

Statement on the near fatality of an eight-year-old boy

Issue Date: February 13, 2020

On December 18, 2019, the Department of Child Safety received a report regarding the near fatality of an 8-year-old boy.

The child was taken to the hospital after experiencing difficulty breathing. Doctors determined the child was in critical condition and suffered from internal injuries. The child also had bruising on several parts of the body.

DCS removed the other children in the home and placed them with relatives. After the child was released from the hospital, the near fatality victim was placed in a licensed foster home.

On December 27, 2019, Jorge Elias, the child's father, was indicted by a Maricopa County grand jury with six counts of child abuse.

The Department is currently providing services to the family.

DCS received the following prior reports involving Mr. Elias and/or the near fatality victim:

On April 29, 2011, the Department received a report alleging the near fatality victim's mother and another adult neglected the child. According to the report, the mother and the other adult would use marijuana in front of the child and engage in domestic violence. The DCS investigation did not find evidence to remove the child. The allegations were unsubstantiated. The family successfully completed in-home services and the case was closed.

On October 28, 2012, the Department received a report alleging the near fatality victim's mother neglected the child. According to the report, there was a domestic violence incident in the home between the mother and another adult. The DCS investigation found evidence to support the allegation and filed an in-home dependency petition with the Maricopa County Juvenile Court. The allegation was substantiated. The case was closed after the family successfully completed in-home services.

On May 31, 2013, the Department received a report alleging Mr. Elias physically abused and neglected another child who was unrelated to the near fatality victim. According to the report, the child was exposed to marijuana smoke and domestic violence in the home. Despite multiple efforts, DCS could not locate family to investigate. The report was eventually closed.

On July 6, 2015, the Department received a report alleging the near fatality victim's mother neglected the child. According to the report, the mother dropped off the near fatality victim with a relative to babysit the child. Three weeks had passed and the mother had not picked up the child from the relative's house. The DCS investigation did not find evidence to remove the child. The allegation was unsubstantiated and the case was closed.

On February 25, 2016, the Department received a report alleging Mr. Elias neglected another child who was unrelated to the near fatality victim. According to the report, the child was exposed to marijuana smoke and abusive language in the home. The DCS investigation did not find evidence to remove the child. The allegation was unsubstantiated and the case was closed.

On March 23, 2016, the Department received a report alleging Mr. Elias neglected one of the near fatality victim's half-siblings and another child who was unrelated to the near fatality victim. According to the report, Mr. Elias was smoking marijuana in front of the children. The DCS investigation did not find evidence to remove the children. The allegation was unsubstantiated and the case was closed.

On September 1, 2017, the Department received a report alleging the near fatality victim's mother neglected the child and the child's half-sibling. The report also stated Mr. Elias neglected the near fatality victim. According to the report, the mother was smoking marijuana in front of the children and the children were not being properly cared for. The DCS investigation found evidence to remove the children from the home. The allegation was substantiated. The Department filed a dependency petition with the Maricopa County Juvenile Court and provided services to the family. Mr. Elias successfully completed services and the near fatality victim was returned to Mr. Elias' care.

On December 15, 2017, the Department received a report alleging Mr. Elias physically abused another child unrelated to the near fatality victim. According to the report, Mr. Elias struck the child with a belt and hit the child on the head. The DCS investigation did not find evidence of any marks or bruising on the child. There was not enough evidence to remove the child from the home. The allegation was unsubstantiated. The family was referred to in-home services and the case was closed.

On May 24, 2018, the Department received a report alleging the near fatality victim was physically abused by another adult. According to the report, the near fatality victim had black eyes and scratches. The DCS investigation did not find evidence of injuries and the child denied being physically abused. There was not enough evidence to remove the child from the home. The allegation was unsubstantiated and the case was closed.

On November 18, 2019, the Department received a report alleging Mr. Elias physically abused the near fatality victim. According to the report, Mr. Elias repeatedly spanked the near fatality victim with a belt and left scratches on the child's body. During an interview with the child on November 21, 2019, the child stated the scratches were from a scooter accident. The child denied being abused. This investigation was still open when the Department received the December 18, 2019, report of the near fatality.