

South Bend mom not guilty in baby's death

Immediately taken by ICE for deportation

By NATALIE ST. JOHN
EO Media Group

SOUTH BEND, Wash. — For three days, Maria Perez Santiago, 32, tried to keep her composure as witnesses and lawyers discussed her baby girl's 2015 death in gruesome detail.

When Pacific County Superior Court Judge Doug Goelz acquitted her this month of homicide by abuse, manslaughter and reckless endangerment on the third day of her bench trial, she collapsed in a sudden torrent of tears.

In the early hours of Aug. 29, 2015, a volunteer EMT rushed to a house in South Bend. He found 11-month-old Kenya Santiago on the bed that Perez Santiago shared with her partner, Aaron Ayala Silva, 28. She was not breathing and had no pulse.

Rescuers and emergency room staff tried desperately to bring her back, but Kenya had been on a trajectory toward death for about six weeks. By the time anyone realized how sick she was, blood was pooling inside her skull, pressing on her brain.

At Willapa Harbor Hospital, Dr. John Shaw spent 40 minutes trying to resuscitate Kenya before he pronounced her dead. He broke the news to a room full of stunned family members.

The truth about the final weeks of Kenya's life was evident to Dr. Clifford Nelson, who performed her autopsy. The little girl had 16 rib fractures in different stages of healing. The oldest fractures were about six weeks old. Her internal organs, body and face were bruised. Her tiny ears were torn. Ultimately, however, she died from two skull fractures when someone violently shook her, hit her or slammed her into something.

Child abuse expert Dr. Joyce Gilbert reviewed Nelson's report. On the stand on Dec. 11, she said Kenya was a victim of shaken baby syndrome or abusive head trauma. Gilbert said the most common reason why parents abuse infants is frustration with their crying.

"Shaking makes babies stop crying," Gilbert explained. "That unfortunately becomes a reinforcement for shaking."

Nelson and Gilbert said Kenya would have died quickly after the fatal jolt or blow. Perez Santiago's son, then 6, was in Mexico at the time. If she and Ayala Silva were the only people in the home, Pacific County Prosecutor Mark McClain reasoned, then they were the only ones who could have killed the baby. Perez Santiago and Ayala Silva both insist they never hurt their daughter, and never saw anyone else abuse their child. In July 2016, Ayala Silva pleaded guilty to homicide by abuse. The next month, he was sentenced to 20 years in prison. However, because there still were so many unanswered questions about Kenya's death, McClain decided to pursue charges against Perez Santiago, too.

"I thought the community should decide this case," McClain said.

Suspicion

Authorities took Perez Santiago's son away after Kenya's death. South Bend Police arrested Ayala Silva on suspicion of homicide by abuse on Sept. 17. Meanwhile, the grieving mother's behavior was the subject of intense scrutiny. The EMT said the couple didn't seem to understand how serious their baby's condition was. Others thought it odd that when Dr. Shaw informed the family of Kenya's death, an aunt and frequent babysitter fled sobbing from the emergency room, but Perez Santiago stayed put. A funeral home director said she seemed too casual for someone who was grieving an infant; too eager to put her daughter in the ground. A



Natalie St. John/EO Media Group
Maria Perez Santiago was acquitted Dec. 13 of playing a role in her daughter's 2015 child-abuse-related death.

woman who had known her for years was shocked to find her painting a bedroom a few days after losing both of her children.

Prosecutor McClain believed that as stress from their rocky relationship mounted, Ayala Silva and Perez Santiago took out their frustrations on their baby.

"These parents were beating this baby to death," McClain said on Dec. 12.

Perez Santiago was arrested at Ayala Silva's sentencing hearing. She pleaded not guilty. She spent 17 months in Pacific County Jail before her case went to trial.

Court documents say Perez Santiago had no criminal history, and faithfully took Kenya to her well-baby and nutritional program check-ups. The doctors always said the little girl was healthy, and developing normally.

"I just can't see her hurting that baby," Raymond resident Karl Gunderson said on Dec. 13. He met Perez Santiago through a neighbor several years ago. In happier times, her son played with his grandson. He thought her a dedicated and loving mother.

He is skeptical of McClain's theory partly because he saw Perez Santiago capably parent her son during a period of immense grief and stress.

At the end of the trial, Judge Goelz explained how he saw the case.

"I am absolutely certain (Aaron Ayala Silva) is the person who inflicted all the pre-death injuries. No question at all he was the person who abused the child," Goelz said. But, despite the fact that Ayala Silva refused to leave their home when she asked, he described Perez Santiago's decision to let him stay on after her baby's death and son's removal as "appalling."

He also pointed out inconsistencies in the statements she made shortly after losing both of her children, and the ones she made in court.

Ultimately though, Goelz said, he didn't believe McClain had proven Perez

Santiago abused, or knowingly allowed Ayala Silva abuse her child.

For several long moments after she was acquitted, Perez Santiago could only sob and gasp for air. Gunderson, the old friend, rushed toward her, and she collapsed into his arms briefly. She found her voice as a guard pulled them apart.

"I want to see my son," she said, over and over, as the interpreter and guard held her up.

Later that day, she was released from jail, but she is still not free. Immigration officers took her to the Northwest Detention Center in Tacoma. She will likely be deported.

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