



Crystal and Jarvis Bryant talk January 24, 2020, about the 164 days that their son, Jace Bryant, now 20 months old, was taken away from them and placed in foster care. They were arrested on child abuse charges and later exonerated. Jace is back with them now in their Fountain, Colorado, home. (Mark Reis, Special to The Colorado Sun)

#### NEWS

## **Their baby was taken away and placed in foster care for 164 days. It turns out, he had a bone disorder.**

The Bryants' son was one of 4,772 Colorado children removed from their homes by child welfare authorities and living in foster care last year. But their story isn't the typical tale of a child rescued from abuse or neglect.

FEB 10, 2020 4:36AM MST



**F**OUNTAIN — When a child protection caseworker told Crystal Bryant they were taking her 5-month-old boy, the young mother dropped to her knees on the hospital floor.

“Take me,” she pleaded. “For my son to stay home, take me, I don’t care.”

She begged God and anyone listening, but “they still took him,” Bryant recalled, shaking her head and wiping tears as she recounted the worst moment of her life. Child welfare and police officers made Bryant and her husband, Jarvis Bryant, leave the Colorado Springs hospital room before a foster mother arrived to take their baby away.

Their lives were shattered.

The Bryants, who moved to Fountain when Jarvis was assigned to Fort Carson, were charged with felony child abuse, accused of breaking multiple bones in their only child’s body. Crystal’s recently earned nursing certificate was revoked. Jarvis, a U.S. Army specialist, lost his security clearance, stripping him of his job in aircraft and vehicle supply and relegating him to paper shuffling.

Worst of all, baby Jace was gone. Their apartment seemed empty. They felt powerless, more than lost — “like death,” Crystal said.



The Bryants' son was one of 4,772 Colorado children removed from their homes by child welfare authorities and living in foster care last year. But their story isn't the typical tale of a child rescued from abuse or neglect. It's the opposite. The Bryants' nightmare lasted 164 days, and its end arrived more like a ripped-from-the-headlines television drama than real life.



Crystal and Jarvis Bryant talk Friday, January 24, 2020, about the 164 days that their son, Jace Bryant, now 20 months old, was taken away from them. They were accused of child abuse and then exonerated last fall. Jace is back with them now in their Fountain, Colorado, home. (Mark Reis, Special to The Colorado Sun)



aby Jace had been sick his whole life. He had severe acid reflux and a swallowing condition called dysphagia that

**B** caused milk to go down his windpipe instead of his esophagus, making him choke.

When he was 3 weeks old, he spent 31 days in the hospital and had a feeding tube inserted into his nose and down to his stomach to help him get enough nutrients to survive. At almost 4 months old, Jace had surgery on his esophagus and to place a gastrostomy tube in his abdomen, so his parents could send formula straight to his stomach.

Then, just before Thanksgiving 2018, Jace was diagnosed with a viral infection that was causing fever and diarrhea. While Crystal showered and did her hair upstairs in their apartment, Jarvis was giving Jace his second bath of the day. Jarvis laid the baby stomach-down along his forearm as he bent over the bathtub, pouring soapy water over Jace's back. The baby slipped sideways off Jarvis' arm, his knee hitting the bottom of the tub.

Jace cried, and Jarvis picked him up to console him, he said. Jarvis said he was leaning into the tub when the baby fell into a small amount of water, "enough to make a toy float." Jarvis didn't mention it to his wife.





Jace Bryant, now 20 months old, lived with a foster family from age 5 months to age 10 months, and then lived with family friends of the Bryants for two more months before he was allowed to return home. (Mark Reis, Special to The Colorado Sun)

Later that Sunday afternoon, though, Crystal noticed Jace was favoring his leg, that he held it up as he sat in his vibrating saucer-chair and flinched when she picked him up. She was bringing him back to the hospital anyway because the fever and diarrhea had not subsided, and while she was there Crystal asked the doctor if they could X-ray Jace's leg.

The baby had a fractured femur.

Crystal called Jarvis at home, and he told her then how Jace had slipped from his arm and hit his knee. As Jarvis drove to the hospital, Crystal told the doctor that her husband had dropped their son in the bathtub.

Instantly, they were suspects.

Medical staff at Memorial Hospital Central ordered a full-body workup. What they found was devastating: Not only did Jace have a broken leg, he had 10 fractured ribs and two fractured wrists. The leg fracture was fresh, but the rest were in various stages of healing.

The police came, interviewing Crystal, 24, and Jarvis, 27, in separate rooms. A caseworker arrived from the El Paso County child welfare division, and a pediatrician with training in child abuse examined Jace. A detective did “voice stress analysis tests” by recording and analyzing their voices, deciding both parents were “deceptive” — Jarvis about knowing who caused Jace’s injuries and Crystal about whether she hurt her son.

