

# CHAPTER 1

FRIDAY MORNING, JANUARY 22, 1993

**M**ary settled Melissa into the car seat on the kitchen counter. The baby was just eleven months old, but forty-two minutes with this baby would change Mary's life forever.

Mary shushed the questions that taunted her inner peace. Was Melissa really over the flu that had sent her to the doctor earlier in the week? Would the illness spread to Mary's own children, Catherine and John? Why couldn't Tessia take one more day off work so Melissa would have the whole weekend with her mother to get stronger?

But Mary was just the babysitter and the young mother wasn't asking for advice. Mary unscrewed the lid of the vanilla custard Tessia had sent. Tessia had already fed Melissa two bowls of cereal and eight ounces of milk for breakfast. Mary questioned giving the baby more mid-morning when she'd been sick all week, but Melissa did seem to be feeling better. The fragile girl had not gained weight as quickly as the average baby. Mary spooned some custard into the tiny mouth and gave her plenty of time to swallow. She captured the moosh that oozed out and added it to the next spoonful. The baby acted perfectly fine today, but if she did vomit, she was more accessible in the infant seat than the high chair. After all, a

mother and child care worker had to guard safety like a Doberman. Mary grabbed a towel and set it on the counter, just in case.

Mary caressed the bit of fuzz that covered the little head. “Jesus loves me this I know,” Mary sang. “Jesus loves you. Mary loves you. Mommy and Daddy love you. They’re a little young and they’ve got some things to learn, but I’m sure they do.”

After half a jar of custard was gone Melissa started turning her head away, avoiding the spoon. Mary glanced at the clock. 11:10. “Now it’s time to pick up Catherine and John from preschool. They love you too. You’re like a little sister to them. Now let’s wiggle into your snow suit on so you’ll be snugly warm.”

Mary spread the pink snowsuit on the thick carpet in the living room. Floors were safe. The wiggliest baby couldn’t fall off a floor. She lifted Melissa from the car seat, positioned her on the snowsuit, and worked the tiny feet into the legs of the suit. Then Mary reached behind the baby and supported her head and shoulders. She lifted the baby forward at the waist to get her arms into the snowsuit. Suddenly Melissa’s eyes rolled back into her head. Her body fell limp as a worn out rag doll. Her chest failed to inflate.

Mary shook her gently and called to her with quiet urgency. “Melissa! Melissa!” Mary shouted. The baby didn’t respond. Mary eased her back down, but the tiny chest never moved.

Stay Calm. What did they say in CPR class? Check the mouth and throat for obstructions. Mary checked. Nothing. She carried the child into the kitchen and grabbed the phone. 9-1-1. “I need an ambulance!” She needed someone with far more experience than she had—now! “I have a baby that’s stopped breathing!” Melissa spit up but Mary kept rattling off essential information as fast as she could.

“Ambulance service.” Her call had been transferred and she had to begin again.

“I need an ambulance.” She gave the address. “I have a baby that’s stopped breathing. She spit up and she stopped breathing.”

“Okay and she’s not breathing right now?”

“No.”

Calm urgency colored the operator’s voice. “Okay you want to open up her airway and blow into her mouth.”

Mary grabbed the towel, wiped away the vomit. Cradling the phone between her head and neck, Mary held the girl close, covered the baby mouth with her own and blew. No response. More vanilla custard erupted from the tiny lips like an overheated volcano. Mary’s mother reflex tilted the child away from her, allowing the foul lava to flow to the floor.

“Oh, she just spit some more up.”

Mary kept trying unsuccessfully to get Melissa to breathe on her own. Soon baby food was coming out of her nose and mouth. The dispatcher told her to brush that out of her mouth and try to get her breathing.

“Is she breathing yet?”

“No. It’s still coming out of her nose.”

“Okay, get her airway cleared out and put your mouth over her mouth and nose and try and force some air in.”

Mary kept trying and the dispatcher kept repeating the instructions.

“Put your hand on her chest and see if there’s any movement there.”

Mary felt a slight movement. “Well yeah, she’s still making noises and things.”

More vomit. The dispatcher had to hang up and take another call. What could be more important than a baby who was barely breathing? Mary waved her hand in front of Melissa and got no response. The dispatcher came back on the line. Mary told her what was happening.

“Maybe give her a couple more breaths.”

Mary put the phone down and tried again. This wasn't working. She picked up the phone. “I can hear the breath going into her lungs and her chest is rising, but she, there's something wrong with her.”

Melissa had quit spitting up but there was an ominous gurgling in her throat. Mary couldn't see any signs of breathing and Melissa's heart was pounding.

After several long minutes of this a siren screamed in the background.

