



## Physical Anthropology Section – 2011

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### H56 The Prosecution of a 28-Year-Old Case of Shaken Baby Syndrome

*Turhon A. Murad, PhD\*, California State University - Chico, Department of Anthropology, 400 West First Street Chico, Chico, CA 95929-0400*

After attending this presentation, attendees will have addressed the events leading to the successful prosecution of an older male who was responsible for the death of a nine-month-old infant 28-years earlier.

The presentation will impact the forensic science community as well as those family members who have lost an infant in a suspicious

death by suggesting that after a lengthy period of grief, noteworthy skeletal evidence of a death due to shaken-baby can be revealed following an earlier diagnosis of death as being due to a case of SIDS.

On November 28, 1979, a nine-month-old infant, David Drew Dickson, died while temporarily in the care of his day-care provider's husband. It appeared the day-care provider's husband demanded his wife leave him in charge of three infants while she left to purchase beer. When the wife returned, one of the children was found dead in an adjacent room. The husband did not provide an immediate explanation other than to suggest the child must have fallen from the sofa where he was sleeping. Furthermore, the husband stated that he had attempted CPR when he noticed the child had stopped breathing. The infant was taken to the local hospital and pronounced dead. The death was deemed suspicious and the infant's body was autopsied. In spite of evidence of trauma (i.e., broken ribs and cranial hemorrhage), the pathologist concluded that the death was due to SIDS.

Although the child's parents were suspicious of the incident, no further investigation was conducted and David Drew Dickson was buried the following week. Years later a forensic pathologist from a neighboring county requested the exhumation of the infant's body. The forensic pathologist stated that new testimony from the day-care provider suggested a different interpretation of the evidence. On May 2, 2006, the requesting pathologist, various staff of the California State University, Chico Human Identification Laboratory (CSUC-HIL), along with local sheriff and district attorney investigators conducted the exhumation.

The infant's remains had very little flesh and only a minor amount of adipocere adhering to the largely skeletonized remains; therefore, the remains were transported to the CSUC-HIL for skeletal analysis. The analysis revealed a complete set of skeletal remains of a nine-month-old infant still in their correct anatomical position. Of particular note, green-stick and complete rib fractures were noted among right ribs Nos. 2, 3, 5, 6, and 7, as well as left ribs Nos. 2 and 3. Furthermore, a deformed fracture was discovered on the right side of the occipital bone near the temporal-occipital junction of the lambdoidal suture. All the fractures were determined to be peri-mortem due to the combination of their location, deformation, and/or lack of healing. The result of the skeletal analysis suggested that the child likely died from a combination of being shaken and/or squeezed around the chest/abdomen along with blunt force trauma to the head.

Armed with these two new lines of evidence (testimony from the day-care provider, as well as the skeletal analysis) the day-care provider's ex-husband was charged with the murder of David Drew Dickson.

The suspect pled guilty to California Penal Code 192a. In addition to murder, the Code addresses voluntary manslaughter, or the killing of a human being without malice, and in such an instance permits a maximum term of eleven years in state prison. In this specific case, the defendant's sentence was suspended; he was placed on five-year probation, and ordered to pay a fine of \$5,200.00.

**Exhumation, Shaken Baby, Cold Case**