

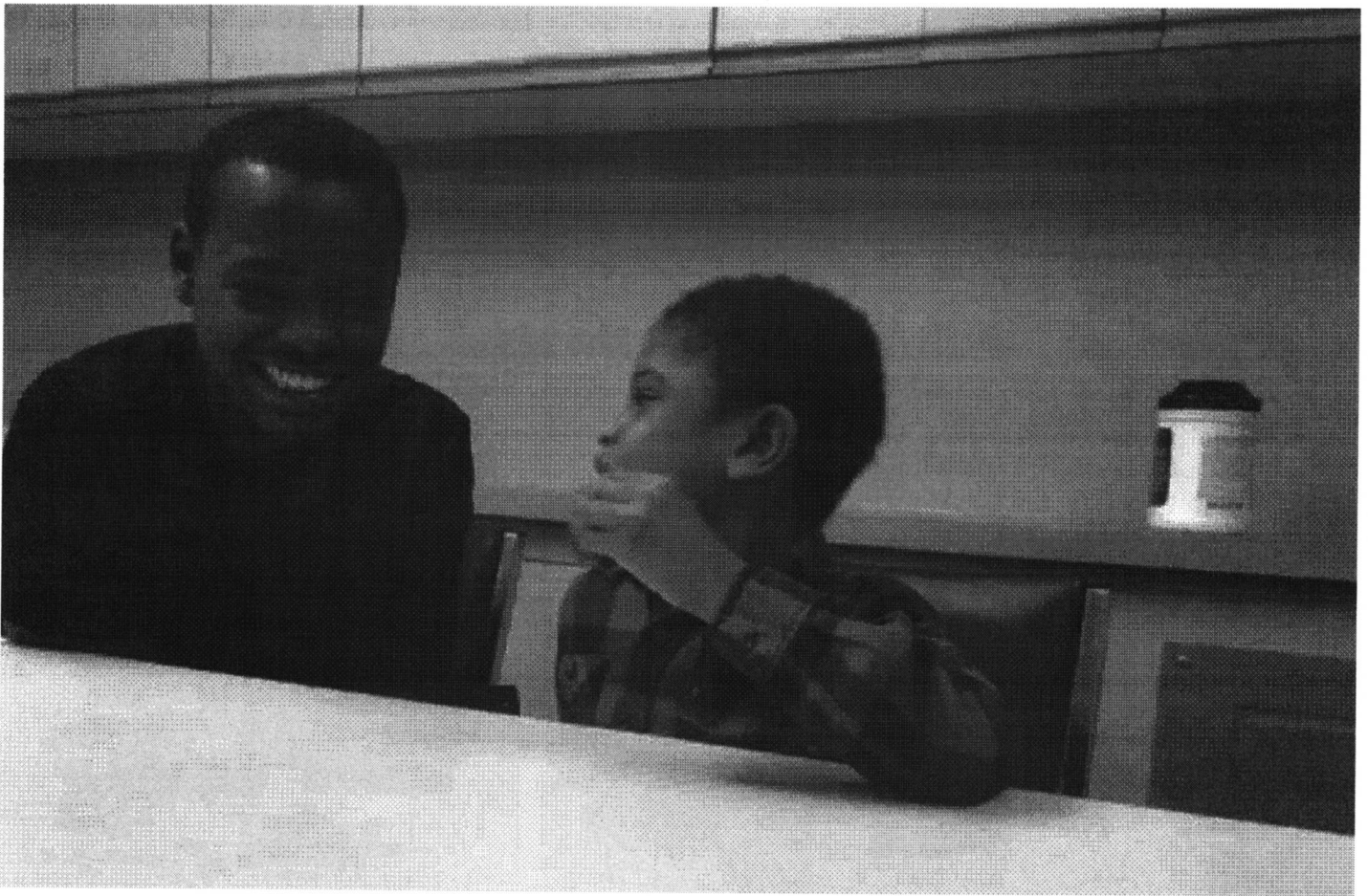
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TOP STORY

'I get to grieve': Buffalo foster father acquitted in 6-year-old boy's death

Aaron Besecker

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Jermaine St. John, left, with his foster son, Byron Clark, who died in January 2019 at the age of 6. St. John was acquitted of manslaughter in Byron's death.

