

## **Jury: Father didn't shake his son- DPT to blame.**

By SHARON SILKE Staff Writer

A jury on Tuesday cleared a Warren County man who was accused of inflicting brain damage on his son by shaking the then 5-month-old baby. William Carey was charged in March 1996 with second-degree aggravated assault and endangering the welfare of a child a week after his son suffered seizures and was rushed to the hospital.

Doctors at Robert Wood Johnson University Medical Center detected hemorrhages behind the 5-month-old boy's eyes and determined the cause was shaken-baby syndrome. The baby had received an immunization earlier that morning, which defense attorneys argued was the cause of the seizures and the bleeding behind the boy's eyes.

"I think the weight of the world was lifted from the Carey's shoulders," defense attorney Joe Krakora said outside the courthouse in Flemington on Tuesday after the 12-day trial. "They're extremely relieved and tremendously grateful." Carey, a former Union County police officer who used to live in Readington, now resides in Washington Township in Warren county. The son, who is nearly 3, is developmentally disabled. It took the Superior Court jury nearly two full days to reach a decision. Jurors returned to the Judge Marilyn Rhine Herr's courtroom three times to watch videotaped testimony from witnesses from both the prosecution and the defense. Assistant Prosecutor Marcia Crowe could not be reached for comment Tuesday.

The baby was born in October 1995, and was first brought to the hospital on Dec. 11, 1995. He was treated for vomiting and irritability, and his pediatrician determined that the boy had a nonspecific viral condition and an allergy to milk.

He was brought back to the hospital on March 22, 1996, by paramedics after he suffered a seizure. The boy had received an inoculation a few hours earlier, which witnesses for both sides agreed could trigger a seizure in babies who had suffered head trauma.

Vomiting, lethargy, increasing head circumference, seizures, apnea and coma are all symptoms of shaken-baby syndrome. According to medical records, the boy was demonstrating some of those symptoms during his December 1995 visit to the hospital. But Krakora argued that these symptoms also could have been a sign that the boy had some other neurological problem that wasn't picked up by doctors.

Source: The Courier-News

Published September 02, 1998

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