

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

AFFIDAVIT OF PROBABLE CAUSE TO OBTAIN BOND **FILED**

STATE OF ARKANSAS

VS

**MAURICIO ALEJANDRO TORRES**  
H/M DOB: 12/24/1969

2015 APR 7 PM 3 55  
PLAINTIFF

BRENDA DESHIELDS  
CLERK AND RECORDER  
BENTON COUNTY, AR.  
DEFENDANT

REDACTED

FACTS CONSTITUTING PROBABLE CAUSE

Comes now Captain Tim Cook of the Bella Vista Police Department, and under oath doth state:

The records of the Bella Vista Police Department reflect that on March 29, 2015 at approximately 2333 hours, Cathy Lynn Torres, (W/F, DOB 07/04/1971) placed a 911 call from her residence, #9 Cresswell Circle in Bella Vista, requesting assistance stating "my son has stopped breathing." Emergency Medical Personnel ("Medics") from the Bella Vista Fire Department responded to that address and discovered the victim, a six year-old male, Maurice Isaiah Torres, ("Isaiah") (DOB 07/03/2008) lying on his back on the living room floor, unresponsive and not breathing. Prior to departing the residence to transport the victim to the Emergency Room ("ER") at Mercy Hospital in Bella Vista, the Medics observed numerous lacerations and severe bruising on Isaiah and requested that the Bella Vista Police Department ("BVPD") be notified of the situation.

At about 2352 hours, Officer Jeff Blake was dispatched to the residence and upon arriving on scene at about 0000 hours, observed the paramedic vehicles leaving the scene and was redirected by dispatch to the ER and arrived there at about 0007 hours. Upon Isaiah's arrival, Dr. Franklin Mayhue began attempting lifesaving treatment but was unable to revive Isaiah. Dr Mayhue pronounced Maurice Isaiah Torres dead at 0023 hours.

As time allowed, Officer Blake spoke to Firefighters Chuck Lawson, Nick Holt and Captain Cottingham in reference to this incident. Captain Cottingham stated that his station (#2) had received an emergency call at about 2334 hours. His station personnel were dispatched to 9

Cresswell Circle in reference to a child not breathing call. At about 2340 hours, Captain Cottingham, Lawson and Holt all arrived on scene. Upon their arrival, Lawson entered the residence. Lawson could see that Mauricio Alejandro Torres (H/M, DOB 12/24/1969) was providing what appeared to be attempted CPR to Isaiah, who was lying on the living room floor. Also in the living room was Isaiah's mother, Cathy Torres and two young girls (later identified as his sisters, [REDACTED] DOB- 07/03/2008, and [REDACTED] DOB-06/04/2007).

Lawson began providing emergency CPR to Isaiah and asked the parents, Mauricio and Cathy what had occurred. Mauricio and Cathy stated that they had recently returned from a camping trip and didn't know what was wrong with Isaiah. They advised Lawson they were unaware of any event or medical history that would cause Isaiah's condition. At about this time, Captain Cottingham and Holt entered the residence with a cot. Lawson could see that Isaiah had multiple cuts and bruises on his body. As Lawson turned Isaiah to his side, he could see heavy bruising and additional puncture wounds all about his body. All three Firefighters loaded Isaiah into their ambulance and continued with attempted lifesaving treatment. At about this time, they had dispatch notify BVPD of Isaiah's injuries.

Lawson stated that emergency lifesaving treatment was provided to Isaiah for about ten (10) minutes. At no time were they able to revive or obtain any signs of life from Isaiah. They then transported Isaiah to Mercy Hospital-Bella Vista for additional treatment.

While in the treatment room, Officer Blake conducted a cursory visual inspection of Isaiah, taking several photographs of some of the injuries to Isaiah, including cuts to his head, knees and upper feet. Multiple wounds could be seen on his back and major bruising was seen on his right side. Prior to departing the hospital, Officer Blake spoke with Doctor Mayhue, who stated that Isaiah never regained a heartbeat after arrival. Doctor Mayhue also stated that Isaiah had signs of blunt trauma to his head, trunk and extremities as well as multiple superficial lacerations and bruises of unknown age. As Doctor Mayhue described Isaiah's injuries, a nurse informed him that fresh blood had just been found in Isaiah's rectum.

