

<b>Information for Release</b>		3/21/2014
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**Date of the notification to CPS:** 8/4/2013

**Fatality**

**The date the child suffered the fatality:** 8/4/2013

**Child's name:** Johnny Soto

**Age at time of incident:** 2 Years

**Perpetrator(s):** Vania Soto  
Johnny Soto

**Age:** age 32 and age 34

**City, town or general location of residence of the child and perpetrator(s):** At the time of the incident, the child and alleged perpetrator(s) were living in Phoenix, Arizona.

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

On August 4, 2013, Vania and Johnny Soto, parents to 2-year-old Johnny Soto, failed to provide adequate care and supervision of their son which resulted in his death. Each parent thought the other one was watching Johnny and he was later found floating face down in the pool. The father pulled him out of the pool and started CPR while the mother called 911. The Phoenix Fire Department responded and Johnny was pronounced dead upon arrival at the hospital. It is believed that Johnny may have gone outside through an unlocked door in the home. There is a deadbolt on the door but it is believed that it was unlocked. There was no fence around the pool.

**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\* :**

The Division of Child Safety and Family Services (DCSFS) has received five prior reports alleging abuse or neglect of Johnny Soto by his parents, Vania Soto and/or Johnny Soto. The September 23, 2011 and April 25, 2013 reports involved Vania Soto only.

On September 23, 2011, a report was made alleging that the mother, Vania Soto, tested positive for marijuana at Johnny's birth. An investigation was completed and Johnny was determined to be safe in the home with his parents. Mrs. Soto was referred for substance abuse services. The allegations were unsubstantiated.

On April 15, 2013, a report was made alleging ongoing domestic violence between the parents and drug use involving smoking marijuana in the backyard. It was stated that the parents were arguing in the backyard and Mrs. Soto reportedly threw Johnny at Mr. Soto. The report also stated that Mrs. Soto relies on Johnny's older sibling to be the primary caretaker for Johnny and the sibling does not provide adequate supervision. An investigation was initiated and was in progress when another report was received. The allegations in this report were unsubstantiated.

On April 22, 2013, a report was made alleging that the parents are using unknown drugs and that a drug dealer comes to their home weekly. Mr. Soto reportedly exchanges money for something in the front yard and after that, the parents stay up for extended periods of time. The report also alleged that the parents frequently argue and fight with

screaming and yelling being heard at all hours of the night. Law enforcement has been out to the home multiple times, but the results are not known. Mrs. Soto was also observed to kick Johnny's walker with him in it and recently "tossed" Johnny into Mr. Soto's vehicle during a fight. Mrs. Soto also left Johnny outside alone for approximately 20-30 minutes recently and there is a general lack of supervision with the children. This report was still being investigated when a new report was received. The allegations in this report were unsubstantiated.

On April 25, 2013, a report was made alleging that Mrs. Soto went to the emergency room where she was treated for an ankle injury and received a morphine injection. She had also been treated with morphine on April 23, 2013. Hospital staff watched Johnny while Mrs. Soto was being treated and noted that he seemed to be okay. Mrs. Soto was offered a free taxi ride home with a car seat for Johnny but she refused. She said that her friend, who also received a morphine injection this day, drove them to the hospital and then said that they were dropped off. There is a concern that Mrs. Soto and her friend are impaired and should not be driving. There is a concern that Mrs. Soto will not be able to supervise Johnny adequately. This report was still being investigated when a new report was received. The allegations in this report were unsubstantiated.

On July 24, 2013, a report was made alleging that there is weekly domestic violence between the parents. During a recent incident, the parents were observed in the front yard with the children. Mr. Soto was drunk and Mrs. Soto was throwing his beer bottles at him. Johnny was running around in only a diaper and no shoes. Johnny's sibling stepped into the middle of the parents and screamed at Mrs. Soto to stop. Mrs. Soto grabbed this child by the hair and said to stay out of it. The report also alleged that Mrs. Soto uses marijuana and possibly other drugs and has smoked marijuana outside in the front yard while the children are running around. Mrs. Soto was also reported to buy and sell drugs (prescription drugs, methamphetamine or crack cocaine) from her front yard throughout all hours of the day and the children are present and not supervised during these sales. Two weeks ago, Johnny ran into the street and fell on his head and there was bruise on the head. About three weeks ago, Johnny wandered around outside at about 1:00am for about 30 minutes knocking on neighbors' doors. His sibling was the one who got up and found Johnny. This report was still being investigated when the fatality occurred. The allegations in this report were unsubstantiated.

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

The Office of Child Welfare Investigations (OCWI), assisted by the Division of Child Safety and Family Services (DCSFS), conducted a joint investigation with the Phoenix Police Department.

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

Following an assessment of child safety, the sibling was removed and placed with a relative.

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

Services offered to the family include parent aide services, substance abuse treatment, counseling and supervised visitation.

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\*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).

\*Posted information may be updated as new information becomes available.

Information, if any, regarding the child and other family or household members, not specifically related to the fatality or near fatality, is not posted on the website. This also applies to information, if any, regarding the alleged perpetrator(s) and other family or household members.