

Infanticide: A Case Report

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Abstract

Infanticide (Pembunuhan Anak Sendiri or PAS) is the intentional killing of an infant from birth to 12 months. This crime is considered as unique in nature. It is unique in the sense that the perpetrator of the murder is its own biological mother. Furthermore, the motive for infanticide is unwanted child. The biological mother, in addition to being afraid to be found out to give birth to a child, resists to have a child born out of wedlock. There are approximately 30-40 cases of infanticide (Pembunuhan Anak Sendiri or PAS) every year and 90-95% of them are mechanical asphyxia cases. 5-10% of them are cases of blunt head and sharp violence to the body (1 case in an estimated 6 years). The case of baby X was discovered by the police and taken to the Forensic and Medicolegal Installation of the Deli Serdang Regional Hospital, Lubuk Pakam, on 11th February, 2020 at 1 P.M. The victim was found by nearby residents on the riverbank. This was immediately reported to the local police, and a Visum Et Repertum was then requested. The age of the baby was estimated eight months based on the De has formula. It was born alive and viable. It breathed, and did not receive treatment. Its estimated lifespan was one hour. The cause of death was skull fractures due to blunt trauma, which caused damage to the brain tissue. Therefore, all functions of body's organs were impaired, accompanied by pressure on the chest that caused air blockage in the respiratory tract and fractures of the ribs.

Keywords: infanticide; biological mother; infant; murder

1. Background

Infanticide (Pembunuhan Anak Sendiri or PAS) is the intentional killing of an infant from birth to 12 months. This crime is considered as unique in nature. It is unique in the sense that the perpetrator of the murder is its own biological mother. Furthermore, the motive for infanticide is unwanted child. The biological mother, in addition to being afraid to be found out to give birth to a child, resists to have a child born out of wedlock. In addition, the other uniqueness is the time when the act of taking the life of the child is taken, namely when the child is born or not long after, which in this case is basically the own child, a baby who is already viable in the sense of the word a baby who can live outside the womb without tools. help, the baby has been treated or not by seeing the baby's condition, the umbilical cord is cut properly and given iodine and has been wrapped in gauze and clamped by the umbilical cord and has been bathed so that the blood and vernix caseosa have disappeared and are also given clothes, while babies who have not been treated are still covered in blood and

vernix caseosa as well as the umbilical cord and placenta were still complete. When the crime is committed, it is associated with the mental emotional state of the mother, where in addition to shame, fear, hatred and pain are mixed together, so that the act is considered to be committed not in a calm, conscious mental state and with careful calculation. This is what explains why the threat of punishment in child murder cases is lighter when compared to other murder cases.

The method most often used in the case of infanticide (Pembunuhan Anak Sendiri or PAS) is to create a state of mechanical asphyxia, namely clamping, strangulation, entrapment, crush asphyxia and obstruction of the airway. In Jakarta it is reported that 90-95% of the approximately 30-40 cases of infanticide (Pembunuhan Anak Sendiri or PAS) every year are performed by means of mechanical asphyxia. Other forms of violence are blunt head violence (5-10%) and sharp violence to the body (1 case in 6 years).

Legal Basis for Infanticide

According to Indonesian law, infanticide (Pembunuhan Anak Sendiri or PAS) committed by its own mother against her own child sometime or not long after birth for fear of finding out that she has given birth to a child.

Legal basis:

1. Article 341 of the Criminal Code (Pasal 341 KUHP)

A mother who, for fear of being caught giving birth to a child at birth or not long after, deliberately seizes her child's life, is threatened with killing her own child, and is punishable by a maximum imprisonment of seven years.

2. Article 342 of the Criminal Code (Pasal 342 KUHP)

A mother who, for the purpose of carrying out her determined intention, is afraid that she will find out that she is about to give birth to a child, at the time of birth or soon to take away her child's life, is threatened with committing the planned murder of her child, with a maximum imprisonment of nine years.

