

## Children...

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contributed to the death. The committee then makes recommendations to the Florida legislature in an effort to prevent future child deaths from abuse and neglect.

Of the 198 child deaths reviewed in 2008, 30 percent were from abuse and 70 percent from neglect. In neglect cases the death is a result of a caregiver's failure to act. Forms of fatal neglect are unsafe sleep, drowning, drug poisoning, vehicles, medical neglect, fire, firearms, and inadequate supervision.

Unsafe sleeping practices include sleeping with adults in the adult's bed or on a sofa and placing unsafe objects such as pillows, blankets, or toys in a crib. Cribs and bassinets that do not meet current safety guidelines are also unsafe sleeping environments. Another unsafe sleeping practice is an infant sleeping with an adult who

has used alcohol or drugs.

Many abused children die from head injuries. Known as abusive head trauma, these injuries occur when a child's head is slammed against a surface, is severely struck or when a child is violently shaken. Shaken Baby Syndrome occurs when a frustrated caregiver loses control and shakes a young child, causing permanent brain damage or death. The outcomes for survivors typically include cerebral palsy, blindness, deafness, seizures, and learning/behavioral difficulties.

There have been major improvements in the ability to diagnose abusive head trauma and in investigators' abilities to recognize when a caregiver's explanation for injuries do not match the severity of the injuries. For example, it is now widely accepted that falls from short heights or a child being accidentally dropped

rarely cause extensive and severe head injuries.

The next most common cause of physical abuse deaths is punches or kicks to the abdomen, leading to internal bleeding. Other forms of fatal physical abuse include immersion into hot water, drowning and smothering. Many children who die from physical abuse have been abused over time, but a one-time event often causes a death.

The most common reason given by caretakers who fatally injure their children is that they lost patience when the child would not stop crying. Other common reasons given by the abusers include bedwetting, fussy eating and disobedient behavior.

What a tragic end for these small, defenseless victims who had no choice but to depend on the adults charged with their care - and who unconscionably, miserably failed to protect them.

## Identity...

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formation if she was not confident that the victim likely had an actual credit history.

The jury could also have found that the defendant's willingness to subject the Social Security Card repeatedly to government scrutiny, established that she knew, all along, that the Social Security Card belonged to a real person and was not a forgery. Finally, the jury could have found that the defendant knew at least that the Florida and federal governments requested and sometimes retained for many weeks detailed per-

sonal information to verify the authenticity of the information submitted in support of an application for a driver's license or passport.

The Federal Court of Appeals affirmed the defendant's conviction. The name of this case is United States v. Holmes, decided February 4, 2010, by the United States Court of Appeals for the Eleventh Circuit.

*Jay Howell, a Jacksonville attorney, has been a State Prosecutor, a US Senate Investigator, and the founder of the National Center for Missing and Exploited Children. He represents crime victims in civil claims for damages and advocates for the legal rights of all victims.*

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