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Aaron Besecker

No longer under a cloud of suspicion, Jermaine St. John can finally grieve over the death of his foster son.

A jury verdict has cleared him of a manslaughter charge he faced after 6-year-old Byron K. Clark's 2019 death. An Erie County jury deliberated only an hour before acquitting St. John on Thursday.

The verdict, while bringing relief, also opened up more space to mourn.

"I get to grieve," St. John told The Buffalo News. "My family gets to grieve, as well."

Shortly before 9 a.m. on Jan. 1, 2019, Buffalo police responded to St. John's home on Newburgh Avenue in the city's Bailey-East Delavan neighborhood. A child was reported in cardiac arrest.

First responders attended to Byron on the living room floor, then took the 6-year-old to Oishei Children's Hospital, where he died later that day.

At first, police weren't even sure if anything criminal happened. St. John told investigators the boy fell and hit his head and then had a seizure.

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Prosecutors filed the first criminal charges 20 months after Byron's death, after an investigation and a finding by the Erie County Medical Examiner's Office that the boy's death was a homicide.

St. John's defense was the Medical Examiner's Office got the cause of death wrong.

Almost from the start of his life, Byron suffered from a variety of health problems. Byron was a shaken baby, according to St. John and St. John's defense attorney, Paul Dell.

St. John worked for Child & Family Services, and he met the boy that would eventually become his foster son through his work as a child care therapist aide.

Like Byron, St. John had special needs when he was a child. As an infant, he suffered from severe lead poisoning, which caused developmental delays and some difficulty with speech, Dell said.

At age 11, St. John was diagnosed with stage 4 stomach cancer.

"Because of all that, he's this dedicated to helping severely needy children," Dell said.

St. John became Byron's foster father in November 2018, around two years after St. John started caring for him. It was only a couple of months later that Byron died.

Initially, St. John was charged with one count of first-degree manslaughter.

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Prosecutors in September 2020 said the 6-year-old died of blunt force trauma but declined to say how the injuries were inflicted.

The District Attorney's Office attributed the length of time between the death and St. John being charged to the amount of time needed for the investigation and for a completed autopsy report, as well as a pause in court proceedings due to the Covid-19 pandemic.

St. John was indicted seven months later, in April 2021, on counts of first- and second-degree manslaughter.

During a pre-trial hearing in February, St. John told the judge he wasn't interested in taking a plea offer.

"I wasn't about to admit to doing something I didn't do," St. John said after the verdict.

A police detective who testified at the February hearing said St. John's "story stayed the same" over three interviews with investigators over nine months in 2019.

The trial, held before Erie County Judge James Bargnesi, began Tuesday with opening arguments.

Prosecution witnesses included an intensive care unit doctor from Oishei and forensic pathologists from the county Medical Examiner's Office, the latter of whom had concluded Byron died of blunt force trauma, including from having been shaken.

Dr. Joseph Felo, a forensic pathologist with the Cuyahoga County Medical Examiner's Office in Ohio, who was called as an expert witness by the defense, testified the child died from a lack of oxygen and blood to the brain, Dell said.

The conclusion from the Erie County Medical Examiner's Office led to the prosecutors developing a theory that St. John got frustrated and shook the boy, he said.

"It wasn't a matter of him hitting his head causing a traumatic brain injury, but the result of a chain of reactions inside his body, as a result of the seizure and prior injuries," Dell said.

St. John also took the stand in his own defense.

Jurors got the case early Thursday afternoon. Their only request during deliberations was to look at some photographs introduced into evidence.

"I think the system worked," Dell said. "This is why we have juries."

A spokesperson for the Erie County District Attorney's Office declined to comment, citing the sealed nature of the case following St. John's acquittal.

St. John, who turned 31 on Tuesday, said he would like to work in child care again, if possible, but he understands that might not be in the cards.

He doesn't think the criminal justice system treated him fairly, but for now, he is taking things step by step, day by day, he said.

"I'm just happy that we get to grieve our son and he gets to rest in peace," he said.

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