Doctor Mayhue stated that he had spoken to Isaiah's father, Mauricio Torres. Mr. Torres stated that the injuries to Isaiah's back were caused by a chemical burn in the past and that Isaiah had been treated for the injuries at Arkansas Children's Hospital in Little Rock. Doctor Mayhue stated that the medical database did indicate Isaiah had been treated for some type of injury to his back by Arkansas Children's Hospital in 2014.

[REDACTED]

Officer Green then remained with the family until they were escorted to the Bella Vista Police department for interviews. Cathy Torres rode in the rear seat of Officer Green's patrol vehicle while Mauricio Torres and the couple's two juvenile daughters followed behind in the family vehicle. Mauricio and Cathy were then separated within the Police Department.

In her initial interview on the morning of March 30<sup>th</sup> with Detective Ed Williams of BVPD, Cathy Torres stated that they had arrived home Sunday night at around 10:00 p.m. from an overnight camping trip to Hollister, Missouri. She stated that around 2:00 p.m. on Sunday, Isaiah began to complain of a stomachache. She stated that they gave him Pepto-Bismol and thought he was better. According to Cathy, Isaiah fell asleep on the drive home but when awoken upon arriving home, walked into the house on his own and helped unload the vehicle.

According to Cathy, Isaiah took a shower on his own and seemed normal, just tired. When he got out of the shower he put on his Spiderman pajamas. Cathy then gave him some green tea because he said his stomach was still hurting and he lay down on the bed in the master bedroom. Isaiah fell asleep and began to snore. Cathy left the room for a brief period and when she returned, Isaiah wasn't breathing. She tried shaking him and then called 911 when he was unresponsive.

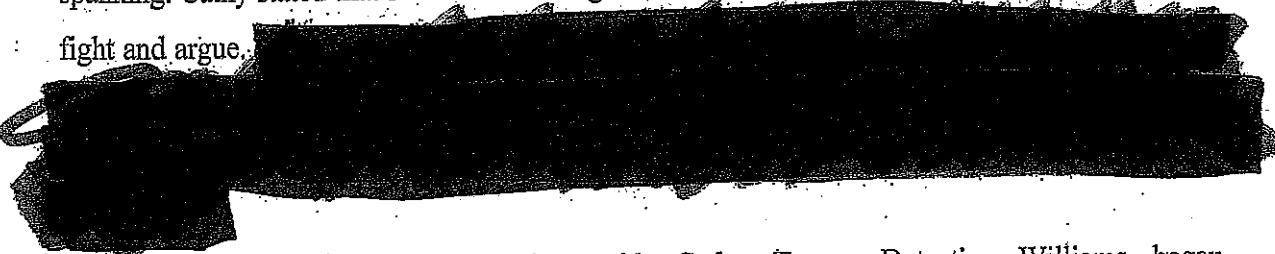
[REDACTED]

Cathy denied knowing anything about the bruising on Isaiah's body. She did notice when they arrived home on Sunday that the area around his eyes was a little dark. Cathy stated that he runs into door knobs all the time. She denied seeing him without a shirt on and used this explanation when asked why she had never seen any of the bruising or marks on Isaiah's back.

Detective Williams confronted Cathy by stating the injuries appeared to be the result of child abuse. Cathy specifically denied causing the injuries to Isaiah but when asked if Mauricio caused the injuries, she would only state "I didn't do it, let's say that." When confronted about

Isaiah's nose appearing to have been broken, she simply replied that it's always been a little crooked.

Cathy stated that they rarely spank the kids and that it had been months since the last spanking. Cathy stated that Maurice is loving with the children and that she and Maurice seldom fight and argue.



