

'A big mistake'

Mother of kidnapped infant won't face criminal charges; DSS to investigate

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By David MacDougall

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The woman whose 1-month-old boy was abducted last month from a car she left unlocked and running as she went inside a post office will not face criminal charges, police said Wednesday.

Instead, North Charleston police have asked the state Department of Social Services to conduct an investigation into the child's welfare.

Photo by Alice Dull

Assistant Solicitor Debbie Herring-Lash (center) announces Wednesday at North Charleston City Hall that there will be no criminal charges brought against Lidia Juarez. Also attending the news conference were Public Information Officer Spencer Pryor (from left), Captain Scott Dekard, Police Chief Jon Zumalt and Sgt. Brian Adams.

"Clearly the mother made a big mistake by leaving the child alone inside of her vehicle for just a few minutes," said Spencer Pryor, police public information officer.

But her error did not rise to the level at which a criminal charge should be filed, he said.

Angel Perez was abducted about 5 p.m. Nov. 23 from his mother's car parked outside the post office on Rivers Avenue.

The search for the missing infant prompted a statewide Amber Alert and gained nationwide news attention, with many people calling for criminal charges against the mother for leaving her child unattended in a running car.

The child was found early on the morning of Nov. 25 when police, acting on several tips, moved in on a Summerville apartment complex and found Angel and the woman accused of taking him.

Andrea Samone Walker, 19, of Goose Creek was charged with kidnapping.

Angel has remained with his parents since police found him, Pryor said.

The decision not to charge Angel's mother, 26-year-old Lidia Juarez, was made in consultation with the Ninth Circuit Solicitor's Office, and after considering how well she had been caring for her child earlier on the day of the kidnapping, Pryor said during a press conference held to announce the decision.

Investigators and prosecutors concluded that her behavior was not criminally negligent, said Assistant Solicitor Debbie Herring-Lash, who also attended the press conference.

"There is a difference between making a bad decision and breaking a felony statute," Herring-Lash said.

Had investigators found evidence of criminal negligence, Juarez could have been charged with unlawful conduct toward a child, a felony with a penalty of up to 10 years in prison, she said.

The fact that the child was only 1 month old, and therefore physically and mentally unable to drive the car, or even to open a door, made the mother's error in judgment even less egregious, Herring-Lash said.

She said she's seen cases of criminal negligence in which parents have left children alone in cars for hours at a time, or left them at home all day while the parent goes to work.

During the search for Angel, police pleaded for help from the public, and the FBI offered a \$20,000 reward. Asked about the reward during the press conference, Pryor said the FBI would have to decide how to handle it.

Previous stories

[Police seek help locating kidnapped baby](#), published 11/24/09

[Baby Angel returned to his parents](#), published 11/26/09

The process to determine if and how the reward money will be distributed can take up to six months, said Denise Taiste, public affairs specialist for the FBI's Columbia field office.

The reward program is administered by the FBI office in Washington, she said.

Last month, police said Juarez and the child's father, Miguel Perez-Palma, were from Mexico and did not speak English. Asked during the press conference if their immigration status had been affected by the incident, Pryor said police don't deal with immigration issues.