# Vehicular Homicide investigations

Master Corporal

John T. Schultz

# Florida Highway Patrol

Homicide Investigator

Lead Investigator -139 Cases

29-Year Trooper

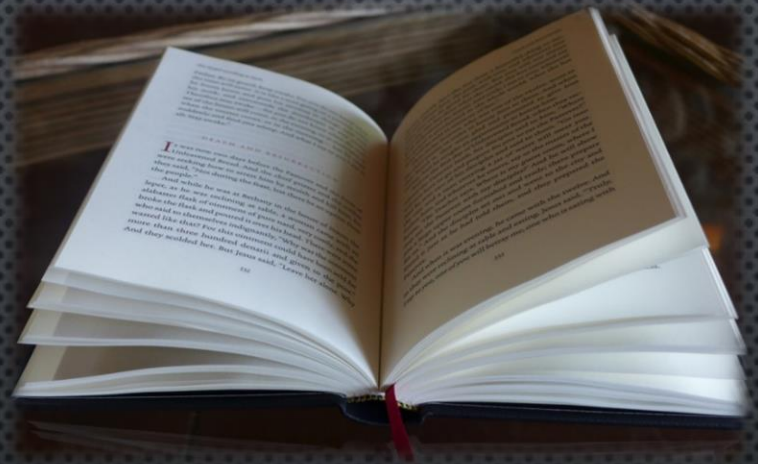
# Why Does It Take

# So Long??

Accountability

Justice

# Writing the last chapter…

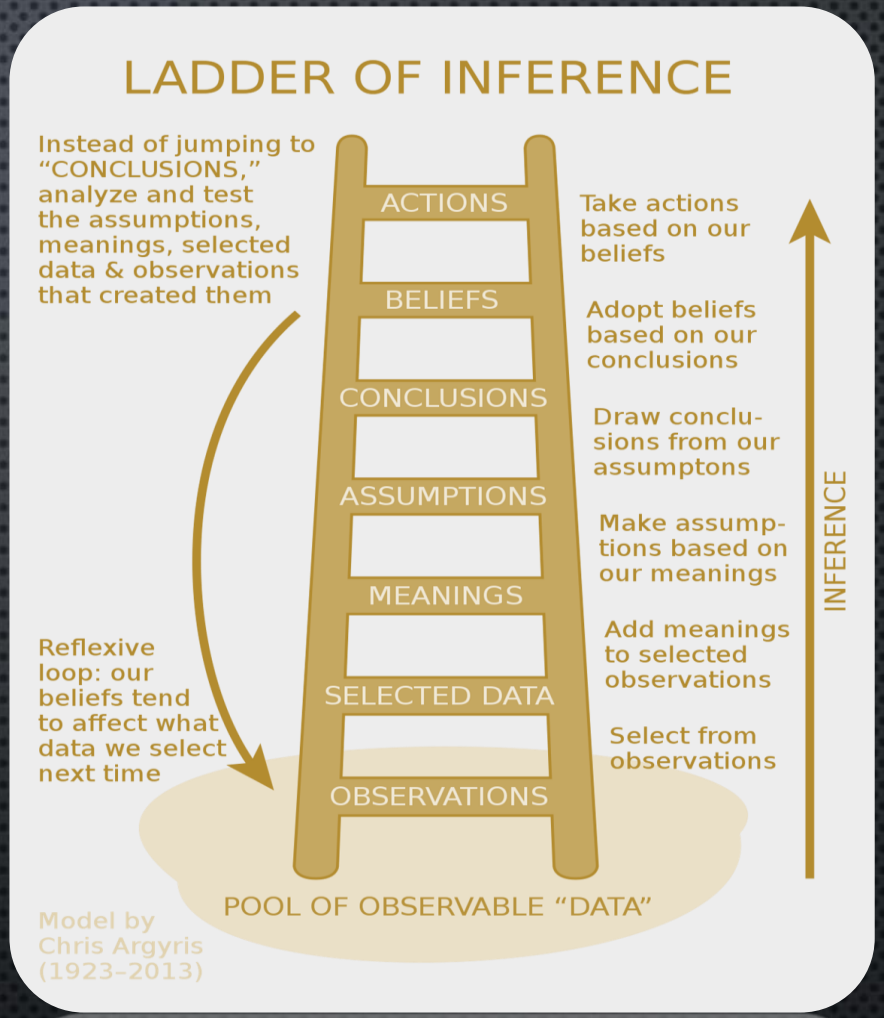


In Florida……2019, 3,347 were killed in traffic crashes.

