

MOM ADMITS ROLE IN SON'S DEATH

Woman pleads guilty to manslaughter, says she did little to protect her son from alleged abuse and fatal shaking at the hands of his father

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A Brentwood woman admitted yesterday in court that she did nothing as the father of her 5-month-old son blew PCP-laced marijuana smoke in the baby boy's face and later shook him to death.

Cynthia Morales, 25, pleaded guilty in a Riverhead courtroom to second-degree manslaughter for the March 2006 death of her son, Eric. Morales, who remains held without bail, faces a maximum sentence of 5 to 15 years in prison.

As part of the plea deal, Morales agreed to testify against the boy's father, Julio Rivera, 26, who is charged with second-degree murder, second-degree manslaughter and endangering the welfare of a child.

Suffolk Assistant District Attorney Janet Albertson said it took nearly 40 minutes for Morales to explain the extent of the neglect she showed her son during a two-week period leading up to the boy being found lifeless and discolored in the back seat of the couple's car.

An autopsy later revealed bleeding in the brain consistent with shaken baby syndrome. The baby also had high levels of PCP and marijuana in his system, prosecutors said.

"Her actions and inactions toward the child ultimately resulted in his death," Albertson said.

Morales' attorney, Paul Gianelli of Hauppauge, said his client admitted not taking the boy to a hospital even when she discovered dark marks under his eyes after he was in his father's care. Nor did Morales seek medical attention when the boy had a 104-degree fever, she admitted.

"It was more - I guess you would call it a sin of omission," Gianelli said. "It's a number of things that sort of cumulatively added up to a reckless course of conduct on her part."

Rivera's attorney, Michael Brown of Central Islip, said his client is innocent of the charges and called Morales' plea "all about self-interest."

Brown said Morales, who lived apart from Rivera, was with him alone

“99.9 percent of the time.”

“Who’s to say she’s not responsible?” Brown said.

Gianelli said Morales did not know that Rivera was intentionally blowing drug smoke at the child. He said Morales’ level of neglect was very unusual for a mother who in the past sought medical attention for her son for even the smallest problems.

Gianelli said his client is a “devoted mother” who wanted to take the boy to the hospital, but Rivera implored her not to out of fear he would come under investigation.

“In her desire, I guess, to keep this guy close to her and have the child grow up with a father, she really threw care to the wind,” Gianelli said.