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D.A. BROWN: BABYSITTER CHARGED
WITH DEPRAVED ASSAULT ON 13-MONTH-OLD TODDLER

Child Diagnosed With Shaken Baby Syndrome; Defendant Faces Up to 25 Years In Prison

Queens District Attorney Richard A. Brown announced today that a Corona woman has been charged with felony assault after a 13-month-old child in her care suffered life-threatening injuries, including bleeding on the brain. The child has been diagnosed with Shaken Baby Syndrome.

District Attorney Brown said, "This case is a grim reminder of the fact that never, under any circumstances, should a baby be shaken. Three seconds of shaking is all it takes to cause irreparable injury or even death. In an infant, the shaking motion is comparable to whiplash in a car accident or when shaken in anger the force is equivalent to the impact of a fall from a second-story window."

The District Attorney identified the defendant as Dolores Guzman, 31, of 108-31 46th Avenue in Corona, who rents a room in her apartment to the child's mother and three children. Guzman, who babysits the youngest child when the mother goes to work, is being held pending arraignment in Queens Criminal Court on charges of first-degree assault, first-degree reckless endangerment and endangering the welfare of a child. If convicted, she faces up to 25 years in prison.

The District Attorney said that, according to the charges, on the morning of May 9, 2006, 13-month-old Andrea Lopez Palacios was admitted to Elmhurst General Hospital's emergency room in full cardiac arrest, with no heartbeat and not breathing. She remained in full arrest for at least ten minutes and required life-saving measures – including three injections of epinephrine – in order to revive her heart. Andrea was subsequently diagnosed with Shaken Baby Syndrome when tests revealed that the toddler had suffered acute subdural hematoma (bleeding on the brain), retinal hemorrhages, brain edema (swelling) and widespread and permanent anoxic brain injury, which results from oxygen deprivation. In critical and guarded condition, she remains in the hospital on a ventilator and is unresponsive to her environment.

District Attorney Brown said it is alleged that the defendant indicated to authorities that the toddler's injuries were the result of her jumping on a bed and then falling off. However, visual observations by medical personnel noted that there were no external injuries and that the defendant's account was inconsistent with the nature and severity of the child's injuries.

District Attorney Brown said that it is further alleged that, as the babysitter's story about a supposed accident began to unravel, the defendant admitted that she became angry that morning when the child began to play with some strip of duct tape that she had cut to bind some wires and that she then placed duct tape over the child's mouth, and possibly her nose, for up to a minute. Later, when the child refused her bottle, it is alleged that the defendant, in anger, violently and forcefully pushed the child to the floor, causing her to land on the back of her head and lose consciousness. The defendant then shook the child.

The investigation was conducted by Detective Ramon Munoz, of the New York City Police Department's 110th Detective Squad, under the supervision of Lieutenant Edward Rudder, and by Assistant District Attorneys Donna M. Golia, of the District Attorney's Special Victims Bureau, and Marjory D. Fisher, Bureau Chief.

Assistant District Attorney Marjory D. Fisher, Chief of the District Attorney's Special Victims Bureau, is prosecuting the case under the supervision of Executive Assistant District Attorney for Major Crimes Charles A. Testagrossa and Deputy Executive Assistant District Attorney for Major Crimes Daniel A. Saunders.

It should be noted that a complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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