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Innocence Project aims to clear woman in infant death

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SPRINGFIELD — Pamela Jacobazzi continues to maintain her innocence after being convicted of first-degree murder for shaking a 10-month-old baby to death in 1994. Science may now be on her side, said Dr. Patrick Lantz, pathology professor at Wake Forest University School of Medicine in Winston-Salem, N.C.

Doctors determined Matthew Czapski died from shaken baby syndrome (SBS) after an autopsy revealed bleeding on the surface of the brain, retinal hemorrhaging and brain swelling. These three symptoms led doctors to conclude the infant died of SBS, however, Lantz said the infant's pediatric records may show he had a pre-existing condition that contributed to his death.

"There was an indication that there had been previous bleeding over the surface of his brain," he said.

Other evidence suggested the previous bleeding happened before the baby came to Jacobazzi's day care center in Bartlett.

SBS came under scrutiny in recent years after doctors discovered that retinal hemor-

rhaging, or bleeding near the back of the eye, can occur in infants who hadn't been abused.

Lantz examined the eyes of several hundred deceased infants and determined retinal hemorrhaging occurred more in children who hadn't been abused as opposed to those who experienced documented abuse.

The Illinois Innocence Project took on Jacobazzi's case and enlisted Lantz to help prove she didn't cause the infant's death.

Jacobazzi was convicted in 1999 and sentenced to 32 years in prison.

William Clutter, founder of the project, who worked on her case for nearly a year, said they are advocating for clemency from Gov. Patrick J. Quinn.

Clutter said the jury never saw the pediatric records of the baby, which showed evidence of sickle cell disease and other pre-existing conditions.

"The testimony provided by the pediatric records would have changed the outcome of the trial," Clutter said. "The testimony at trial was that this was a healthy baby, but if you look at the records he was anemic and dehydrated among other things."

A website where supporters of Jacobazzi can sign a petition asking for her to be pardoned



William Clutter

shows 299 of the needed 10,000 signatures.

Lantz said previously doctors looked for three symptoms to determine a diagnosis of SBS — subdural bleeding (bleeding on the surface of the brain), retinal hemorrhaging and brain swelling.

"However, it's not exactly true that every time you have all three symptoms, you will have shaken baby syndrome," he said.

Jacobazzi's attorney, Anthony J. Sassan, an associate at Zukowski Rogers, Flood & McArdle in Crystal Lake, said he expects the next hearing to occur sometime in the fall. He

said during the hearing, they will examine the theory of shaken baby syndrome as the cause of death.

"There was no evidence of impact and no evidence that he hit his head," he said. "The theory has kind of evolved over whether it's still valid in a purely shaken case that shaken baby syndrome is possible."

The American Academy of Pediatrics no longer uses the term "shaken baby syndrome," instead opting for the broader term, "abusive head trauma," said Dr. Emalee Flaherty, director of child abuse pediatrics at Children's Memorial Hospital.

"We recognize that using the term shaken baby syndrome is limiting to a particular mechanism," Flaherty said. "Abusive head trauma is a much more general term that would be inclusive of all mechanisms."

Flaherty said violently shaking a baby can result in severe injury, including an impact-related injury even if nothing came in contact with the baby's head.

"Their neck is so weak and head is so heavy compared with their body, there is likely always impact if a child is shaken because of the head movement," she said.