Upon concluding his interview with Cathy Torres, Detective Williams began interviewing Mauricio Torres. Mauricio confirmed that they arrived home late Sunday night after an overnight camping trip to Hollister, Missouri. He stated that Isaiah complained of a stomach ache, had diarrhea and vomited a small amount. They responded by giving Isaiah some more Pepto-Bismol and making sure he was drinking plenty of water to stay hydrated.

Mauricio stated Isaiah fell asleep on the ride home and was difficult to wake up when they arrived at their residence. According to Mauricio, Cathy helped him bathe Isaiah in the shower to get the smell of the campfire smoke off of him. After the shower, they put Isaiah on the bed in the master bedroom because he was sick but they thought he would sleep it off and be okay. According to Mauricio, he asked Cathy about whether they should take Isaiah to the ER but she replied that the ER wouldn't take him for just a stomachache.

Detective Williams confronted Mauricio as to the source of the variety of injuries and bruises to Isaiah. Mauricio denied having any knowledge of the bruising or the diamond-shaped mark on his abdomen. Mauricio stated the dark area around Isaiah's eye happened Sunday as he began to get sick. Mauricio claimed no knowledge of the injuries to Isaiah's back and stated "you have to ask my wife about that." Mauricio attributed other injuries to various falls and stated "all I know is that he's clumsy."

Detective Williams took a break in the interview and when he returned, Mauricio was fixated on the possibility that Cathy had given a statement implicating Mauricio. He made multiple comments indicating that he assumed Cathy had cut a deal to blame him for the death of Isaiah. Detective Williams reiterated that he just wanted to know who had abused Isaiah. Mauricio responded by stating "don't ask me to betray my wife." He stated he was always asking what happened to Isaiah and Cathy would simply respond that he fell. Mauricio stated "the

pictures look like neglect. Child abuse is deliberate. I didn't do anything to him and my wife didn't do anything to him." Mauricio stated again that he had not witnessed Cathy do anything to Isaiah and that she knows that he (Mauricio) will not betray her. Mauricio told Cathy when they called 911 that no matter what happened, "you guys have to stay together."

On the morning of March 30<sup>th</sup>, 2015, DHS transported Isaiah's two sisters, [REDACTED] to the Children's Advocacy Center in Little Flock, Arkansas so that forensic interviews could be conducted in an effort to gain additional information regarding the circumstances of Isaiah's death. During her interview with forensic interviewer Erin Kraner, [REDACTED] stated that Isaiah began complaining of a stomach ache yesterday morning (Sunday the 29<sup>th</sup>) when he woke up. [REDACTED] stated that Cathy and [REDACTED] went to the store to get him some medicine. She described Isaiah as sitting down a lot while they were camping.

[REDACTED] stated Isaiah was sleeping on the drive home and had to be carried into the house by Mauricio. Mauricio laid Isaiah on the bed where Cathy and his sisters undressed him for a shower. According to [REDACTED] she helped Mauricio carry Isaiah in to the shower. Mauricio was trying to hold Isaiah up to be able to bathe him in the shower but Isaiah fell one time while in the shower.

[REDACTED] stated she helped her mother, Cathy, put Isaiah back on the bed after the shower. Isaiah was acting strange and was not really awake. She and [REDACTED] got clothes to put on Isaiah. [REDACTED] stated her parents gave Isaiah green tea and gummy vitamins to make him feel better. [REDACTED] denied that her parents use spanking as a form of discipline.

Following [REDACTED] interview, Erin Kraner conducted an interview with [REDACTED]

[REDACTED] During this interview, [REDACTED] stated that Isaiah woke up Sunday morning complaining of a stomach ache. Isaiah watched part of a movie but fell asleep. According to [REDACTED] Isaiah had scratches and bruises on his face because he fell down. He also busted his knees because he fell down while climbing.

[REDACTED] stated that Mauricio had to wake Isaiah up when they got home because Isaiah didn't know they were home. She and [REDACTED] helped undress Isaiah for his shower. Isaiah had to be held up by Mauricio while they were in the shower because Isaiah was still asleep.

