



Preliminary Report	Near Fatality	9/3/15
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1. Near Fatality Victim: 7-month-old male

2. Date of notification to DCS: 8/28/15

3. Date of near fatality: 8/28/15

4. Date of determination that the near fatality was the result of abuse or neglect: 8/28/15

5. County and general location of the residence of the victim: Pima County – Tucson, AZ

6. Alleged perpetrator(s) name, age and city, town or general location:

Elisa Garcia – age 27 – Tucson, AZ
Charlie Stoy – age 23 – Tucson, AZ

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

On August 28, 2015, the Department of Child Safety received a report regarding a 7-month-old male child. An ambulance responded to a call where they found the child unresponsive and without a pulse. It is unknown who called the ambulance and the child was "not inside an apartment." It is believed that the alleged perpetrators left the scene. The child has signs of trauma such as "posturing and unequal pupils." This is believed to be non-accidental trauma. Tucson PD is also involved. As a result of the child's injuries mother, Elisa Garcia and mother's boyfriend Charlie Stoy, were arrested on child abuse charges.

8. Whether DCS has received any reports or past cases, of child abuse, abandonment or neglect involving the child or the current alleged perpetrator(s):

DCS received the following prior report alleging neglect to the child by mother, Elisa Garcia:

On February 7, 2015, a report was received alleging the child was a Substance Exposed Newborn (SEN). The investigation determined that the child's mother was capable of meeting his needs and the family was not in need of further intervention or services. Mother reported to have community and family support. The case was closed on March 12, 2015 with the allegations unsubstantiated.

DCS received the following prior report alleging physical abuse by Charlie Stoy toward his biological child:

On June 6, 2012, a report was received alleging Charlie Stoy came home intoxicated and he started arguing with the mother of his child. Charlie Stoy got his sawed-off shot gun and held it to the mother's face, the baby's head, and pointed the gun at another person in the home. As a result of the investigation, Charlie Stoy was arrested and charged with aggravated assault. The DCS allegations were substantiated for physical abuse of the child by Charlie Stoy. Mr. Stoy's parental rights were terminated as to his child and the case was closed on April 16, 2014.

9. Actions taken by DCS in response to the near fatality:

A joint investigation is being conducted with the Tucson Police Department.

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



There were no other children in the home.

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

Services will be determined pending the outcome of the investigation.

*The determination that a fatality or near fatality is the result of abuse, abandonment or neglect is based one or more of the following criteria: (1) The perpetrator(s) arrest related to the incident, (2) Substantiated finding(s) linking the alleged perpetrator(s) action(s) to the fatality or near fatality and/or (3) Results of the Medical Examiner's report.

** Information released after July 3, 2015 provides reports, or any current or past cases, of abuse, abandonment or neglect involving the child or the alleged perpetrator pursuant to A.R.S. § 8-807.01(A)(1)(e).
Posted information may be updated as new information becomes available.