



Physical Anthropology Section – 2011

H57 Infanticide and Unclear Law: The Death of Four Infants

*William C. Rodriguez III, PhD**, Armed Forces Medical Examiner, 1413 Research Boulevard, Building 102, Rockville, MD 20850; *Tasha Z. Greenburg, MD*, University of Texas Southwestern Medical Center, 5323 Harry Hines Boulevard, Dallas, TX 7530; and *David R. Fowler, MD*, Office of the Chief Medical Examiner, 111 Penn Street, Baltimore, MD 21201

The goal of this presentation is to provide details on the investigation, recovery, and forensic examination of the remains of four infants, three of which were discovered in a skeletal state. Examination procedures involving locating hidden or buried remains will be discussed in addition to the sorting and aging of the skeletal remains of three full term babies. Also, to be discussed is the importance of social services, law enforcement, and community in observing clues to infanticide behavior

Impact of this presentation will provide present and future forensic investigations insight as to the forensic analysis of decomposed and skeletonized remains of newborn and term infants. The forensic community will benefit from the knowledge that specialized recovery is required for remains of fetus and infants, and that proper handling and detailed analyses is required when dealing with such cases

Recovery of decomposed remains of late term fetus and newborns can be quite challenging for forensic scientists and investigators. The small size of such deceased and their skeletal elements, and the limited ossification of skeletal elements, provides for easy disposal and rapid degradation of the remains compared to that of adults.

In July of 2007 hospital personnel in Ocean City, Maryland alerted authorities of a possible infanticide of a newborn child as a result of treating a 37-year-old woman who had arrived at the emergency room with vaginal bleeding. Examination of the local resident by physicians revealed that the woman had recently given birth, which she denied. The police searched the woman's residence and discovered a deceased newborn hidden beneath a bathroom vanity. Further searching of the residence by police led to the discovery of two additional infants wrapped in plastic and placed in a clothing trunk; a fourth body was found in a motor home parked at the residence. The finding of the multiple sets of remains prompted law enforcement officials, including the FBI, to conduct an intensive search of the suspect's house and entire property. A search of the house included removal of various walls and ceilings. Fiber-optic cameras and cadaver dogs were utilized to search inside of the residence. A preliminary search of the ground property was conducted utilizing a combination of ground penetrating radar, cadaver dogs, and soil probing. Suspicious areas of the ground property were examined by establishing a marked grid followed by hand excavation. Fetal skeletal elements can be difficult to recover; thus, this multi-pronged approach to recovery allows complex surfaces and subsurface areas to be examined thoroughly and efficiently.

The female suspect was arrested and initially charged with murder for the death of one of the infants a male fetus (aged at 26 weeks of gestation), recovered from beneath the bathroom vanity. The woman, who worked as a cab driver and was the mother of four other children, was never suspected of being pregnant by her live-in boyfriend during the four pregnancies. According to neighbors, the suspect always wore extra large and loose fitting clothing and made up various excuses during her pregnancies to hide her condition.

Anthropological examination of the three sets of skeletal remains revealed them to represent full term fetuses, between 37 to 40 weeks of age based on osteological development. No apparent skeletal abnormalities were noted and no clear evidence of skeletal trauma was present. At the Grand Jury hearing the criminal charges against the woman were dismissed as a result of insufficient evidence after a medical examiner's report. The defendant did admit the children were hers; however, she insisted that she did not kill them. An additional complication leading to dismissal of the charges is that "Maryland law expressly protects woman who abort their own unborn children from criminal prosecution." Also, it unclear whether it was a crime to retain the remains of miscarried children. As a result of this case, the Maryland law was modified to address the two issues.

Anthropology, Fetal Remains, Pediatric