Thus, in the murder of one's own child there are 3 important elements, namely:

1. The perpetrator must be the birth mother of the victim. There is no question whether the mother is married or not. Meanwhile, if another person who participated in the murder of the child is punished by article 338 of the Criminal Code and categorized as ordinary murder with the threat of imprisonment for 15 years or 20 years, life if done with a plan, contained in article 339 of the Criminal Code and 340 of the Criminal Code.
2. The reason for the murder is for fear of being found out will give birth to a child.
3. Murder is committed immediately at the time the child is born or not long after, which can be known from the presence or absence of signs of care.

Forensic Medicine Examination

As for what must be known in the examination:

1. Was the child born alive or stillborn?

In the examination of the corpse of a newborn, it must be distinguished whether he was stillborn or born alive. If the baby is stillborn, the case is not a case of murder or neglect of the child which results in death. In such cases, the mother can only be charged with hiding the birth and death of people.

Still birth (still birth) is the death of the conception before leaving or expelled from the mother, regardless of gestational age (either before or after 28 weeks of pregnancy in the womb). Death is characterized by a fetus that is not breathing or shows no other signs of life such as a heartbeat, umbilical cord pulse or movement of the skeletal muscles.

The determination of whether a child is born alive or dead, is basically as follows:

- The baby has breathed with several tests carried out with positive results such as the pulmonary buoyancy test, the eustachian tube test, the gastric buoyancy test, the chest is convex like a barrel (Barrel Chest), the lungs have dropped in between the ribs 5 and 6 ribs, the corner of the lung is blunt, on the touch of the lung like a sponge, the image of the lung surface is like marble (mosaic).
- Babies who are viable with several signs that are found such as lanugo hairs that have grown, the aerola mammae has formed, nails have passed through the tips of the fingers, the lines of the hands and feet are visible, male genitalia have dropped and female genitals already formed

2. Are there any injuries that can be attributed to the cause of death?

Therefore, Visum et Repertum also contains the meaning as evidence (corpus delicti), then of course everything is there on the evidence, in this case the child's body, must also be recorded and reported.

Therefore, apart from the three explanations mentioned above, there are still two things that must be stated in the Visum et Repertum; that is:

- There are many ways or methods to perform actions infanticide (Pembunuhan Anak Sendiri or PAS) is a method or method that causes suffocation (asphyxia), such as entrapment, strangulation and smothering and dumping into water. There are other methods or methods such as stabbing or cutting and doing violence with blunt objects, which are relatively rare.

Thus, in cases that are suspected of being murder cases children, which must be considered are:

- There are signs of suffocation: cyanosis of the lips and fingertips, bleeding spots on the lining of the eyeball (conjunctiva bulbi) and the lining of the eyelids (conjunctiva palpebra) and other loose tissue,

darker and broader bruises, smooth white or reddish-white foam that comes out of the nostrils and / or mouth and signs of damage to the internal organs.

- The condition of the mouth and its surroundings: the presence of pressure blisters on the lips or its surroundings which are often crescent-shaped, bruises on the inner lips facing the gums, and the presence of foreign objects such as lumps of newspaper or cloth that fill the oral cavity.
- Conditions in the neck and surrounding areas: the presence of pressure blisters that encircle part or all of the neck which is a snare wound as a result of the pressure caused by the snare tool used, the presence of small abrasions that are often crescent-shaped. pressure from the tip of the strangler's nails, the presence of irregular abrasions and bruises that can result from the pressure exerted by the tip of the perpetrator's fingers.
- There are stab wounds or cut wounds in the neck, mouth or other body parts, where according to the literature there is a method that can be said to be typical, namely puncturing a sharp object in the palate to penetrate the skull cavity known as "angel puncture".
- There are signs of being submerged, such as: wet and muddy body, pale and wrinkled palms and soles (washer woman's hand), skin rash (cutis anserina) like goose skin, and the presence of foreign objects, especially inside respiratory tract (trachea), which can be in the form of sand, mud, aquatic plants or aquatic animals.