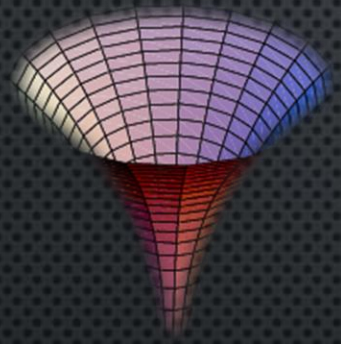
In Florida……2018, 656 individuals were murdered.

**Investigators can not lose sight of the fact that these cases involve mothers, fathers, sons, and daughters and their families deserve answers.**

# The Ladder of Inference



# EVIDENCE



FUNNEL

INSPECT

COLLECT

ANALYSIS

# THE FIVE P's

- People
- Purpose
- Plan
- Progress
- Presumptions

# ON-SCENE DISTRACTIONS

## Internal

- Organizational
- Unorganized
- Personal

## External

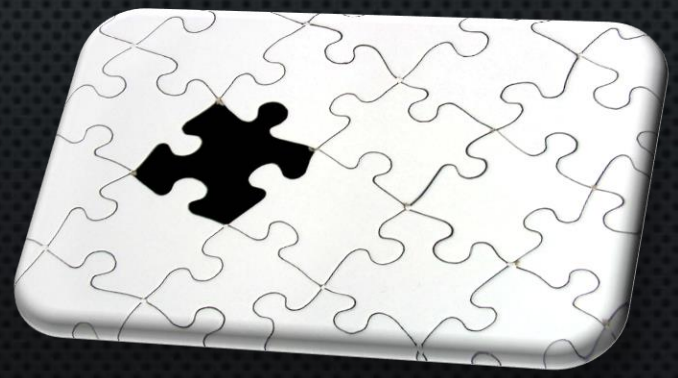
- Weather
- Next of Kin
- Secondary Crashes

# STAGES OF INVESTIGATION

- Think Criminal
- Rule Out Impairment
- Avoid Tunnel Vision
- Stay Organized

1. Interviews
2. Background
3. Science
4. Legal
5. Charges

# INVESTIGATIVE STRATEGY



# INTERVIEWS

The differences between Interviews and Interrogations.

Who

What

Where

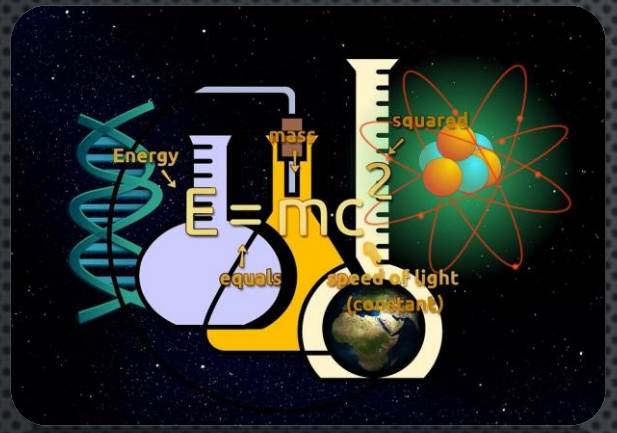
Why

When

How

# Background Investigations

- Why Initiate Background Investigations?
- Is it worth the time and effort?
- Yes, pre-crash information that is relative to the causation of the crash and or death and to retrace the pre-crash path of travel for the vehicle.




# Science

- A study of the physical universe  includes the analysis of forces and the affects of the forces on the movement of objects.
- Force:  A force is an action on an object that tends to change an objects state of motion.
- The study of forces enables crash investigators to predict how forces affect the motion of vehicles.
- Forces are instrumental in the dynamics of vehicles.

