

Shaken Baby Syndrome: A Flawed Hypothesis

For nearly 40 years, child abuse doctors have believed that a certain cluster of symptoms in an infant's head (bleeding in the lining of the brain, bleeding in the backs of the eyes, and brain swelling) proves that the child has been violently shaken. Furthermore, the hypothesis says, the assault must have been so violent that the child cannot appear normal afterward.

Testimony based on this hypothesis has put thousands of parents and caretakers behind bars and torn apart countless families. The hypothesis, however, suffers from two fundamental flaws:



1. Although the defining symptoms *can* result from battering, doctors from other specialties now recognize a long and growing list of non-abusive causes for the same findings, including bleeding and metabolic disorders, birth injury, stroke, vitamin deficiency, certain infections, and accidental falls, especially in children with a predisposing condition. It's quite likely that many underlying causes are not yet identified—delta storage pool disease, for example, was recognized as a cause only in the past few years.

Tragically, the parents of children with relatively rare medical conditions are being targeted as abusers, and their children are being denied the care they need.

2. As in an adult head injury, a child's symptoms can evolve slowly over time. Therefore, even when the findings are the result of abuse, an innocent caretaker might be accused.

Convictions based on sincere but flawed testimony have been feeding back into the system for decades, giving child abuse professionals the false impression that their clinical experience has proven the theory. It is a tragedy of epic proportions.

For more information, please see:

- "Shaken Baby Syndrome, Abusive Head Trauma, and Actual Innocence: Getting It Right." Keith Findley et al. in the *Houston Journal of Health Law and Policy*, April 30, 2012. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2048374
- *Flawed Convictions: "Shaken Baby Syndrome" and the Inertia of Injustice*, a book by law professor Deborah Tuerkheimer, Oxford University Press, March 2014. <http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199913633.001.0001/acprof-9780199913633>
- "Challenging the Pathophysiological Connection Between Subdural Hematoma, Retinal Hemorrhage, and Shaken Baby Syndrome." Dr. Stephen Gabaeff in the *Western Journal of Emergency Medicine*, 2011. <http://escholarship.org/uc/item/7z55j01t>
- "Prosecutors Build Murder Cases on Disputed Shaken Baby Syndrome Diagnosis." Debbie Cenziper in *The Washington Post*, March 22, 2015. <http://www.highbeam.com/doc/1P2-37783695.html>
- *Shaken: A Diagnosis on Trial*, a blog by Sue Luttner, at <https://onsbs.com/>
- *The Syndrome*, a film by Meryl & Susan Goldsmith, trailer at <http://www.resetfilms.com/>