BVPD Officers entered #9 Cresswell Circle, Bella Vista, under a search warrant on March 30, 2015. Inside the residence, they discovered what appeared to be blood spatter on the walls, floor, and ceiling of the master bedroom and attached bathroom. In addition, it appeared that there was blood spatter on two 15 lb. dumbbells located in the master bathroom, next to the bathtub. A fireplace poker tool, with a diamond-shaped handle, was found on the floor by the bed in the master bedroom during the search of the residence. Vomit was on the bed in the master bedroom. Officers also recovered a stethoscope from the bed.

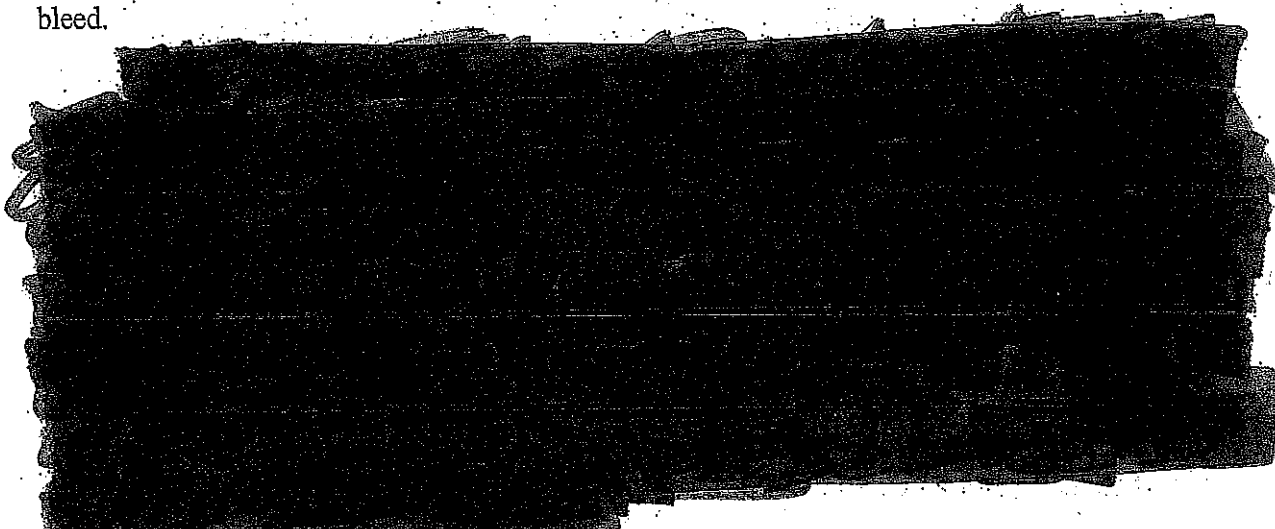
In a subsequent interviews on March 31<sup>st</sup> with Captain Tim Cook of BVPD, Cathy Torres stated that she did not know if Mauricio had done something to Isaiah because she wasn't with them the whole time. Cathy ultimately established a timeline from the early morning of Friday the 27<sup>th</sup> through Sunday the 29<sup>th</sup> when she placed the 911 call for assistance. The only time she was not with Isaiah during that time was on Sunday the 29<sup>th</sup> when she went to Lowe's for approximately 45 minutes beginning around 2:30 p.m. During the course of the weekend, according to Cathy, Mauricio was continuously with Isaiah beginning around 4:30 p.m. on Friday the 27<sup>th</sup>.

Cathy further acknowledged seeing Mauricio inflict injuries upon Isaiah in the past. She has observed Mauricio hit Isaiah with a belt, an extension cord and with his knuckles upon Isaiah's head. Cathy admitted observing Isaiah bleed as a result of some of these incidents. Cathy stated that she knows it is her fault for what happened to Isaiah because she did not stop Mauricio from hurting him. Cathy stated that when Mauricio would spank Isaiah with a belt, he would tell Isaiah that if Isaiah cried he would hit Isaiah again because Isaiah has to learn to be a man. Cathy described Mauricio using Neosporin to treat to cuts that resulted from the beatings. Cathy also acknowledged hitting Isaiah with a belt but denied doing so hard enough to cause any injuries.