Jace’s medical records as well as the child abuse charging documents, both reviewed by The Colorado Sun, do not mention unexplained bruises or burns — red flags of child abuse. They do note marks on his chest, back and cheek, some of them “crescent-shaped” scratches. The Bryants told authorities one mark was a scar from his g-tube surgery and the others were likely from his parents or medical staff accidentally scratching him with fingernails or a ring while picking him up.

Because of Jace’s feeding problems, nurses, physical therapists and occupational therapists — all required by law to report any suspicion of child abuse — had been to the Bryants’ home twice each week since he was 2 months old. They had stripped Jace naked weekly and weighed him on a portable scale placed on the table. Not one made any report of abuse or neglect.

The baby had been to emergency rooms multiple times, often to replace the tube down his throat when his arms flailed and pulled out the tube, common for babies. Each time, medical staff took an X-ray to make sure it was in the right place. As a first-time mom and self-described “hovering parent,” Crystal took Jace to the pediatrician at the first hint of illness.

Still, three days after she brought Jace to the hospital and asked for the leg X-ray, El Paso County authorities told the Bryants he wasn't going home with them — their home, authorities said, wasn't safe for their son.

The Bryants returned to their apartment without their baby and gathered up everything they thought he might need at his foster home — toys, clothes, his medicines for acid reflux, formula, shampoo, laundry detergent, Vaseline. They had no family nearby; Crystal is from Chicago, and Jarvis is from Louisiana.



Crystal Bryant wipes away tears as she talks about losing her son to foster care for seven months. The Bryants were accused of fracturing multiple bones in the boy's body, but the charges were later dismissed. (Mark Reis, Special to The Colorado Sun)

The following morning, a distraught Crystal dialed the child welfare division. Five times. “I am concerned. I am pissed off. I’m angry, sad, frustrated,” she said.

“It’s Thanksgiving. Can I see my son?”

The answer was no. Crystal sat on the couch and cried.



**L**osing their son sent Crystal into heavy depression, so dark that she once opened the passenger door in their car as Jarvis drove 80 mph down the highway away from a supervised visit with Jace. “I just wanted to jump out,” she said. “I couldn’t believe I was still living on this Earth, without my son. It was hell on Earth.

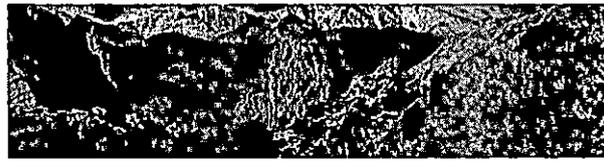
“There was no living for me.”

Crystal stopped eating and drinking and grew so ill that Jarvis drove her to Evans Hospital on Fort Carson in early January, about a month and a half after Jace was taken away. But when Jarvis handed over his military ID at the checkpoint, the guard hesitated.

“Do you know there is a warrant out for your arrest?” the guard asked, Jarvis recalled. “Did you not pay a ticket or something?”

There was a warrant for Crystal, too. Felony child abuse charges, in addition to the civil case to determine whether to terminate their

parental rights, had been filed against them. The class 3 felony is punishable by up to 16 years in prison.



The Bryants, neither of whom have any criminal history, were handcuffed and taken in separate military police cars and held on post for an hour and a half, when city law officers transported them to the El Paso County Jail. “Mug shots. The whole orange jumpsuit. Everything,” Jarvis said. They spent the night and were able to post bond the next morning.

While Crystal slipped further into depression, Jarvis was the fire.

He contacted the ACLU and the NAACP to see if they could help with legal defense, though Jarvis and Crystal were each assigned two public attorneys for the civil and criminal cases. He spent hours reading medical records and court cases. “This is literally our lives, our son’s life, our livelihood, our well-being, our mental state, pretty much everything that we could ever think of is at stake,” he said. “I’m not going to sit here and let this happen. It’s one thing if you know you did something wrong. But if you know you didn’t do anything wrong, why are you going to go down innocent?”

Jarvis went to every hospital and doctor’s office that had seen Jace, beginning with his May 22, 2018, birth at Evans Hospital. He collected 1,200 pages of medical records, along with discs of all of Jace’s X-rays, including those taken before and after his surgery and tube placements.

They hardly slept. They fought, wondering if losing Jace would break them. They signed up for individual therapy and parenting classes offered through the Family Visitation Center, the site of their supervised visits, trying to anticipate what the county would ask of them and speed up the process to getting their son back.



