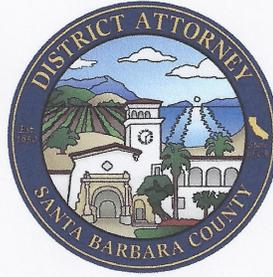


OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
JOYCE E. DUDLEY
District Attorney



DA 04-152

RELEASE NUMBER

April 9, 2013

RELEASE DATE

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

Mary Barron, Deputy District Attorney

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***** PRESS RELEASE *****

April 9, 2013

Charges Will Not Be Filed In Case Involving Vehicle Fire That Caused Injury To Toddler

On the morning of February 25, 2013, Santa Barbara City and County Fire Departments together with the Santa Barbara Police Department responded to a vehicle fire at 1301 Santa Teresita Drive. Upon their arrival they treated a two-year old child. American Medical Response transported the child and her mother to Cottage Hospital. The child was reported to have undergone surgery for burns and is now at home with her parents.

The investigation revealed that the mother had briefly left the child unattended in her car seat while she went inside a residence. Shortly after going into the residence, the mother's attention was directed to smoke outside of the residence. She ran outside and found the vehicle on fire. She was able to get the child out of the car seat but not before both she and the child were burned.

Fire investigators were unable to determine the cause of the fire.

After a detailed review of the evidence in the case, as well as the law relating to child endangerment, the District Attorney's Office has decided to not file charges against the child's mother.

In order to prove whether child endangerment has occurred, a prosecutor must prove that a person acted with criminal negligence. Criminal negligence involves more than ordinary carelessness, inattention, or mistake in judgment.

Even briefly leaving this toddler alone in the car was clearly a tragic "mistake in judgment" and under these specific circumstances does not rise to the level of a criminal act.

As a reminder to all parties, merely leaving a child unattended in a car can lead to a criminal prosecution under many circumstances including, but not limited to, when there are known conditions that present a significant risk to a child's health and safety, or when the engine is running or the keys are left in the ignition.

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