# Proper Documentation of the Evidence

Scanning 3D Devices

Sketches

Measurements

Notes

Photography

# Proper Preservation of the Evidence

Proper Collection

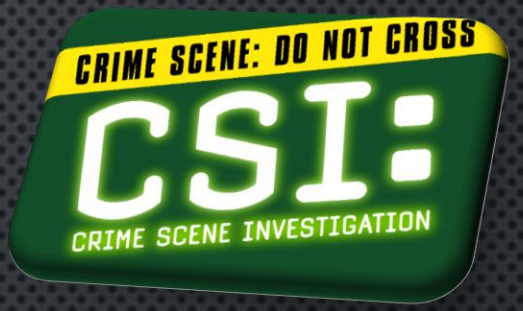
Expert Testimony

Chain of Custody

Evidence Preservation / Protecting Evidence from the Elements

# Types of Forensic Evidence Commonly Collected

Paint Transfer




Vehicle Computers

Fracture Matches

Biology (Blood, Hairs)

Digital Evidence

Glass Analysis

# Types of Forensic Evidence Commonly Collected

Latent Prints

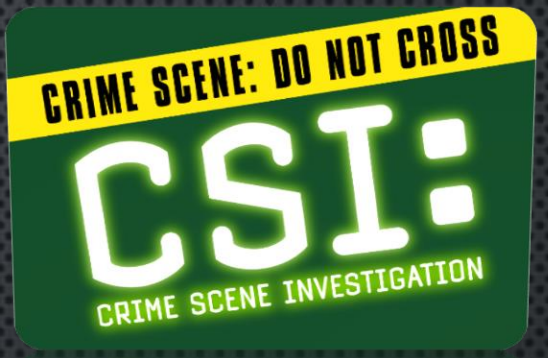
Fiber Collection

Clothing Pattern Transfer

Discovered Items

Drug Testing

Blood Toxicology



# Legal

- Missouri v. McNeely
- Search and Seizure
- Drones
- Mitchell v. Wisconsin
- EDR/Black Box
- Impairment vs. Under the Influence

# Charges

## DUI Manslaughter – 316.193(3)(c)(3)

Defendant drove (or was in APC) of a vehicle.
While driving (or in APC), Defendant:
Was under the influence of alcohol, a chemical, or controlled substance to the extent their normal faculties were impaired.
Had a BAC of .08 or more.
As a result of operating the vehicle, Defendant caused or contributed to the cause of death of the Victim (or unborn quick child).

## Vehicular Homicide – 782.071

Victim is dead / unborn child is dead by injury to mother/ an unborn child is dead.
The death was caused by the operation of a motor vehicle by defendant. The defendant operated the motor vehicle in a reckless manner likely to cause the death of or great bodily harm to another person.

Note, this is essentially Reckless Driving with the additional element of a death. Also, no "intent" to harm the victim is required. The offense requires proof of a "*willful or wanton disregard for the safety of persons or property.*"

# From the Vault…

# Case Examples

# Case Examples

- Three cases
  - First Impressions
  - Complexity
- Venues
- Types of Vehicles involved
- Similar Outcomes

