



# Huntington Beach Police Department & Orange County District Attorney *Press Release*



---

---

## FOR IMMEDIATE RELEASE

March 8, 2011

Case # 11WM00613

Contact:	Lt. Russ Reinhart Public Information Officer Huntington Beach Police Department	Susan Kang Schroeder Chief of Staff Orange County District Attorney	Farrah Emami Spokesperson Orange County District Attorney
Office:	714-536-5976	714-347-8408	714-347-8405
Cell:	714-478-5977	714-292-2718	714-323-4486

## **DISTRACTED DRIVER SENTENCED FOR KILLING 4-MONTH-OLD GIRL BY CAUSING CRASH THAT EJECTED BABY FROM STROLLER**

*\*Infant and mother were on vacation from Australia visiting relatives*

WESTMINSTER – A distracted driver was sentenced today for killing a 4-month-old girl after causing a crash that ejected her from her stroller while being pushed through a crosswalk by her mother. The victim's family was on vacation from Australia visiting relatives in Orange County. Robert Anthony Casares, 50, Huntington Beach, pleaded guilty to one misdemeanor count of vehicular manslaughter without gross negligence. He was sentenced to three years of informal probation, ordered to make a \$5,500 donation to the Joyful Child Foundation, and is required to complete 300 hours of community service as a school crossing guard.

At approximately 10:00 a.m. on Sept. 7, 2010, Casares was driving over train tracks in his sport utility vehicle on Springdale Street in Huntington Beach. As his car passed over the tracks, the bumps caused the defendant's laptop to begin to slide out from a laptop bag on the passenger seat toward the floor of the vehicle. Casares looked down to secure his bag to prevent the laptop from falling.

The defendant hit his brakes after looking up to find the pick-up truck in front of him had stopped at the intersection at Croupier Drive. Casares was unable to stop in time, crashed into the vehicle in front of him, and pushed the truck into the intersection into a family that was walking in the crosswalk. The family included 31-year-old Renee Gould from Australia, who was visiting her sister in Huntington Beach. She was pushing her 4-month-old daughter Ruby in a stroller and walking with her 11-year-old niece and 7-year-old nephew.

As a result of the collision caused by Casares, the truck crashed into and threw Gould and her niece from the crosswalk. Baby Ruby was ejected from her stroller and landed approximately 70 feet away. The 7-year-old boy was not hit. The three victims were transported to the hospital. Ruby was pronounced dead at approximately 5:20 p.m. that evening due to blunt force trauma to the head. Gould suffered a dislocated shoulder and fractured vertebrae. The niece sustained a broken femur. Casares remained at the scene and was contacted by responding Huntington Beach police officers. He was not under the influence of alcohol or drugs.

During the sentencing today, Gould gave a tearful victim impact statement discussing the devastation her family has suffered over the loss of Ruby. She told the court, "Ruby was everything to us. She made our lives complete. After three years of trying for a baby we were finally a family. Now our family has been ripped apart. When doctors explained to me the extent of her head and internal injuries, my heart was shattered. She was so perfect in every way. How could this wonderful, precious gift we had been given be taken away so soon?" Gould also described, "The ongoing nightmares I have seeing my beautiful baby girl lying in the middle of the street not breathing or moving. The guilt I have to live with every single day knowing her daddy wasn't there when I had to make the gut-wrenching

decision to turn off her life support machines. The devastation of her daddy not being able to hold her and say goodbye when she took her final breath. The heartbreak of not bringing our happy, healthy, vibrant baby girl home."

Gould's sister, Kylie Chuntz, the mother of the 7-year-old boy and 11-year-old girl with Gould on the day of the crash, stated, "It has been six months...and our daughter still does not have full function of her leg. I am grateful, though. Grateful that we still have her and our son. The same can't be said for my beautiful little niece."

The law describing the distinction between misdemeanor and felony manslaughter:

Misdemeanor vehicular manslaughter may be charged when there is "ordinary negligence" or the failure to use reasonable care to prevent reasonably foreseeable harm to one's self or another. A person is negligent if he or she does or fails to do something that a reasonable, careful person would not do in the same situation.

Felony vehicular manslaughter may be charged when there is "gross negligence" which involves more than ordinary carelessness, inattention, or mistake in judgment. Gross negligence would require a person to act in a reckless way that creates a high risk of death or great bodily injury, and a reasonable person would have known that acting in that way would create such a risk. The person's action must be so different from how an ordinary careful person would act in the same situation that his or her act amounts to disregard for human life or indifference to the consequences of the act.

The Huntington Beach Police Department investigated this case. Deputy District Attorney Michael Bardeen prosecuted this case.

###