mother tell her she was leaving to get cigarettes and left to the store herself. The siblings were home alone for 10-15 minutes but only due to the miscommunication.

Investigation Findings:

The Department did not confirm the mother committed neglectful supervision of the siblings.

The Department did not confirm the mother committed medical neglect of the oldest sibling.

Safety and Risk Assessment Factors Identified:
7/19/2019: Initial Safety Assessment - Safe
8/29/2019: Case Closure Safety Assessment - Safe
Risk Assessment Final Risk Level: Moderate

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Counseling and Evaluation,Medical Resources/Assessment

Other Services:

The mother accepted the referrals to community resources provided to her.

Other Actions Taken to Mitigate Risk:

Previous Report of Abuse/Neglect:

Intake Date(s): 3/28/2020

Summary of Previous Allegation(s)/Investigation:

The Department received a report stating the deceased child's mother was leaving the deceased child's siblings (age 4 and age 1) in the home at night without letting anyone know she was leaving. In addition, the report stated the mother had untreated mental health illness. It was also reported the mother was drinking excessively, using drugs, and was neglecting the children's hygiene.

The Department determined the mother was recently diagnosed with bi-polar disorder and was not getting services. In addition, the oldest sibling was diagnosed with autism and was not getting services. There were also concerns the deceased child's maternal grandmother was enabling the mother and would take over the parenting responsibilities. The mother was leaving the home at night and not notifying the maternal grandmother that she was leaving. The siblings remained in the home and did not have appropriate supervision.

Investigation Findings:

The Department confirmed the mother committed neglectful supervision of the two older siblings.

Safety and Risk Assessment Factors Identified:
4/6/2020: Initial Safety Assessment - Safe
5/13/2020: Safety Reassessment - Safe
Risk Assessment Final Risk Level: High

Safety and Risk Assessment Factors Identified:

Case Action:

Family Preservation

Services and Referrals Provided to the Family:

Counseling and Evaluation,Parent/Caregiver Training,Basic Needs Support,Medical Resources/Assessment

Other Services:

The mother accepted services provided through a Family Based Safety Services case.

Other Actions Taken to Mitigate Risk:

During the Family Based Safety Services case, the the mother was consistent with her mental health treatment and counseling, the children were provided daycare, the 1 year old sibling was receiving speech and occupational therapy, and the oldest sibling was being set up with speech therapy and services for his autism. The mother and siblings moved in with the deceased child's maternal grandfather, who served as a support system. Ms. Velazquez would get overwhelmed with the children at times. The case was successfully closed on 10/23/2020.

Previous Report of Abuse/Neglect:

Intake Date(s): 11/17/2020

Summary of Previous Allegation(s)/Investigation:

The Department received a report with concerns the deceased child's mother was leaving the deceased child's older siblings (age 4 and age 2) alone in the apartment while she would go to her vehicle. Per the repor the home was dirty, unsanitary and messy. The siblings were reported to be heard crying excessively.

The Department determined the mother was getting overwhelmed living on her own and was not following up with all the services for herself and the siblings. The mother moved back in with the deceased child's maternal grandmother to get the help she needed. The mother was enrolled in mental health services, the 2 year old sibling was receiving services through Early Childhood Intervention, and services for the 4 year old sibling with autism were initiated. In addition, the mother was referred to counseling and family violence services. At the close of the case, the mother had the support of the maternal grandmother and extended family to help her with the siblings and appointments. The home was found to be appropriate and collaterals had no concerns of the siblings being left alone.

Investigation Findings:

The Department did not confirm the mother committed neglectful supervision or physical neglect of the siblings.

Safety and Risk Assessment Factors Identified:
11/19/2020: Initial Safety Assessment - Safe
2/8/2021: Case Closure Safety Assessment - Safe
Risk Assessment Final Risk Level: High

Safety and Risk Assessment Factors Identified:

Case Action:

Close

Services and Referrals Provided to the Family:

Medical Resources/Assessment

Other Services:

The mother accepted referrals to community resources to include counseling and family violence services.

Other Actions Taken to Mitigate Risk:

N/A

Other Previous Report of Abuse/Neglect:

Intake Date(s):

Summary of Previous Allegation(s)/Investigation:

Investigation Findings:

Safety and Risk Assessment Factors Identified:

Case Action:

Services and Referrals Provided to the Family:

Other Services:

Other Actions Taken to Mitigate Risk:

Note: This report was prepared on 11/03/2023 and does not include corrections or updates, if any, that may be subsequently made to DFPS data on or after the date this report was prepared.