

Information for Release		8/11/2011
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Date of the notification to CPS: 8/8/2011

Near Fatality

The date the child suffered the near fatality: 8/8/2011

Child's name: Jacob

Age at time of incident: 6 Years

Perpetrator(s): Jennifer Paul and Benny Gibson

Age: 37 & 49

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 Phoenix.

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

On August 8, 2011 Jacob presented at the hospital fully seizing and intubated. He had a subdural hematoma and was in critical condition. He was fully emaciated and his rib cage was protruding. He has two large welts, resembling belt marks, on both of his lower extremities.

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 received five prior reports alleging abuse and neglect of Jacob while in the care of Jennifer Paul and Benny Gibson.

On October 31, 2007, a report was received against Jennifer Paul and Benny Gibson, when Jacob was observed to have two bruises on his legs. CPS investigated the incident and the allegations were unsubstantiated. The family was offered community services, in addition to the services provided through tribal social services, as part of their dependency action.

On January 19, 2009, a report was received alleging that Jacob's father, Benny Gibson, was yelling and hitting Jacob and that this had occurred several times. It was also alleged that Benny Gibson required Jacob to sit outside of the apartment naked, holding his underwear for five minutes, because he wet his pants. CPS investigated the incident and the allegations were unsubstantiated. Early intervention services, child care and community services were offered to the family.

On December 16, 2010, a report was received stating Jacob was observed with the left side of his face swollen. It also alleged that Jacob's face from below the nose and covering his entire left cheek was swollen. It was suspected that Benny Gibson caused the injuries, but this was not reported or observed. It was also reported that Benny Gibson rants and yells at Jacob and requires Jacob to stand on a box at attention for punishment. It is reported that Jennifer Paul is aware of the discipline inflicted on Jacob by Benny Gibson and has failed to intervene. CPS investigated the incident and the allegations were unsubstantiated. Community services were offered to the family.

On May 17, 2011 a report was received stating that when the father, Benny Gibson, picked up Jacob from school, Benny was observed to be excessively angry with Jacob. Benny Gibson reportedly put his hands around Jacob's neck in a choking motion. Any injuries to Jacob were unknown at the time of the report. The investigation was still ongoing when the next report was received.

On July 15, 2011 a report was received alleging that a week prior, when Jacob was taking out the trash, he was seen with a knot on the side of his head the size of a golf ball. It was also alleged that on the date of the report, Jacob was seen by another individual, who saw both of Jacob's eyes blackened and the knot on the left side of his head had gotten larger. Jacob did not appear to be in need of medical treatment. It is reported that Benny Gibson has a history of hitting Jacob and Benny is heard yelling and screaming every morning. It was unknown at the time of the report if Jennifer Paul hits Jacob. This investigation was still being investigated when the current report was received.

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

CPS is investigating the allegations through a joint investigation with the Phoenix Police Department.

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

Jacob remains hospitalized. Jacob's two siblings have been taken into CPS custody and have been placed in foster care

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

Services to be provided to the children and family will be determined as the investigation of the case is completed.

*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.