



**RICHARD A. BROWN**  
DISTRICT ATTORNEY

**DISTRICT ATTORNEY  
QUEENS COUNTY  
125-01 QUEENS BOULEVARD  
KEW GARDENS, NEW YORK 11415-1568  
718-286-6000**

Release #128-2006  
[www.queensda.org](http://www.queensda.org)

**FOR IMMEDIATE RELEASE**  
WEDNESDAY, MAY 24, 2006

**CONTACT: PRESS OFFICE**  
(718) 286-6315

**D.A. BROWN: ALLEGEDLY “SHAKEN” BABY DECLARED BRAIN DEAD;  
CHARGES AGAINST BABYSITTER TO BE UPGRADED**

Queens District Attorney Richard A. Brown announced today that a Corona woman accused earlier this month of violently shaking a 13-month-old infant in her care is facing homicide charges now that the child has been declared clinically dead.

District Attorney Brown said, “The victim in this case was an innocent and defenseless child whose life was cut short by a senseless act of violence. The infant’s tragic death clearly illustrates the devastating consequences of shaking a child and should serve as an important reminder to all of us of the irreversible damage that can be done by shaking a child. Under no circumstances, should a baby ever be shaken. Violent shaking can cause irreparable injury or, as this case sadly shows, even death. When an infant is shaken violently and repeatedly, where the head whips back and forth, the force is equivalent to the impact of a fall from a multi-story building or a whiplash injury inflicted on an unrestrained baby in a car accident at 75 miles per hour.”

The District Attorney said that homicide charges will now be filed against Dolores Guzman, 31, of 108-31 46<sup>th</sup> Avenue in Corona, who is alleged to have rented a room in her apartment to the child’s mother and to have babysat for her three children while the mother was at work. The victim – 13-month-old Andrea Lopez Palacios – was declared brain dead on Monday of this week and her family has decided, in consultation with doctors at Elmhurst General Hospital, to donate her organs. The child is expected to be removed from a ventilator as early as today.

District Attorney Brown added, “Even in their grief, Andrea’s family offers hope to others waiting for new organs by donating their child’s organs and tissues. While such an act of kindness may not diminish their sadness, they can be consoled in knowing that through their gift other lives will be saved.”

District Attorney Brown said that Guzman is being held without bail. She was arraigned on May 11, 2006 on charges of first-degree assault, first-degree reckless endangerment and endangering the welfare of a child in the assault on Andrea. Those charges will now be upgraded to reflect the child’s death.

The District Attorney said that it is alleged that on the morning of May 9, 2006, Andrea 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 infant 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.

District Attorney Brown said it is further alleged that the defendant initially indicated to authorities that the infant’s injuries were the result of her jumping on a bed and then falling off. However, as her story about a supposed accident began to unravel, the defendant is alleged to have admitted that she became angry when the child began playing with a strip of duct tape that she had cut to bind some wires and that she then placed the duct tape over the child’s mouth - - and possibly her nose as well for up to a minute. Later, it is further alleged, when the child refused her bottle, she violently and forcefully pushed the child to the floor in anger, causing her to land on the back of her head and allegedly lose consciousness - - and that she then violently shook the child.

-more-

The investigation was conducted by Detective Ramon Munoz of the New York City Police Department's 110<sup>th</sup> Detective Squad, under the supervision of Lieutenant Edward Rudder, and by Assistant District Attorney Leigh Bishop of the District Attorney's Special Victims Bureau.

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.

#

**Note to Editors: E-version of this press release posted at [www.queensda.org](http://www.queensda.org).**