Case Report

A baby X, about 2 days old, came and escorted the police to the Forensic and Medicolegal Installation of the Deli Serdang Lubuk Pakam Regional Hospital on 11 February 2020 at around 01.00 WIB. The victim was found by residents on the riverbank then reported to the local police and asked to make a Visum Et Repertum.

Common Identity:

- | | | |
|---------------------|---|----------------|
| - Name | : | Baby X |
| - Skin Color | : | Ripe sapodilla |
| - Gender | : | Male |
| - Rainbow eye color | : | - |
| - Age | : | 1 day |
| - Hair Feature | : | Black |
| - Length | : | 41 cm |
| - Weight | : | 1.010 gr |

General Examination:

- Body wrapping: found a white plastic bag with the writing of identification of the Criminal Investigation Agency of the Police with length 40 cm and wide 34 cm
- The victim's clothes: not found

External Inspection:

A. Head

Asymmetrical shape, there were bruises on the left side of the head with length 4 cm and wide 2.5 cm

B. Neck

Blisters on front neck with length 2 cm and wide 0.5 cm.

C. Chest

Convex chest shape like a barrel (barrel chest), found bruises on the upper right chest length 6 cm and wide 4 cm from the midline of the body

D. Genitals

There were no signs of violence

E. Rectum

Found meconium

F. Upper extremitas

Right: The nails have passed through the tips of the fingers, the outline of the hand is already shaped

Left: The nails have passed through the tips of the fingers, the outline of the hand is already shaped

G. Lower extremitas

Right: The nails have passed through the tips of the fingers, the line of the feet is already shaped

Left: The nails have passed through the tips of the fingers, the line of the feet is already shaped

Discussion

From the results of the external examination, it was found that a baby boy with an estimated age of the baby was 8 months based on the De haas formula. There were signs that the baby was viable, the baby had not been treated because the baby was found with his placenta. The pulmonary buoyancy test is positive and the middle ear test shows that baby is breathing and, on the gastric buoyancy test, the estimated age is 1 hour. A core of reinforcement is found at the proximal femur, namely the presence of a red spot on the bone.

There was an asymmetrical shape of the head and bruises on the head, front of the neck and on the chest. There were circular abrasions on the front of the neck, there were signs of head fracture, chest fracture.

In the convex chest (barrel chest) there are also bruises on the upper right chest, bruises on the abdomen and

umbilical cord which is still complete with placenta, there are lesions on both ends of the umbilical cord, and there is meconium on the rectum, then on the feet and hands you can find the nails have passed through the tips of the fingers.

From the internal examination, starting from the head, there was found a blood leak in the inner scalp due to a blunt object that caused brain damage due to fracture of the head bone. There were blood seeps on the skin in the front of the neck and on the skin of the inner chest. There were rib fractures 3,4,5,6 in the right rib and rib fractures 2,3,4,5,6 in the left rib, blood was found in the right lung. On the touch of the right and left lungs, the consistency is chewy red, the edges of the lungs are blunt.

From the results of the anatomical pathology examination, there were interstitial bleeding in the neck skin, chest skin, stomach skin and diffuse interstitial bleeding in the lung tissue.

Conclusion

From the results of the examination and discussion, it can be concluded that a baby X, who came, was escorted by the police to the Forensic and Medicolegal Installation of the Deli Serdang Lubuk Pakam General Hospital on 11 February 2020 at around 01.00 WIB. The estimated age of the baby is 8 months based on the Dehaas formula, the baby is born alive, the baby is viable, has breathed, does not receive treatment. and Estimated lifespan, 1 hour.

The cause of death for babies is broken skull fractures due to blunt trauma, which causes damage to brain tissue so that all functions of the body's organs are impaired accompanied by pressure on the chest that causes air to not enter the respiratory tract and fractures of the ribs.

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