

## NEW HAVEN REGISTER

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# New Haven baby sitter sentenced to 14 years in toddler's death

Toddler died after hitting head on floor

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Kinjal Patel

NEW HAVEN >> Calling the crime "a violent, disturbing, vicious attack on a defenseless child," a judge Tuesday sentenced **Kinjal Patel** to serve 14 years in prison for first-degree manslaughter in the **death of a toddler** she was babysitting in New Haven.

But **Superior Court** Judge **Patrick J. Clifford** also noted he thinks it unlikely Patel intended to cause the young boy's death.

The toddler, Athiyan Sivakumar, was 19 months old when he **died at Yale-New Haven Hospital** Jan. 19, 2014. His injuries occurred three days earlier while he was under Patel's care at her apartment on Middletown Avenue.

Patel, now 29, did not speak during the brief sentencing hearing and her attorney, **Kevin Smith**, declined to say after court adjourned what led to the attack. Smith had previously called it "a horrible, tragic accident."

However, Patel was quoted in the arrest warrant telling police she had attempted to feed rice to the boy but he kept spitting it out and making a mess. Patel said she then gave the child water in an effort to clean him up but the boy spat the water back at her.

She said she got angry, picked up the boy and repeatedly slammed his feet up and down on the kitchen floor. Then she said she grabbed his cheeks with her fingers and forcefully shook his head back and forth. She stated she pushed him in his face and he fell backward, hitting his head on the kitchen floor.

Patel told police that when the boy started breathing abnormally, she called his parents, **Sivakumar Mani** and Thenmozhi Rajendran. They arrived shortly afterward and the father, Mani, rushed his son to the hospital.

The warrant also noted that the month before these events, the boy was brought to the same hospital with cuts to the inside of his lip and tongue and a bruised chin. Patel was also the baby sitter on that day.

After hospital officials then notified staffers at the state **Department of Children and Families** that this was a possible risk of injury case, DCF investigators learned the boy had been under Patel's care during the December incident. The parents signed an agreement prohibiting them from using babysitters until DCF assessed the December event.

Clifford said during the sentencing hearing, "The parents were told not to have this babysitter. For whatever reason, they ignored that."

Clifford added, "I do feel bad for the parents, who made this horrendous decision. This is something they've got to live with forever."

The boy's parents were not in court for the sentencing. Senior Assistant State's Attorney **Stacey Miranda** told Clifford, "They are aware of the state's offer (the plea deal) and they accept it. They simply want to move on with their lives."

Miranda said the mother is pregnant.

Patel had avoided trial by entering into a plea deal last August with the state under which she pleaded guilty to first-degree manslaughter in exchange for serving 14 years. She pleaded under the Alford doctrine, meaning she did not agree with all the state's allegations but conceded there was enough evidence to likely get a conviction at trial. This type of plea results in a finding of guilt.

Mani, 35, and Rajendran, 26, of 77 Weybosset St., were charged with risk of injury to a child and interfering with a police officer because they were not truthful about who was taking care of the boy and what happened when he was seriously injured. But Clifford last September **granted both of them accelerated rehabilitation**, which allowed them to avoid prison time. If they complete their probation requirements satisfactorily, the charges will be dismissed after two years.

Clifford noted that usually in cases such as this one, the injuries are inflicted by "a frustrated boyfriend or parent. But this was a babysitter with a short time of exposure to the child."

Patel has been incarcerated since January 2014, so she will receive about two years of credit for time served. But Smith said when she is released from prison, she will be turned over to immigration officials and deported to India. She is not a U.S. citizen.

The formal sentence Clifford imposed was 20 years, to be suspended after 14 years, with five years of probation. But she is not expected to be here for that probation period because of the almost

certain deportation.

Patel was handcuffed behind her back as she faced Clifford in court and showed little emotion during the hearing.

Smith said afterward it's difficult to arrive at a fair resolution in such a tragic case. "But I think this (sentence) approaches it."

*Call Randall Beach at 203-680-9345.*

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