

April 5, 2016

### Courtney Baechler Testimony

On October 11, 2015 our lives changed forever. It was a beautiful 84 degree day in October. Our 7 year-old daughter had a typical jam, packed weekend—she scored the winning goal on her traveling soccer team the day before, she had two birthday parties for her dear friends in the last 24 hours, went to a surprise birthday party for her aunt, and went to one of the United Soccer Games the night prior with her brother, Will, dear friend Maddie, and her brother Max. It was “picture perfect.” After picking her up from the last birthday party at 3 on Sunday, I promised my husband that we could get out on the family boat one last time this season. While I had a rule that I never went on the boat on a Sunday evening before a school week, I thought today was different because it was 84 degrees and also a short week of school, for MEA. At the last minute, we brought our neighbors, their twin 5 year-old boys, and their younger son 3. You, see I often didn’t enjoy having people on the boat. My husband, Ben, was a bit of a “nervous Nellie.” He refused to have any alcohol while he was driving the boat, operating it or anywhere near it. When folks got on the boat, he had everyone put on life vests, refused to start driving until everyone was sitting, talked about how he was the captain and everyone needed to listen...it was all quite embarrassing, but what can I say...he was very safety minded.

Running late as usual from the parties, we finally got on the boat with our neighbors around 4 pm. It usually took a while to push off from the dock and was around 415 when we actually left. The lake was packed! Everyone was enjoying these last few days of summer. Sophia and Will were showing the other kids their favorite places on the boat “the cubbies.” There were two beds and a sink in the rear of the boat (about 4 steps down from the main deck) and a big table, small kitchen and bathroom in the front of the boat. Everyone got a guided tour from Sophia and Will. Shortly after pushing off shore, the 4 younger boys started to argue. Just like always, Sophia was so caring she decided to build the boys a “fort” to play in the front of the boat. She hauled blanket by blanket from the back bedrooms to the front of the boat and made a fort for the boys...a total of 5 trips! The boys began to play in their new hideout in the front. About 30 minutes into our trip (around 445), Sophia came and sat on my lap at the upstairs table. She told me she had a headache and that everything seemed really loud. We had an old boat and the motor was quite loud, her exact words were, “I want the motor off.” I said, “Oh, Sophia, we are in the middle of the lake! We can’t just stop the boat. I told her you had a big weekend this weekend, the winning goal, birthday parties, I’m sure you are tired and dehydrated. Why don’t you have some water?” I got her some water, rubbed her back, turned off the radio, and asked Ben to slow down the boat so the motor wouldn’t be so loud. She got off my lap and went a few feet from me to sit on Ben’s lap and drive the boat. We actually took a picture of the two of them, they looked so cute as captains of the boat. Ben, as usual, was so worried about safety that he was concerned about having Sophia on his lap with all the boats around. He asked her to get down from his lap. Sophia decided to go and rest in one of the lower bedrooms. At this moment, her younger brother Will start screaming that his stomach hurt. We assumed all the boys were wrestling in their fort in the front of the boat and someone likely got a foot to the stomach. As I rubbed Will’s back as he cried from abdominal pain, Ben

stopped the boat about a football field from downtown Wayzata. He said something sounded funny and he was going to check the engine. I asked him if he would check on Sophia when he went down the steps. It had been about 7 minutes since she was on the deck of the boat. The next thing I heard was Ben screaming Sophia and carrying our lifeless baby girl. He found her on the floor of the bedroom. I remember looking at her in shock and just waiting for her to wake up. Ben started screaming its "carbon monoxide, I know it, I have a headache..." start CPR. As a trained cardiologist all I could think of was what if I can't feel her pulse, what if I feel her pulse and it's not there. We put her on the table of the boat and immediately started CPR. The 4 boys, all under age 5, were about a foot and ½ from the table while we did CPR on Sophia. My neighbor did mouth-to-mouth, and I did chest compressions. I remember thinking I don't want to break a rib, what if I cause a splenic laceration, what if I hurt her, and then I caught myself saying all that can be fixed. I called 911 and screamed for help, why couldn't they locate us I thought? My brain was so confused I couldn't think of the name of where we were trying to dock. Eventually, our friend, Brett drove the boat to the shore and we waved our arms for help. It seemed the whole community was there and helping. Strong volunteers continued to do CPR until the paramedics arrived. But, they continued to struggle to get a pulse. Pulsless electrical alternans, no rhythm, continue CPR. They had called for a helicopter to try and bring her to HCMC for hyperbaric chambers, but unfortunately, she needed to be stable enough to transfer her without active CPR in the helicopter. They drove the rig to a nearby school and sat with my child dying in the ambulance waiting, desperately trying to bring her back. At this point I was by myself, and asked if they could simply go by ambulance to HCMC, which they eventually did. While we were in the ambulance, they checked her pupils and I asked, "are they fixed?" They said yes, implying she had severe brain damage. I started to think what it would be like to have lost my usual "Sophia" and have a new Sophia that had brain damage, again never realizing that she could possibly die. We arrived at HCMC, she was coded for another 30 minutes or so, until it was eventually about an hour and half of excruciating attempts to save my baby girl's, life, and eventually the code was called and Sophia was pronounced dead.

As if the death of Sophia was not enough, the doctors asked if others were on the boat and could have been exposed. All 4 boys had to come by ambulance and all were found to have carbon monoxide poisoning, fortunately, not as high as Sophia's. The parents also were confirmed to have carbon monoxide poisoning. Everyone on this boat could have died. We were on the boat for less than hour, Sophia was in the bedroom, 4 steps from us for less than 7 minutes. The hardest thing of all is to think this all could have been prevented. It is crazy to think if this was a new model boat, a carbon monoxide detector would be required, but because it was older it was never mentioned. For a \$20 carbon monoxide detector, my beautiful girl would be here. Instead, I wake up every day with the nightmare that is now my reality that she is gone. There are no second chances when it comes to carbon monoxide. Please don't let this tragedy ever occur again.