

A Dobbs Ferry man has been found not guilty of killing his infant son in 2018.

On Wednesday, a jury in Westchester County Court acquitted Kevin Holloway of all charges in the death of his 8-week-old son, Jackson.

Prosecutors had accused Holloway of injuring his son and causing the baby brain and head trauma that led to his death on Jan. 22, 2018. Holloway told police that he tried to help Jackson when the baby stopped breathing and the boy's eyes rolled back, though, by giving his son a little slap on the cheek and trying to shake him awake.



The Westchester County Courthouse in White Plains. *Mark Vergari/The Journal News*



"The DA made a very uneducated charging decision, but the jury saw right through their tactics," Holloway's lawyer, Joseph Tacopina, said Wednesday. "Although this family suffered a tragedy, rather than help them through that ordeal, they persecuted them because of a rush to judgment and refusal to accept the science that proved Kevin was innocent. This isn't a game to win at all costs. Again, fortunately the jury saw what the prosecutors blindly ignored. Now this family can begin properly grieving and rebuilding their lives."

Holloway declined to comment on the acquittal, Tacopina said. The 44-year-old had been free on \$25,000 bond as his case played out since he was arrested on Jan. 30, 2019.

Tacopina previously said Holloway, who also has a daughter with his wife and a son from a prior relationship, "is an incredibly loving father of his children who has never and would never harm his children, which makes this false allegation even more outrageous than it would be otherwise."

The Westchester County District Attorney's Office said it respected the jury's decision.

Holloway was charged with second-degree manslaughter and reckless assault of a child, both felonies, and endangering the welfare of a child, a misdemeanor. His trial began in February before Supreme Court Justice Robert Neary.

Prosecutors had said that Jackson had brain and head injuries that were indicative of acute abusive trauma, which they said caused his death.

According to court records, though, Holloway made statements to police, paramedics, EMTs and Child Protective Services that indicated he was attempting to help his son through a medical emergency.



Jackson had dealt with medical problems since he was born, Holloway said, and began showing signs of distress around 1 a.m. on Jan. 22, 2018. The baby fell asleep but woke up crying and screaming around 3 or 3:15 a.m.

Holloway also said that Jackson vomited at some point and he and his wife ran the shower over the boy. He said he rubbed Jackson's gums with his thumb. The baby's eyes then rolled back and he stopped breathing, according to Holloway, who told CPS he thought his son was having a seizure.

Holloway told police he gently shook Jackson and tapped his son's face to try to wake him. He said he called 911 and woke up his wife and began CPR, which was taken over by first responders who then took the boy to a hospital.

Court records show that Holloway had also criticized first responders for what he considered a lack of urgency when they arrived at his home.