Would the ambulance be able to find the house? The white numbers on the yellow house had never been easy to read, and delay could cost Melissa her life. Mary blew one more breath before she placed Melissa on the floor. She dashed out the kitchen door, through the garage to flag down an approaching police car. The ambulance must be close behind.

The brakes squealed and the officer's door shot open.

Mary waved again. “Over here! Quick!”

She scurried into the house just ahead of the policeman.

Mary panted out information as the policeman knelt beside the pale body. “Her eyes rolled back and she—she just quit breathing! For no reason! I was putting on her snow suit. I just lifted her up, you know, at the waist, sat her up. Then this!”

The policeman breathed in her mouth and counted five chest compressions while Mary informed the 911 operator that help had arrived and hung up.

Soon another siren screamed and three paramedics blew through the open doorway with a blast of bitter wind. The male paramedic cupped an oversized oxygen mask over Melissa's tiny mouth and tried to get air into her lungs while one of the female paramedics knelt on the other side of Melissa. The airway was evidently obstructed.

Mary stepped behind the u-shaped island in her kitchen to give the paramedics room to work. The policeman, who was sturdily built like Mary, squeezed in beside her and the student paramedic. The officer asked for a glass of water and a clean towel. He evidently didn't have a mother's reflexes because vomit streaked down the front of his uniform. Mary grabbed a towel from the oven handle and handed it to him.

On the floor the male paramedic had given up on the oxygen mask. He flipped Melissa over his arm and struck her four times between the shoulder blades. That didn't help so he turned her back over and thrust an instrument into her mouth.

The female paramedic hooked Melissa up to the heart monitor, then stood and asked Mary about what happened. Mary reported lifting Melissa's upper body up, the eyes rolling back, the way Melissa quit breathing, the vomiting. She gave pertinent information about Melissa's illness that week, allergies, medicines she had taken for the flu.

Mary shook her head in confusion. In her experience as a mother the vomiting, loss of appetite, and tiredness pointed to normal illness--not the life-threatening horror story playing out before them.

The paramedic patted Mary's arm. "Don't worry, ma'am. We'll drive her to the Marshalltown Medical Center and take good care of her."

"Should I call her mother?"

"Yes. Get the doctor's name and any further history and call the ER."

They lifted the doll-sized body onto an adult-sized stretcher, grabbed poles on either side of it, and jogged out the door. Mary followed them and watched the stretcher disappear into the ambulance with the paramedics. The vehicle sped away, red lights flashing and siren screaming. The policeman drove off close behind them.

"Please, Lord, give the doctors wisdom." Mary planted some prayer seeds and watered them with her tears. "Keep

Melissa safe. She's such a sweet baby and she's Brad and Tessia's only child."

She couldn't say "amen" because her prayer was only beginning. Melissa was in good hands now—the hands of health care professionals and God. Yet somehow Mary couldn't relax in the Everlasting Arms. Something was terribly wrong.

Mary stumbled back into the empty kitchen. What had just happened? Melissa had battled with flu all week. Lethargic on Monday. Home with her mom and dad on Tuesday, Wednesday, and Thursday. She'd vomited a bit, visited the doctor. Everyone thought she was recovering. What could have caused the horrifying incident which had just sent her away in the ambulance?

Mary had to call Tessia, but she had to calm down first. Tessia was going to have to drive to the hospital. Mary had to balance enough urgency to convince Tessia to drive there with enough restraint to get Tessia there safely.

Mary breathed deeply, stepped to the counter, filled a glass with water, drained it. "Please, Lord, keep this little one safe and give me words to explain the situation to Tessia without upsetting her. Take her safely to the hospital. Please!"

She took another deep breath and willed her heart to quit beating so fast. She reached for the phone and dialed Hardee's. Whirring machines, sizzling hot plates, and orders to the cooks filled the line for several minutes until Tessia's voice came over the phone. "Yeah?"

"Tessia, something's happened to Melissa. She's going to be okay but she's at the hospital and I think you should go too."

Tessia hesitated. "But I'd have to leave work. Who would take my place?"

Mary allowed some urgency into her voice. "Surely someone can take your place in an emergency."

“Emergency?” Complacency changed to fear in her voice. “I thought you said she was okay. What happened?”

“She started vomiting again and she’s having trouble breathing. I didn’t want to take chances so I called the ambulance.”

“Ambulance?” Panic began to build in Tessia’s voice. “You called the ambulance? And she’s not breathing? What’s going to happen to her?” She was practically screeching now.

Time for restraint. “I’m not sure, but she’s in good hands. Can you go down? I would, but I’ve got to pick up Catherine and John at preschool and I think it would be better if you go since you’re her mother. They’ll need information about her that I can’t give. Stay calm, but get there as soon as you can.”

