

MOM DENIES ROLE IN BABY DEATH

Brentwood woman charged with failing to intervene as father gives infant drugs to inhale and shakes him

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A Brentwood mother, who prosecutors say did nothing while the father of her 5-month-old son blew PCP-laced marijuana smoke in the child's mouth and later shook him to death, pleaded not guilty to murder charges yesterday.

Cynthia Morales, 25, was arraigned in Suffolk County Court on charges of second-degree murder, manslaughter and endangering the welfare of a child.

She faces a maximum of 25 years to life in prison if convicted.

Judge Ralph Gazzillo ordered Morales held without bail, noting that while she is presumed innocent, "the allegations are revolting and disturbing" and "so against the basic mores of society."

The boy's father, Julio Rivera, 26, was charged with the same crimes last week and is also being held without bail.

The baby was found motionless in the backseat of the couple's car on March 31. An autopsy later revealed bleeding in the brain consistent with shaken baby syndrome.

Prosecutors say that medical evidence shows that the child had been shaken on other occasions.

Janet Albertson, deputy chief of homicide for the Suffolk district attorney, said "most disturbing" was evidence that the abuse of the child included having smoke from illegal drugs blown directly into his mouth. Albertson said the infant had "very, very high levels" of marijuana in his system and PCP levels similar to "an adult drug user."

At the time of his death, the baby was "what's commonly referred to as 'high'," Albertson said in court.

Albertson noted that it is a parent's legal responsibility to seek medical attention for an injured child, and Morales never did that. She would not say whether Morales shook or drugged the baby.

Rivera and Morales went to live with a relative in Colonial Heights,

Va., shortly after the boy's funeral. Rivera was arrested there on an unrelated misdemeanor warrant and returned to Suffolk to answer his murder indictment.

"It's important on a case like this not rush to judgment," Rivera's attorney, Michael Brown of Central Islip said yesterday. "I think once all the facts surface, the version of events will be different than what appears at first blush."

Morales was questioned in Virginia, but not arrested until she returned last week to her parents' home in Brentwood after attending a funeral in Puerto Rico.

Morales' parents sat in the front row of the courtroom yesterday, but later declined to comment. Her father wept as Albertson described the "particularly heinous" crime in court.

Morales' attorney, Paul Gianelli of Hauppauge, said his client "has not done anything to precipitate this arrest.

"Ms. Morales is being painted with a very wide prosecutorial brush," Gianelli said in court. He added that Morales, who had no criminal record, is a Brentwood High School graduate with a long history of employment in Suffolk County. He also noted that Morales cooperated with police in their investigation.

"It sounds like most of these actions that apparently affected this child were undertaken by Mr. Rivera," Gianelli later said in a telephone interview.