

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

17A15566
27-CR-18-3122

State of Minnesota,

Plaintiff,

vs.

SYLWIA MALGORZAT PAWLAK-REYNOLDS DOB: 11/06/1975

4920 18th Avenue South
St. Louis Park, MN 55416

Defendant.

COMPLAINT

Warrant

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Murder - 2nd Degree - Without Intent - While Committing a Felony

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1)

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 07/12/2017

Control #(ICR#): 17260289

Charge Description: That on or about 7/12/2017, in Hennepin County, Minnesota, Sylwia Malgorzat Pawlak-Reynolds, did without intent to effect the death of any person, cause the death of Victim A, a human being, while committing or attempting to commit the felony offense of Third-Degree Assault - Substantial Bodily Harm pursuant to Minn. Stat. 609.223, subd. 1.

COUNT II

Charge: Murder - 2nd Degree - Without Intent - While Committing a Felony

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1)

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 07/12/2017

Control #(ICR#): 17260289

Charge Description: That on or about 7/12/2017, in Hennepin County, Minnesota, Sylwia Malgorzat Pawlak-Reynolds, did without intent to effect the death of any person, cause the death of Victim A, a human being, while committing or attempting to commit the felony offense of Malicious Punishment of a Child - Child Under Four - bodily harm to the head, eyes, neck, or otherwise caused multiple bruises to the body pursuant to Minn. Stat. 609.377, subd. 4.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On July 12, 2017, at approximately 10:55 a.m., Minneapolis Police responded 4920 18th Ave. S in the City of Minneapolis, County of Hennepin, State of Minnesota in response to a 911 call in which a woman was screaming. Upon arrival, the officer heard a female voice yelling from the backyard. The officer opened the back gate and saw Victim A (11-month-old male fully identified in the police reports) lying on a patio table. SYLWIA MALGORZAT PAWLAK-REYNOLDS, dob 11/06/1975, the defendant herein, was performing chest compressions on Victim A. Victim A was unresponsive, not moving, and had vomit around his mouth.

The officer initiated CPR and continued until emergency services arrived. EMS determined that Victim A was in cardiac arrest. EMS continued with resuscitative efforts on scene and during the transport to the Hennepin County Medical Center. Upon arrival, hospital staff noted that Victim A made no purposeful movements. Victim A's pupils were fixed and nonreactive. Victim A was not breathing on his own. A head CT revealed an acute subdural hemorrhage, or blood collecting between the membranes that surround the brain. The pressure required that surgeons performed a ventriculostomy, a procedure that created a hole in Victim A's skull, to drain the fluid and relieve intracranial pressure. Victim A had suffered extensive, multilayer retinal hemorrhages in both eyes that were too numerous to count.

HCMC physicians determined that Victim A arrived at the hospital clinically brain dead and that Victim A's condition was not survivable. Following a pediatric brain death assessment, Victim A was declared dead on July 13, 2017 at 4:05 p.m.

Officers spoke with the defendant on scene on July 12, 2017. The defendant operated an in-home daycare center at her residence. Victim A and his 6-year-old sister, hereinafter Witness A, were among the children in the defendant's care. According to the defendant, Victim A was crying loudly that morning, so she put Victim A in a kitchen highchair. The defendant gave Victim A pieces of a rice krispy bar and some milk. The defendant went to the backyard briefly to check on the other children. When she returned to the kitchen, Victim A was limp, his eyes were partially closed, and his tongue was starting to stick out. The defendant grabbed her phone, brought Victim A to the backyard table, called 911, and started compressions. The defendant did not describe Victim A behaving unusually or exhibiting any signs of injury or illness prior to being placed in the highchair. The defendant stated that Victim A had not fallen that morning.

Victim A's parents confirmed that Victim A had not suffered any significant accidental trauma in the days leading up to Victim A's death. Victim A slept and ate normally the morning of July 12, 2017. July 12, 2017 was Victim A's third day at the defendant's daycare. That day, Victim A was crying and had difficulty separating at drop off. The defendant had previously reported that Victim A was crying and not sleeping well throughout his time in her care. Victim A's parents observed that the defendant was overwhelmed and they were contemplating moving their children to a different care provider.

Witness A was in the defendant's home the morning of July 12, 2017. Witness A underwent a forensic interview at Cornerhouse where she described the events of that morning. According to Witness A, Victim A was crawling around the defendant's home and backyard. But, Victim A would cry throughout the morning when Witness A was not holding him.

The pediatric ophthalmologist who examined Victim A at the hospital opined that the severe damage to Victim A's eyes does not occur as a result of a fall, intracranial hemorrhage, or resuscitation efforts. Victim A's retinal hemorrhages were most consistent with abusive head trauma where blood vessels and tissues

are torn in the context of recurrent, rapid, and severe acceleration-decelerations, with or without impact. The pediatric ophthalmologist further opined that the damage to Victim A's eyes was consistent with severe shaking.

Victim A was also examined by Dr. Nancy Harper, Medical Director at the Otto Bremer Trust Center for Safe and Healthy Children. Dr. Harper noted that the most common cause of subdural hemorrhages in infants is trauma where the blood vessels surrounding the brain are torn and sheared. Dr. Harper opined that Victim A's injuries were not the product of a genetic condition, a bleeding disorder, or prolonged resuscitative efforts. It is Dr. Harper's opinion that Victim A's injuries occurred as a result of acceleration-deceleration injury with a rotational component, consistent with shaking, with or without impact. And, Victim A would have exhibited the symptoms of this significant brain injury, such as profound unresponsiveness, shortly after infliction of the trauma.

Victim A's autopsy confirmed that Victim A died of cardiac arrest due to severe brain swelling. The medical examiner identified traumatic injury to Victim A's brain, neck, and eyes that is consistent with an acceleration-deceleration injury, with or without impact. The medical examiner could not identify any natural or accidental cause of Victim A's injuries. The toxicology results revealed that Victim A had diphenhydramine, an antihistamine found in over-the-counter medications such as Benadryl, in Victim A's blood. Victim A's parents denied giving Victim A any medication containing an antihistamine.

The defendant is not in custody. Due to the serious nature of the offense and the threat posed to public safety, the State respectfully requests that a warrant issue with this complaint.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Christopher Gaiters
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 2189

Electronically Signed:
02/02/2018 10:07 PM
Hennepin County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Sarah Hilleren
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
02/02/2018 11:32 AM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 300 S Sixth Street, Minneapolis, MN 55487 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

- Execute in MN Only* *Execute Nationwide* *Execute in Border States*

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$1,000,000.00
Conditions of Release: No Contact with Minors/Males/Females under age of: 18

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: February 2, 2018.

Judicial Officer Kerry Meyer Electronically Signed: 02/02/2018 10:46 PM
District Court Judge

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Sylwia Malgorzat Pawlak-Reynolds

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Sylwia Malgorzat Pawlak-Reynolds
DOB: 11/06/1975
Address: 4920 18th Avenue South
St. Louis Park, MN 55416

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

SILS Person ID #: 660157

SILS Tracking No. 2984161

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	7/12/2017	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2855		MN0271100	17260289
	Penalty	7/12/2017	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2855		MN0271100	17260289
2	Charge	7/12/2017	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2855		MN0271100	17260289
	Penalty	7/12/2017	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2855		MN0271100	17260289