Mary hung up the phone. Her mind started going in a million directions. She was already late getting the kids. She would call a friend to pick them up. Should she drive to the hospital? If so, someone would have to babysit her kids. Should she try to call Brad? Tessia could be too busy thinking about Melissa to call the child’s father. Then she needed to call her own husband, Jim, and Pastor Frost and her friend April to get the prayer chain started. She ached for Melissa whom she had watched five days a week for six months. Mary could picture the rag doll of a baby at the medical center stretched beneath a tangle of wires and tubes and beeping machines.

Mary made a few quick phone calls, but soon new questions heckled Mary. Would Melissa be all right? What had caused the seizure? Had Mary responded with the correct life-saving techniques? Would Brad and Tessia blame her for the incident? What could she have done differently?

Mary’s phone buzzed with activity that day, checking up on Melissa and keeping people informed. Tessia called and Mary told her about her short time with Melissa and the incident that led to this crisis. She offered to get someone to watch her

kids so she could join Tessia at the hospital, but Brad's mom was already there.

Brad called mid-afternoon with a progress report. Doctors had performed a CT scan at the medical center, but they couldn't figure out why she wasn't breathing. Then a helicopter had flown her to the University of Iowa Hospital in Iowa City. Brad's voice shook with worry. "Mary, I'm so glad you were with her when this happened. I know she wouldn't be alive today if she'd been at home. We wouldn't have known what to do. You saved our daughter's life." Brad's voice caught. "Thank you so much."

That evening Mary called the hospital to check up on Melissa. Tessia said two CT scans had failed to show why Melissa couldn't breathe on her own. Melissa seemed to have some sort of blockage and bleeding in her eyes. Mary promised Tessia she'd keep praying and that she'd come to the hospital the next day.

Mary slept little that night. When she couldn't sleep she asked the Great Physician to heal Melissa, but even after prayer an uneasy feeling stole most of her sleep. Her eyes blinked open at 6.53 the next morning. She had just pulled some clothes on and started the coffeemaker when a police car by the curb caught her eye. A young policeman had arrived to ask her to come down to the station.

"We have a couple of questions to ask you," he said when she opened the door. "Whenever they send an ambulance out they have to do a follow-up report."

Why were the police involved in this? Must be some sort of routine investigation about 911 calls. She'd give her statement quickly and drive on to Iowa City.

Mary ran her fingers through her unbrushed hair. "Of course. Let me grab my coat and keys. I need to wake my husband and explain things to him too."



At the station she was escorted to a bare room with a table and a few chairs. A police detective introduced himself and seated the two of them around the microphone.

He blew into the mike and introduced the case number. "Conducting the interview will be Lieut. Buffington. I will be speaking with Mary Weaver." He gave her address. "Mary, there was an ambulance call at your residence yesterday. You were babysitting a child. Can you go ahead and relate to me what happened and what led up to it?"

"Sure." Mary started with Monday and gave a fairly detailed account of Melissa health day by day. Then she recounted the time she had spent with Melissa; picking her up from her home, buying a few groceries, feeding her, putting on her snowsuit and the sudden eye-rolling and cessation of breathing. Mary described the 911 call, the ambulance, everything. When she finished Lieut. Buffington nodded, but he seemed to be waiting for more. She had no more to say and was eager to get to the hospital to be with Brad and Tessia.

The detective studied her eyes, measuring her. "Well, I don't know if you're aware of it or not, but the baby did die."

"No."

"Yeah."

## CHAPTER 2

**M**elissa was dead? Impossible! She had suffered through several days of flu, but she seemed fine only yesterday morning. Flu might make a baby miserable, but babies didn't die of it—did they?

“Oh, no.” Mary swiped at the tears washing down her face. “Melissa's become like one of my children. She's been in my house for six months and then she's changed so much. When she first came to our house she was really a fussy, sad little baby.”

“What do you mean by fussy?”

Mary explained how Tessia had used other babysitters, but Melissa hadn't settled in well with them. At Mary's house she became happy. She loved Catherine and John and they loved her. She became like one of the family. “At my house she came and she slept really good. She ate and slept and just—I can't believe she's dead.”

Lieut. Buffington explained the police had to investigate and make sure everything was right.

One minute she was just fine, Mary said. “Then all of a sudden she just, when I put on her snow suit I just picked her up and I set her down and just, I don't know what else to tell you. It just happened so quick.”

“Now it's our job to investigate it.”

This made no sense. Mary breathed deeply, calming herself. “Did the doctors find out what caused her death?”

