

Iraqi mom not guilty of neglect in daughter's death

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September 14, 2006

A Cook County jury ruled Wednesday that an Iraqi woman whose disabled daughter fell to her death four years ago not guilty of criminal endangerment and neglect Wednesday.

After more than six hours of deliberations, jurors said Sundas Balwa was not guilty by reason of insanity.

Balwa, 37, was being tried in absentia for the death of 9-year-old Barwin Harsan in 2002. The child fell from a third-floor window in her family's apartment in the 2600 block of West Farragut Avenue after allegedly being tied to a radiator and left.

Immediately after the verdict, Cook County Criminal Court Judge Clayton Crane issued a warrant for Balwa's arrest, requiring her to show up to court to determine what mental health services the woman required. The court could order her held in a state-run hospital.

Balwa left for Syria on Aug. 28 with three of her children to attend to her 15-year-old son, who was hurt in a bombing in Iraq. She was free on \$10,000 bail.

A juror, who did not want to be identified, said that Balwa not being present did not factor in their verdict, which he called a "difficult decision."

During closing arguments on Wednesday, prosecutors and lawyers painted starkly different pictures of the woman.

Balwa's lawyer, Leonard Goodman, said her actions were the result of post-traumatic stress disorder and depression she suffered after being jailed by soldiers under former Iraq President Saddam Hussein.

"We're thrilled for her," Goodman said. "When she comes back, she will have a pleasant surprise. She has had a lot of good fortune in her life."

Goodman referred to testimony by a psychologist who specializes in torture, who said that Balwa did not understand the consequences of her actions when she left the girl alone in the apartment.

Balwa told the psychologist that Hussein's soldiers stormed into her family's Iraq home one evening and rounded up her family because her father was a Shia Muslim and her mother was Kurdish. Hussein's Sunni Muslim-dominated government repressed and fought against Shiite and Kurdish groups. She was also arrested two more times, the woman allegedly told the psychologist.

But Assistant Cook County State's Atty. John Somerville said Balwa was making false claims of insanity 12 years after her alleged mistreatment.

"The defendant didn't go crazy until she was busted for leaving her child home alone ... ," Somerville said.

Goodman said he planned to notify Balwa's husband, who is in Lockport with one of her children.

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