

Information for Release		1/27/2012
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Date of the notification to CPS: 1/4/2012

Near Fatality

The date the child suffered the near fatality: 1/4/2012

Child's name: Brooke

Age at time of incident: 2 Years

Perpetrator(s): Ashlee Liberty, 25; and Oscar Aguirre, 28.

Age: See above

City, town or general location of residence of the child and perpetrator(s): At the time of the incident, the child and perpetrators were living in Tucson.

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

On Jan. 14, 2012, Brooke was transported via EMS to the hospital for difficulty breathing. Upon examination bruises were discovered on her forehead, chest and rib cage. Further tests revealed four broken ribs, a lacerated kidney and liver, a punctured lung and issues with her spleen.

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 has received two prior reports alleging abuse or neglect of Brooke by Ashlee Liberty and Oscar Aguirre.

On Nov. 29, 2011, a report was received alleging that on Nov. 28, 2011, Brooke pointed to her face and said, "Oscar, hit face." It was reported that someone noticed Brooke with her top lip swollen and the inside of her right eyeball was red. An additional report was made that on Nov. 22, 2011, Brooke was observed with a long two-inch wide black and blue bruise from the shoulder to her waist, a black and blue bruise on the top of the ear and some scratches (unknown which ear). The case was open when the next report was received.

On Dec. 7, 2011, a report was received when Brooke was taken to the doctor's office because her tongue was swollen. Brooke was observed with bruising on her forehead and bruising on her abdominal area that went down to her pubic area. Brooke's tongue was infected and swollen. The physician reported that this could be from thrush or some other condition. CPS was in the process of referring mother for services when the next and current report was received.

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

CPS is jointly investigating the allegations with the Tucson Sherriff's and Police Departments.

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

Following an assessment of child safety, Brooke and her sibling have been taken into CPS custody and placed in foster care.

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

When the investigation concludes, whether services are warranted will be determined.

*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).

Information, if any, regarding other family or household members and the child or the alleged perpetrator is not posted on the Web site. Calls to the Child Abuse Hotline that do not meet the criteria of a report because they do not contain allegations of abuse or neglect (or because there is no information provided to locate the child or family) are not posted.