“I can't answer that at this time because the medical reports aren't done. As soon as we find out then we'll know which way to go. Right now there are no accusations.”

“I understand that.”

“We have to get the preliminaries and you're the first place we got to start. You've been very cooperative and we do appreciate it.”

Maybe the autopsy would reveal answers. Brad and Tessia must be devastated. Since Mary had been with Melissa when the incident first happened maybe she could help them solve this puzzle. Mary searched the detective's eyes. "I'll do anything I can to help."

"That's good. And we'll be re-contacting you."

"Just call if you need anything at all." She might not be able to do much to ease Brad and Tessia's pain, but if they could figure out why Melissa died it would help bring them closure.

Today she would make some phone calls, report Melissa's death, ask prayer for the family. Other than that she would just have to wait at home for the police to contact her.

That afternoon Lieut. Buffington drove into the Weaver's driveway with an officer from Des Moines. The other detective strode to the door and banged on it. Mary opened it.

The detective flashed his badge. "I'm Agent Motsinger from the Department of Criminal Investigation. You know Lieut. Buffington. May we come in?" His words asked permission but his tone demanded entrance. This state official wore his rank like stars on a general.

Mary seated them around the dining room table and offered them a cup of coffee. Agent Motsinger declined. "We're not here for pleasantries, Mrs. Weaver. We just want the facts. Yesterday morning, January 22, you placed a 911 call from this house. Tell us the circumstances leading up to the call."

This state guy was all business. Even though Lieut. Buffington was older, he cowered in Agent Motsinger's presence. Her husband Jim crouched on the sofa, a five-foot ten-inch blond watchdog.

"Where would you like me to start? When I picked Melissa up at her parents' house?"

Motsinger glared. "Everything you did with Melissa yesterday morning concerns us."

Mary blinked a few times at the harsh tone. “All right. If that’s what you want.”

His eyes shone like interrogation lights in an old movie. “I said it was.”

Mary cleared her throat and recited the whole story again.

The state detective’s dark eyes never wavered. If the local officer was the good cop, this guy was playing bad cop. “What else happened?”

Frustration pushed her voice a few notches higher. “Nothing else happened. I only had her for . . .” She glanced at Lieut. Buffington. “We figured out it could only have been about forty-two minutes. That’s all that happened.”

Motsinger leaned his bulky body back in his chair, just enough for his suit coat to fall to one side. His badge shone from his belt. “I don’t believe you. I think you’re leaving something out.”

“I’m not leaving anything out.” Her voice shook, but she could tell no more of the story without making something up. “That’s all there is. I told them this morning at the station and I’m telling you now. There’s nothing left to tell.”

Motsinger stood, stretching his medium height to maximum advantage, then leaned over the table, bracing his weight on his knuckles. “We found a two-inch skull fracture.”

A skull fracture? Mary hadn’t noticed any injury during those forty-two minutes. “What do you mean by a skull fracture?”

“You tell me.”

“I can’t tell you because I don’t understand what you mean.” If Melissa had a skull fracture wouldn’t her head be broken open? Surely there would at least be a huge bruise. Mary touched a place on the back of her head. “Was it here?”

No answer. He just stared at her.

Mary moved her hand to a new spot. “Or here?” It had to have been covered by Melissa’s hair or she would have seen it. “Or here?”

His eyes accused her. "You ought to know."

What was that supposed to mean? Mary glanced at Jim, read the frustration in his eyes. He could feel it too. This detective had declared her guilty before he knocked on the door. Jim shook his head, rose, and walked away with his anger.

Mary breathed deeply, prayed for a calm spirit. "I'm just asking because yesterday morning I looked her in the eye, sang to her, fed her, and I didn't see any bruises or marks. It had to be in the back of the head."

"She's got a two-inch skull fracture and someone had to do it."

"Well, it wasn't me." Mary stood beside her chair, hoping to hasten the end of this farce. "I spent forty-two minutes with her and I didn't hurt her. Absolutely nothing happened during that time that could have injured her."

Motsinger folded his arms, unmovable. "I still don't believe you. In November I gave testimony for the murder of a seven-month-old boy in Boone County. In that case the babysitter did it. I believe that's what happened here."

Maybe that babysitter had killed that child, though Mary could hardly imagine it, but what made the detective so sure she had done the same thing? Mary knew she was innocent. This was America. People were innocent until proven guilty--but Agent Motsinger must have missed that lesson at the police academy.

Mary stepped back, tripping over a tricycle with big plastic wheels. "Do I need a lawyer?"

Motsinger moved closer, accusation in his eyes. "You tell me. Do you need a lawyer, Mary? Do you?"

It was time to call her friend Steve.