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## Mt. Olive babysitter admits shaking, dropping baby

### Child now fed through tube, brain damaged

*By Peggy Wright  
Daily Record*

A 31-year-old Mount Olive woman admitted Thursday that she shook a crying infant for whom she was babysitting and dropped him twice, which caused the boy to suffer severe brain damage and paralysis.

As the father of the boy -- who was 11 months old when he was harmed by babysitter Khac Tam Nguyen last Dec. 27 -- wiped away tears, Nguyen pleaded guilty before state Superior Court Judge Thomas V. Manahan in Morristown to one count of aggravated assault.

With the assistance of a Vietnamese interpreter, Nguyen answered questions posed by defense lawyer Peter Toscano, and acknowledged that she was babysitting the child on Dec. 27 along with her own two children at her Budd Lake apartment and got frustrated with his incessant crying. She said she shook the child and dropped him twice.

Assistant County Prosecutor Brian DiGiacomo said the state is recommending the maximum sentence for Nguyen on the charge, 10 years in prison, with 85 percent of the term to be served before parole consideration.

DiGiacomo said, and Prosecutor Robert A. Bianchi reiterated afterward, that the state would pursue an additional criminal homicide charge against Nguyen if the child dies and his death is linked to the babysitter's abuse.

The little boy, Khiem Nguyen, shares the same last name as his abuser but is not related. He suffered a traumatic brain injury from being shaken and dropped on his head, and as a result is blind and nourished through a feeding tube in his stomach.

"The doctors at this point feel he'll not walk or talk," said Heidi Schleifer, a licensed clinical social worker who is assisting the child's parents. Richard Pompelio, director of the nonprofit New Jersey Crime Victims' Law Center, said the parents of the boy are in desperate financial straits since the father -- who was a math and physics teacher in his native Vietnam -- had to give up his job at a nail salon to care for the child while his wife continued working.

The parents lived for awhile with a relative in Sussex County but have managed to find an apartment in Budd Lake that they are not certain they can afford, Pompelio said. The child's parents met the babysitter through the church they all attended.

The babysitter called police after the child started vomiting from the shaking, and gave authorities an initial story about how the boy seemed to be having a seizure after drinking formula. She also claimed the boy accidentally slipped out of her hold as she tried to clean up the vomit and console him, but a physician at Morristown Memorial Hospital concluded the injuries were completely inconsistent with the babysitter's version of events.

While the prosecutor's office stated it was likely to pursue upgraded charges against Nguyen if

the boy dies -- and she was specifically advised of this in court Thursday -- an assistant public defender in the state Office of the Public Defender said such a move would most likely be fought by the office.

Dale Jones said attorneys in the public defender's appellate section were not aware of any reported court decisions on the issue of a defendant pleading guilty and being sentenced on a charge and then being hit with an upgraded charge for the same offense.

"It is an unusual case," Jones said.

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