# CASE 1:

RESIDENTIAL NEIGHBORHOOD

PASSENGER VEHICLE VS. DIRT BIKE

ONE ON-SCENE FATALITY

VIEW FROM HOME OWNERS SURVEILLANCE SYSTEM

CAM 02

# CASE 2:

FOUR-LANE DIVIDED HIGHWAY

TRACTOR TRAILER VS. PASSENGER VEHICLE

ONE ON-SCENE FATALITY

VIEW FROM HOMEOWNER ASSOCIATION SURVEILLANCE SYSTEM

[04] CAM 4
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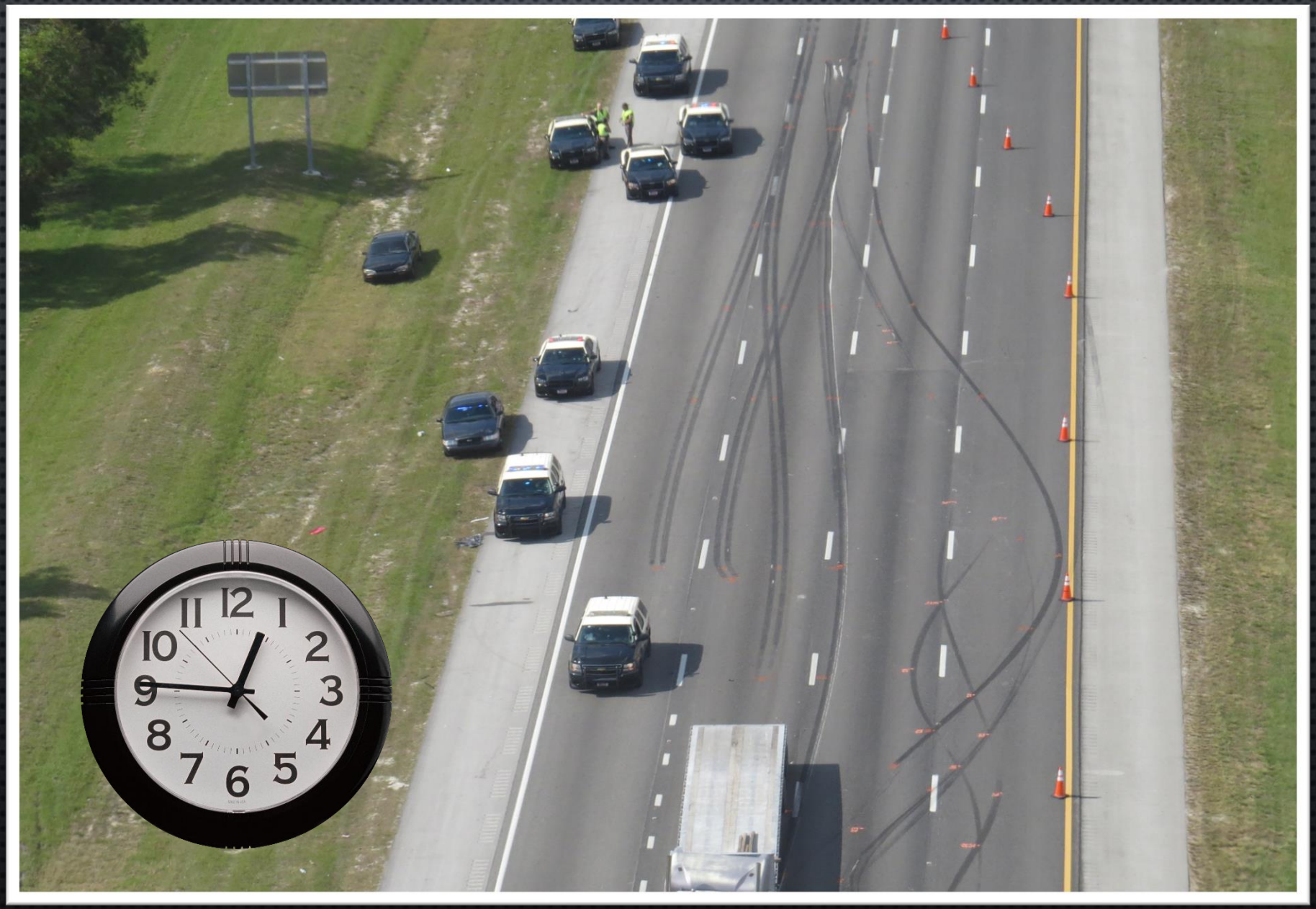
# CASE 3:

LIMITED ACCESS INTERSTATE HIGHWAY

TRACTOR TRAILER VS. TWO PASSENGER VEHICLES

ONE ON-SCENE FATALITY

VIEW FROM ADJACENT BUSINESS SURVEILLANCE SYSTEM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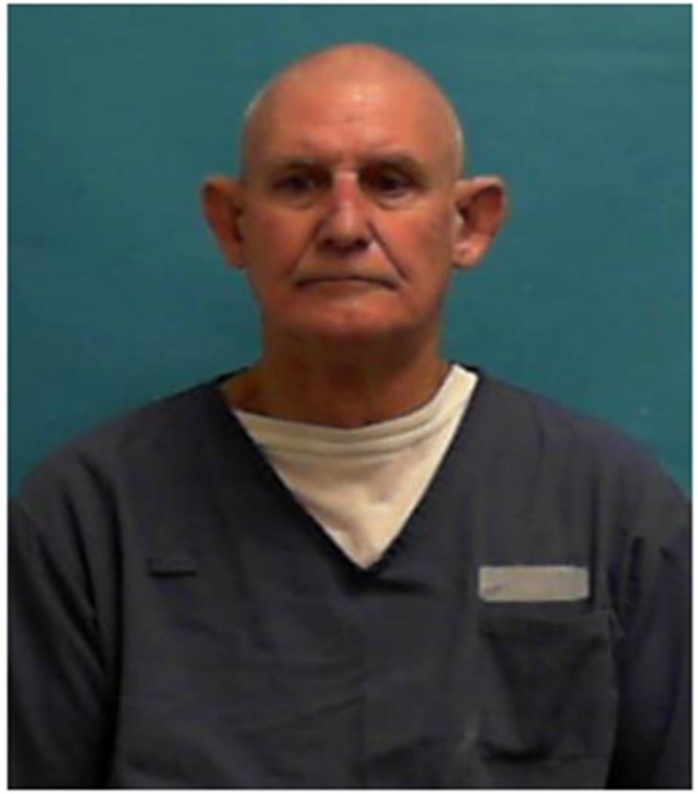
# CASE: 1

