


STATEMENT OF FACTS IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (COURT USE ONLY) <i>2462AC 6286-AR</i>	PAGE <i>1</i> OF <i>1</i>	Trial Court of Massachusetts District Court Department
The undersigned alleges the following as a <input checked="" type="checkbox"/> full or <input type="checkbox"/> partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.		COURT DIVISION Worcester District Court 225 Main Street Worcester, MA 01608	
Incident # 112780 Date: 10-15-2024 Time: 1630 Hrs Location: A known address within the City of Worcester Arrested: Francisco Ortiz Charged: (1 ct) Wantonly or Recklessly Permitting Substantial Bodily Injury to a Child Under 14 (2 cts) Wantonly or Recklessly Permitting Bodily Injury to a Child Under 14 (1 ct) Reckless Endangerment to Child <p>On 10-15-2024, at about 1630 hrs., Worcester Police were dispatched to a known address within the City of Worcester for a report of a 4 year old child who had fallen on the floor and was unresponsive. On arrival, Officers were allowed in by Francisco Ortiz, who was the only adult present at the address.</p> <p>Ortiz told Police that the known and identified victim (Victim 1) had fallen off a kitchen table. Officers found the victim still unresponsive and began life-saving measures. Paramedics transported Victim 1 to Umass Hospital, where continuing life saving measures were unsuccessful and Victim 1 was pronounced deceased.</p> <p>Victim 1 was observed by Police and hospital staff to have multiple visible bruises on various locations of their body. Ortiz told Police that the bruises were a result of Victim 1 falling off the table on several occasions in the past. Ortiz also told Police Victim 1 utilized a chair to gain access to the table.</p> <p>Two other known and identified victims were also at the address with Ortiz. Both victims were observed by Police and hospital staff to have visible multiple bruises on various locations of their body and appeared to malnourished/dehydrated.</p> <p>Ortiz told Police that he had sole custody and care of all three victims during the day, today, and is the full time care giver.</p> <p>I believe Probable Cause exists to charge Francisco Ortiz with the following:</p> <p>(1 ct) <u>Wantonly or Recklessly Permitting Substantial Bodily Injury to a Child Under 14</u>- Ortiz had custody and care of a child under 14 (Victim 1, 4 years of age), permitting the child to climb onto a kitchen table, The child ultimately fell from the table, resulting in substantial bodily.</p> <p>(2 cts) <u>Wantonly or Recklessly Permitting Bodily Injury to a Child Under 14</u>- Ortiz had custody and care of two children under the age of 14 (2 years of age and 5 years of age), permitting them to sustain bodily injury, which resulted in visible bruising to occur. As a result of Victim 2 and 3's physical condition, they are receiving on-going medical treatment.</p> <p>(1 ct) <u>Reckless Endangerment to Child</u>- Ortiz failed to take reasonable steps to remove chairs away from the table, which allowed Victim 1 to gain access to the table repeatedly. Ortiz told Police that Victim 1 has fallen from the table on multiple occasions, with today's fall resulting in substantial bodily injury.</p> <p>-Arrest</p>			
PRINTED NAME <i>Sgt Shane M. Marcotte</i>	SIGNATURE 	IAMA: <input checked="" type="checkbox"/> LAW ENFORCEMENT OFFICER <input type="checkbox"/> CIVILIAN COMPLAINANT OR WITNESS	DATE SIGNED <i>10/15/24</i>
ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY			

STATEMENT OF FACTSIN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)

2462AC6286-AR

PAGE

— OF —

Trial Court of Massachusetts
District Court DepartmentThe undersigned alleges the following as a full or partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.COURT DIVISION
Worcester District Court
225 Main Street
Worcester, MA 01608

Incident # 112780

Date: 10-15-2024

Time: 1630 Hrs

Location: A known address within the City of Worcester

Arrested:

Francisco Ortiz

Charged:

(1 ct) Assault and Battery Upon a Child Substantial Bodily Injury

(1 ct) Domestic Assault and Battery

On 10-15-2024, at about 1630 hrs., Worcester Police were dispatched to a known address within the City of Worcester for a report of a 4 year old child who had fallen on the floor and was unresponsive. On arrival, Officers were allowed in by Francisco Ortiz, who was the only adult present at the address.

Ortiz told Police that the known and identified victim had fallen off a kitchen table. Officers found the victim still unresponsive and began life-saving measures. Paramedics transported Victim to Umass Hospital, where continuing life saving measures were unsuccessful and Victim was pronounced deceased.

Victim was observed by Police and hospital staff to have multiple visible bruises on various locations of their body. Ortiz told Police that the bruises were a result of Victim falling off the table on several occasions in the past.

On 10-16-2024, an autopsy was performed by a known and identified Doctor and witnessed by Detectives. The Doctor told Detectives that the Victim had a skull fracture on the top of their head, which was consistent with a two story fall and NOT a fall from a table. The impact of the fracture extended from the impact area to the front left eye (9cm), front right eye (4 cm) and to the rear along the natural suture line (5cm). Also present was an internal scalp laceration. The Doctor noted numerous injuries to include numerous but undetermined amount of bruises and some hemorrhaging to the right side of the neck muscle.

Ortiz told Police that he had sole custody and care of the victim during the day and is the full time care giver. In a recorded interview, where Ortiz waived Miranda and knowingly made voluntary statements, he told Detectives he has been raising the children on his own for two years.

I believe Probable Cause exists to charge Francisco Ortiz with the following:

(1 ct) Assault and Battery Upon a Child, Substantial Bodily Injury to a Child Under 14- Ortiz had custody and care of a child (4 years of age). The Victim had a skull fracture consistent with a two story fall. Ortiz told Police he was with the victim alone on 10-15-2024, and has been raising the children on his own.

(1 ct) Domestic Assault and Battery- Ortiz had custody and care of a child. The Victim had injuries to their body, not consistent with falling. Ortiz told Police he was with the victim alone on 10-15-2024, and has been raising the children on his own. The victim is Ortiz' daughter, who he resides with.

-Arrest

PRINTED NAME

Sgt Sherrill M. Marotte

SIGNATURE

Asst A.M. Marotte

I AM A:

DATE SIGNED

 LAW ENFORCEMENT OFFICER CIVILIAN COMPLAINANT OR WITNESS

10-16-24

ADDITIONAL FACTS FOUND BY: CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY