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Autopsy shows boy, 12, at Kerr center suffocated

Autopsy findings released Wednesday attribute the weekend death of a Kerrville boy to suffocation while being restrained at Star Ranch, a residential treatment center in Ingram.

An unidentified ranch staffer reportedly placed Christening "Mikie" Garcia, 12, in "a basket hold" as the emotionally disturbed youngster tried to bang his own head on the pavement.

Arms across his chest and hands held from behind by the staffer, Garcia stopped breathing Sunday evening and couldn't be revived, officials said.

Kerr County Justice of the Peace Bill Ragsdale is awaiting the results of toxicology tests on the boy, and investigations by state and local authorities, before ruling on the manner of death.

The boy's parents could not be reached for comment.

A funeral service for him will be held at 9:30 a.m. Friday at Kerrville Funeral Home at 1121 Junction Highway.

Court records show Garcia had a history of banging his head. In January 2000, the state removed him and two other siblings from a household described as being in crisis.

At the time, the children's mother, Doris Garcia, now 40, moved out to escape what she called years of physical abuse by the father of her five kids, Innocencio Garcia, now 61.

Police had repeatedly responded to the Garcia home on complaints of domestic violence and runaway children, records show.

A Kerrville police officer, answering an assault complaint there on Dec. 13, 1999, said: "Violence is part of their everyday existence."

Doris and Innocencio Garcia relinquished their parental rights in 2004, records show.

An Oct. 18 report on the three Garcia children still in state custody states "Mikie" was placed at Star Ranch in August after having "serious behavior problems" at school and in a foster home.

"Star Ranch staff report that Mikie has had nine physical restraints in little over 30 days," the report filed in court records states. "He is reported to be fighting, biting and fleeing."

On Sunday, authorities said, the boy was sent to "timeout" because of a violent outburst, then he banged

his head on the ground.

"He had a troubled life and that (head banging) was one of the ways he got attention," said Rand Southard, director of Star Ranch, a private, nonprofit facility that opened in 1989.

State placements account for most of the clientele of 32 boys, 7 to 17 years old, with learning disabilities or emotional problems.

Southard said he's confident that the staffer, whom he described as "devastated" by Garcia's death, had followed guidelines.

"We're all upset that this happened," Southard said. "We desperately try to take care of the children in our care. This is a terrible accident."

Ragsdale said Travis County Medical Examiner Roberto Bayardo reported that the autopsy and on-scene circumstances led him to conclude "that the decedent came to his death as a result of suffocation during physical restraint."

Forced restraint has been associated with at least 20 other deaths in Texas since 1990, according to an Austin watchdog group for psychiatric patients.

Lee Spiller of the Citizens Commission on Human Rights of Texas said such deaths seldom result in prosecution because — as in this situation — the restraint is described as an effort to aid a troubled client.

"We'd rather see all the facilities be restraint-free," Spiller said Wednesday. "A restraint-free facility may or may not be practical, but I would say the use of deadly force on small children is definitely impractical."

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