Captain Cook contacted Cathy Torres for a further interview on April 1<sup>st</sup>, 2015 and she agreed to accompany him to BVPD for an interview. Cathy stated she's scared of Mauricio and shouldn't have let her fear take control of her life and that she knew better. Cathy acknowledged that Mauricio hurt Isaiah and that's why Isaiah is not here. Despite being previously informed of the autopsy findings indicating that a hard object had been so forcefully inserted into Isaiah's rectum that it cut the lining of his rectum and completely punctured his rectum, she continued to deny knowing anything about Isaiah being anally raped. She said the first time she saw Mauricio

hit Isaiah that was wrong was probably around January after Christmas when Isaiah got to where he didn't want to listen. When Mauricio would come home from work, the girls would tattletale on Isaiah. Mauricio would become upset and gather everyone in the bedroom for a discussion. He would conclude by telling the kids what they were supposed to do before sending her and the girls out of the room so that he could spank Isaiah.

When pressed to give specifics about a beating she witnessed she recalled once seeing Mauricio spank Isaiah with an electrical cord and related that after Mauricio hit him a couple of times on the hind end, Isaiah fell and then Mauricio hit him on the back. She didn't know how many times he hit him, she didn't count but guessed that it was about ten times. She described the electrical cord as being the kind that you use in your house, not real long, white, with two prongs. She then demonstrated the beating for Captain Cook and acknowledged that Isaiah bled some as a result. She stated Mauricio told Isaiah to go get in the shower and that Mauricio put Neosporin on the injuries after the shower. She described another incident when Maurice struck Isaiah bringing blood. She stated one time Mauricio used his knuckle to hit Isaiah on the top of his head. She said Mauricio again told Isaiah to go take a shower after Mauricio caused him to bleed.



On April 3<sup>rd</sup>, 2015, BVPD Officers, in conjunction with Officers from the Bentonville Police Department, executed a search of the Captiva camper trailer used by the Torres family, at the Bentonville Police Department where the trailer had been stored after being taken from Hollister, Missouri, pursuant to an earlier search warrant. During the search of the camper, a large circular area of what appeared to be blood was found on one of the mattresses. The mattress had been flipped so that the apparent blood stain was on the bottom side of the mattress.

Further, numerous other areas of suspected blood spatter were observed throughout the camper. All suspected blood spatter was photographed and swabs were collected from numerous areas for later analysis by the Arkansas State Crime Laboratory.

On March 31<sup>st</sup>, 2015, Dr. Stephen Erickson of the Arkansas State Medical Examiner's office conducted an autopsy in Little Rock, Arkansas at the Arkansas State Crime Laboratory on Maurice Isaiah Torres. The manner of death was ruled a homicide. The preliminary cause of the death of Isaiah was Acute Peritonitis due to Anal Rectal Trauma which resulted from a hard object being forcefully inserted into Isaiah's rectum. In addition, during a conference call on April 6<sup>th</sup>, 2015, Dr. Erickson opined that this final trauma to the rectum occurred within 24 hours of Isaiah's death. Dr. Erickson also further noted multiple healing, healed and acute blunt force injuries to Isaiah's head, trunk, and extremities. Dr. Erickson stated that Isaiah's death was in the spectrum of Chronic Child Abuse Syndrome as Isaiah had suffered repeated, significant abusive injuries.

In summary, Maurice Isaiah Torres died as a result of chronic child abuse with the final act of anal and rectal trauma occurring while he was in the exclusive care of his parents. As parents of Isaiah, they each had a duty to prevent his abuse.

Based on the foregoing, the State joins me in requesting that a warrant be issued for **MAURICIO ALEJANDRO TORRES, H/M, DOB: 12/24/1969**, for the offense(s) **CAPITAL MURDER, a CLASS Y Felony, in violation of A.C.A. 5-10-101; RAPE, a Class Y Felony in violation of A.C.A. 5-14-103; and BATTERY in the FIRST DEGREE, a Class B Felony in violation of A.C.A. 5-13-201.**