Criminal Investigation & Media

Summary of the investigative conclusions & role of the media
What did we have?

- Potential homicide investigation
  - Were the children all still in the vehicle?
  - Were the children deceased or assaulted prior to entering the water?
  - Was this an intentional act?
  - Besides our driver and children, who were the other key players?

- Chaotic scene
  - Different information elicited by the mother/driver
  - Investigators were responding for different agencies
  - Coordination of line officers
  - Agency leadership off-site
  - Media arriving at the scene
Multiple agencies on scene
Questions arose as to which agency was lead
Established a multi-agency approach
- Utilize the strengths of each individual agency
- Work collaboratively towards the same goal
- Team interview approach
- Division of duties based upon investigators and agency strengths
- Meetings during the investigation process.
Investigation

- Initial interview of our driver & witness
  - Line officers to gather preliminary information
- Formal interviews
  - Team approach (SLPD, MSP, HCSO)
  - Marion Guerrido (driver)
  - Julius Rennie (husband of driver)
  - Mr. Oine (first responder-swam)
  - First responding fire personnel
- Fluid testing
  - Consent blood test obtained
Investigation

- HSCO Crime Lab
  - Gathering of all clothing at hospital
  - Took possession of vehicle
    - Stored indoors at the Sheriff’s office
    - Search warrant obtained for vehicle and Airbag Control Module (ACM)

- HSCO Dive Team
  - Assisted with secondary search the day of the crash
  - Returned to the pond the following day to search for the cell phone—never located
  - Warrant for cell – (found no cell phone use)
Investigation

- Crash Reconstruction
  - Forensic road evidence collected
  - Due to damp roadway, floor dryers were brought out to dry the pavement and observe the tire marks
- Overall, once the scene was no longer in a rescue operation, the process at the scene became slow and methodical
The weather was calm
The road surface was damp
There were no roadway defects, construction or maintenance in the area.
The area was illuminated by street lamps
The vehicle’s ACM did not record data as their had not been a deployment
The blood results were negative and no impairment had been detected
The roadway had a slight grade, 2-3% traveling north to south.

The grassy area between the roadway and the pond had 15-17% grade.

Hennepin County Water Patrol assisted with measuring depth of the water and vehicle position in the water.

The came to rest in 7.5-8 feet deep water.

There were not enough restraints for all the children and the 1 child seat was not attached to the rear seat.
Minimum speed was determined to be 19-24 mph when the vehicle hit the grass, from the asphalt.

There were no medical conditions that affected Guerrido.

Attributed to Marion Guerrido losing control of the vehicle due to improper steering input followed by over correction.

Dominant factors: driver inexperience and lack of proper driver’s training
Criminal charges

- Submitted to Hennepin County Attorney
  - Declined Criminal Vehicular Homicide, as elements of the statute were not met

- Submitted to the St. Louis Park City Attorney
  - Formally charged with Instruction Permit violation; Uninsured motor vehicle; Child Passenger restraint violation.
  - Convicted of 2 misdemeanors and 1 petty misdemeanor
  - Supervised probation 1 year
  - 90 days in the Hennepin work house, with 60 days stayed, eligible for electronic home monitoring & work release
Initial news conference releasing response, rescue and initial details of information

Second news conference for rescuers to explain rescue operation

Family Attorney: Took all media inquires as to the status and condition of the children

Daily requests for additional information, much based upon updates on the children