

FOR IMMEDIATE RELEASE  
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## Jury Convicts Francesville Man of Battering 19-mo old Child

### *Press Release*

WINAMAC - After a three-day trial last week, the State proved a Francesville man battered a 19-month old victim, and instead of seeking immediate medical treatment, he drove around with the child. The injuries were extensive and high in number, resulting in bruising all over the victim's face. An expert testified that the bruising all over the child's face resembled a "mask," and the jury took less than one hour to convict the defendant of this abuse.

In June 2019, Coltyn M. Toosley, 26, was charged with Count I: Neglect of a Dependent resulting in Serious Bodily Injury, Level 3 Felony and Count II: Domestic Battery resulting in Bodily Injury on a Child under 14, Level 5 Felony. Pulaski County Prosecuting Attorney Kelly Gaumer announced that after the trial last week a jury in Pulaski Circuit Court found Toosley guilty on the two counts of child abuse.

During the course of the trial, the jury heard several witnesses testify and saw many photographs of the injuries to the victim. The State called witnesses from multiple agencies, including the Department of Child Services and Pulaski County Sheriff's department. The victim in the case was too young to testify. This led the State to rely on medical professionals to testify regarding how the injuries to the victim could have been caused because they were not consistent with Toosley's statement.

The Department of Child Services had an appointment to see the victim at a determined time and place. Toosley did not appear with the victim at the agreed time and place, and the caseworker immediately tried to contact Toosley by phone, who did not answer. She made several additional calls that went unanswered. She received information that Toosley may be staying at a different location, and being determined to find the victim, the caseworker traveled around southwestern Pulaski County eventually finding the described location.

However, when she found the residence, neither Toosley nor the victim were at the location. Another phone call was made to Toosley by a family member, and he finally answered. When asked why he missed the appointment with the caseworker, Toosley said that the victim "didn't look like herself today." When Toosley did meet the caseworker, the victim did not look like herself because of the severe bruising and swelling to her face. The caseworker immediately took the child to the emergency room.

Sgt. Fred Rogers sent initial photographs of the victim's injuries to the IU Health Child Protection Team, Dr. Tara Holloran testified in her opinion that from those photos that the cause was undetermined but appeared to be suspicious for physical abuse. The following day, when she received the medical records from the emergency department, she determined the injuries to the

victim's face were in fact inflicted from physical abuse, and they were caused by multiple blunt force trauma.

Toosley provided a statement to Sgt. Rogers and Detective Aaron Heims from the Pulaski County Sheriff's Department. During that statement, Toosley mentioned he fell with the victim in his arms, but he also said, "I think I may have hit her once" but did not remember what happened after that. Despite the defendant insisting that the injuries were primarily from him falling with the victim, the medical evidence from the experts was unanimously to the contrary.

After the jury's verdicts, Prosecuting Attorney Gaumer said, "These kinds of cases are especially difficult when the victim is so young and unable to testify. I am very thankful for the persistence of the Department of Child Services to locate the victim and Pulaski Sheriff's Department for doing a full investigation to determine the cause of the injuries."

Gaumer stated, "The jury, in this particular case, seemed to have no difficulty in determining that Toosley was guilty as charged. Their verdict of guilty is a victory for law enforcement and most deservedly, the victim."

If you suspect a child is being abused or neglected, call the Indiana Department of Child Services' Child Abuse and Neglect Hotline at **800-800-5556**.

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