Crystal Bryant looks through paperwork detailing the allegations of child abuse against her and her husband, Jarvis Bryant, a specialist in the U.S. Army at Fort Carson. The charges were dismissed after a seven-month ordeal. The couple met in basic training in Missouri. (Mark Reis, Special to The Colorado Sun)

One sleepless night in March, Jarvis stumbled on a YouTube video of TV journalist Katie Couric interviewing two families in 2013 who were wrongly accused of child abuse after their children were found with broken bones. A Texas father was arrested after his 1-month-old daughter was found with nine bone fractures. Another father was accused of abusing his twin infants after they both had leg fractures.

Both were eventually cleared because the babies all had a brittle bone disorder.

The video led Jarvis to a website called Fractured Families, a network for parents of children with unexplained fractures. And he fired off multiple emails — titled “Can you please help my family?”

Through the network, Jarvis found contact information for more than a dozen physicians and radiologists who were experts in bone fractures and emailed all of them. “We need help from a medical professional urgently to try and fight this matter properly and get our baby back and prove our innocence,” he wrote. “It just doesn’t make any sense how a baby like ours has such a lengthy medical history and no one has done their due diligence to properly rule out everything before they automatically say child abuse. Please help us.”

Two doctors agreed to help, for free.



**D**r. Susan Gootnick, a radiologist in California who began studying alleged child abuse cases about seven years ago, looked at Jace’s X-rays and noticed immediately that his bones appeared “washed out” because they weren’t getting enough calcium. It made sense, given Jace had not been able to eat by mouth for the first several months of his life. His scans were consistent with metabolic bone disease and rickets, she wrote in a report that Jarvis gave to his attorney.

“Obviously, the baby wasn’t getting the appropriate nutrients that he needed to grow,” Gootnick said in an interview with The Sun. “These bones break under stresses that a normal bone would not break under.”

What’s more, Gootnick said, the age of the fractures made it likely that Jace’s ribs and wrists were broken by medical staff during one of the many times they reinserted his nasal tube — unsedated. An X-ray taken in September shows the rib fractures and the tube that went from Jace’s nose to his stomach.

“It’s unpleasant, as you can imagine, sticking a tube down their nose,” Gootnick said. “You have to increase the strength of how you hold the baby still.”

On one of the X-rays of Jace’s wrist, Gootnick noted, an adult thumb bone is visible — the technician holding down his arm for the scan.

Another doctor, Dr. John Galaznik, a retired pediatrician in Alabama who has testified for the defense in numerous child abuse trials, zeroed in on two acid-reflux medications Jace had taken since he was 3 weeks old — Omeprazole and Ranitidine. They cut down on stomach acid, which is essential for absorbing calcium. Galaznik said it was likely that Jace’s muscles so badly needed calcium that they were leaching it from his bones.

He cited the baby’s elevated levels of parathyroid hormone, which the brain secretes at a higher level when the body’s calcium requirement is not met, Galaznik said.

The doctor also noted that the fractured leg bone was consistent with a “compressing force” such as the bathtub fall Jarvis described. The fracture suggested no “yanking, pulling, twisting forces as one might predict an abusing caregiver to inflict,” he wrote.

Galaznik, who for 37 years was a physician in the University of Alabama system, said in an interview that the study of bone fractures in babies has “evolved rapidly over the last 10 years,” so much so that emergency department physicians who were trained 10 or 20 years ago are often not up to date.

In 2009, the American Academy of Pediatrics doubled the recommended vitamin D intake for babies, noting that vitamin D deficiency could lead to decreased calcium absorption and bone fractures. And in 2014, the academy’s Committee of Child Abuse and Neglect published a paper calling attention to the difference between fractures caused by abuse and those resulting from rickets or brittle bone disease, called osteogenesis imperfecta.





Jarvis Bryant, 27, holds his son, Jace, who was placed in foster care in 2018 after the Bryants were accused of child abuse. The charges were eventually dropped. (Mark Reis, Special to The Colorado Sun)

Galaznik is contacted by dozens of families each year and takes on some of the cases pro bono. He and Gootnick said they have noticed a societal bias against parents who are low-income and without higher education. “If you come in and you are well-dressed and well-known and have no background problems, it may give the accusers more pause,” Galaznik said. “Just the allegation can destroy a career.”

Gootnick said the cases she takes on lack sufficient evidence. “There should be more investigation of what’s going on with these kids in terms of their bone health,” she said. “I feel a moral obligation to help these people. If I can help them, I have to help them.”

Jarvis printed out the doctors’ reports and gave them to his attorneys. And they waited.



**J**ace lived with the same foster family for 164 days. The Bryants counted all of them.

The baby, who was in the foster home from age 5 months to 10 months, seemed to know his parents less and less each week when they saw him for their two-hour supervised visit. “One more of those and I feel like my son wouldn’t even remember me,” Crystal said.