## Corrections Offender Network

### Inmate Population Information Detail

(This information was current as of 9/26/2021)

**Convicted – 9+ years.**



| | |
|---|---|
| **DC Number:** | K31069 |
| **Name:** | LAWRENCE, STEPHEN W |
| **Race:** | WHITE |
| **Sex:** | MALE |
| **Birth Date:** | 12/31/1955 |
| **Initial Receipt Date:** | 04/01/2021 |
| **Current Facility:** | WAKULLA C.I. |
| **Current Custody:** | MINIMUM |
| **Current Release Date:** | 08/29/2029 |

# CASE: 2

## Person

| | |
|---|---|
| **Name** | REGALADO FERNANDEZ, YOSBEL |
| **Number** | 349664 |
| **DOB** | 10/24/1987 CC |
| **Race** | W |
| **Sex** | M |
| **Height** | 5'07" |
| **Weight** | 210lbs |
| **Address** | 14170 404 SW 84TH St MIAMI FL 33183 |

## Booking

| | |
|---|---|
| **Number** | 937963 |
| **Booked On** | 6/3/2021, 2:50:00 PM |
| **Housing** | CORE - POD L |
| **Status** | In Custody |
| **Released On** | |

Convicted – 3 years.

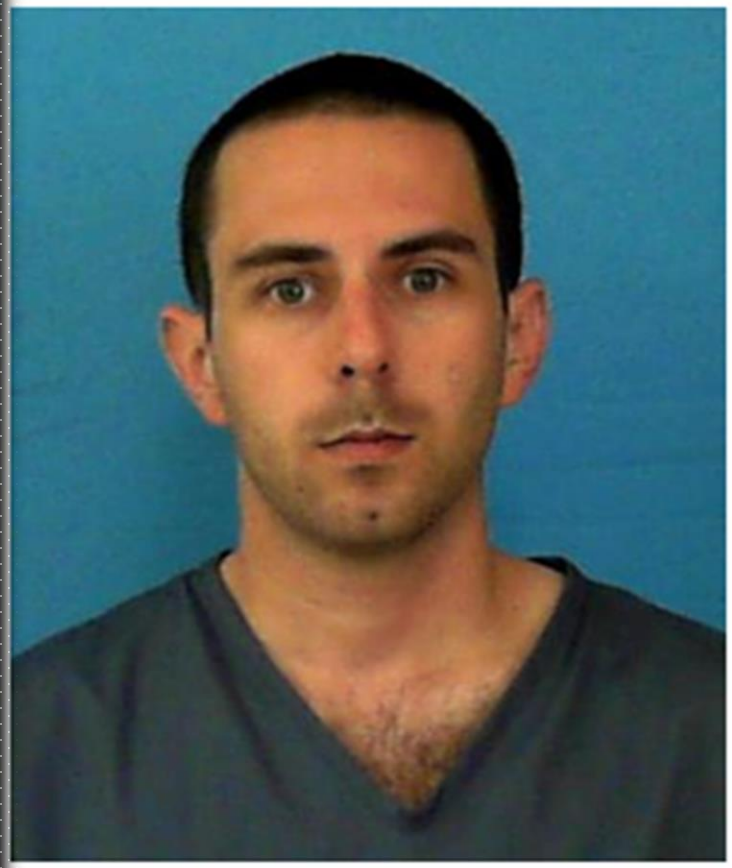
# CASE: 3

## Corrections Offender Network

### Inmate Population Information Detail

(This information was current as of 9/26/2021)

Plea Deal – 6 1/2 years.



| | |
|---|---|
| **DC Number:** | Y63390 |
| **Name:** | KURETH, ZACHARY A |
| **Race:** | WHITE |
| **Sex:** | MALE |
| **Birth Date:** | 03/23/1992 |
| **Initial Receipt Date:** | 12/14/2017 |
| **Current Facility:** | ST. PETE C.R.C. |
| **Current Custody:** | COMMUNITY |
| **Current Release Date:** | 01/22/2022 |

# Closing Remarks

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# Questions??