They tried to move Crystal’s sister from Chicago so she could become Jace’s foster mom, an arrangement the child welfare system calls a “kinship” placement. When she couldn’t come, a couple Jarvis met at work offered to help. They became Jace’s foster placement, and the Bryants were allowed to move into their house, under the condition that they were never alone with their son.





Crystal Bryant shows the feeding port for her son, Jace Bryant, who was placed in foster care after doctors found he had 13 bone fractures. It was later determined the fractures were caused by neonatal rickets. (Mark Reis, Special to The Colorado Sun)

The arrangement lasted about two months, until the day last July when Jarvis and Crystal were to appear in civil court for their trial on whether they could keep their son. Instead, the El Paso County child welfare division — which in the meantime had deposed the division's child abuse doctor in the wake of the pro-bono expert reports — dropped the case.

The Bryants, elated and relieved, took Jace home that night — seven months after he was removed from their custody.

Three months later, in October, the criminal charges against them were dismissed. District Judge David Gilbert ordered the case sealed during the same hearing. “It was like it happened and all of a sudden, it was wiped away,” Jarvis said.

Crystal was in disbelief. “I never would have thought in a million years that this would be our life,” she said. “I never thought this could happen to my son. But we’re still here. People would have thought we would have given up and turned on each other and Jace would stay in foster care. But I survived that. We survived that.”

The Bryants, who are black, believe they were victims of a racial bias that exists in the child welfare system. A U.S. Department of Health and Human Services report showed that African American children are placed in foster care at almost twice the rate of white children, and they stay in foster care longer. Two studies in Texas found that even when African American families were assigned lower risk scores in child-abuse assessments, they were more likely than white families to have their children removed.

El Paso County child welfare officials declined to discuss the Bryants' case, citing confidentiality laws. They said it is extremely rare that parents are accused of abuse and then exonerated, although they could not say how often it happens because the state child welfare data system does not keep track.



“It is exceedingly, exceedingly rare,” said Kristina Iodice, the department’s public information officer. El Paso County investigated 6,633 child abuse and neglect allegations last year. Just more than 1,753 of those were founded. On any given day in 2019, about 360 children in the county were in foster placements.

Before a child is removed, the case is reviewed by a team that includes supervisors and medical professionals, said April Jenkins, intake manager for the county’s Children, Youth and Families Services. A judge has to verbally approve a child’s removal, no matter what time of day or night, and child protection workers have to present written evidence for the removal in court within 72 hours.

“We are not making any decisions or assumptions or anything like that in a vacuum,” Jenkins said.



**O**n a recent afternoon, 20-month-old Jace squealed and giggled as he crawled into a play tent in the Bryants’ living room, where photos of Jace as a baby, the Bryants in military uniform shortly after they met at basic training in Missouri, and the couple on their wedding day hang on the walls. The Bryants have a new appreciation for days when the three of them are at home together, like when Jarvis made gumbo and they watched Louisiana State University win the national college football championship against Clemson.

Jace is eating by mouth now, after Jarvis and Crystal slowly introduced him to foods, starting with strawberries and other soft fruits. He is growing out of neonatal rickets and his bones are becoming stronger. And his g-tube is scheduled to come out in April. Jace doesn’t seem to remember what he went through, but his parents think they will probably tell him, some day.

Crystal gave up on restoring her nursing certification — the main reason she wanted it was to take care of Jace’s g-tube. Jarvis is still waiting for the Army to restore his security clearance, and when it does the Bryants hope to leave Colorado for another Army post. The state where their baby was born has too many bad memories.

When they drive to Fort Carson, they avoid the guard station where they were arrested. When Jace was sick recently with a 104-degree

fever, they hesitated before taking him to the hospital. "I'm sure as soon as you pull up his medical records, it says possible abuse, and everybody is looking at us now," Crystal said.



Crystal Bryant plays with her son, Jace Bryant, during an interview at her home in Fountain, Colorado. (Mark Reis, Special to The Colorado Sun)

Wherever they live, the Bryants said they won't get over what they experienced during the past year. They're speaking out now to help other families who are falsely accused.

"It's no hard feelings for us, but it's anger," Jarvis said. "This is what we actually had to live through. This is what our son had to live through. There should be due diligence before someone's child is removed from their care. That is like, absurd, that you can take

someone's child and get a judge to sign off on it and you didn't even do your due diligence."

The Bryants said some of those involved in their case, including at the child welfare division, apologized privately for what they had been through. For Crystal, though, nothing can make up for lost time.

"I'm still grieving those days I didn't have my son with me," she said. "We missed so many diaper changes, so many baths. I missed so much of his life."



Crystal and Jarvis Bryant talk while their son, Jace, plays in their living room in Fountain, Colorado. (Mark Reis, Special to The Colorado Sun)

