

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0294
07-CR-16-715

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

THOMAS LAWRENCE CHARETTE DOB: 03/13/1973

221 Stonehenge Drive
Mankato, MN 56001

Defendant.

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: Neglect of a Child-Likely Subst. Harm Physical/Emot Health-G

Minnesota Statute: 609.378.1(a)(1)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/14/2016

Control #(ICR#): 16004271

Charge Description: Thomas Lawrence Charette

On or about February 14, 2016, in the County of Blue Earth, said Defendant, Thomas Lawrence Charette did as a parent, legal guardian, or caretaker, willfully deprived a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age, when the parent, guardian, or caretaker is reasonably able to make the necessary provisions and the deprivation harms or is likely to substantially harm the child's physical, mental, or emotional health.

COUNT II

Charge: Endanger Child-Situation Could Cause Harm or Death-G

Minnesota Statute: 609.378.1(b)(1)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/14/2016

Control #(ICR#): 16004271

Charge Description: Thomas Lawrence Charette

On or about February 14, 2016, in the County of Blue Earth, said Defendant, Thomas Lawrence Charette

did as a parent, legal guardian, or caretaker, intentionally caused or permitted a child to be placed in a situation likely to substantially harm the child's physical, mental, or emotional health or cause the child's death.

STATEMENT OF PROBABLE CAUSE

Officer Melissa Myers, a licensed peace officer in the State of Minnesota currently employed by the Mankato Department of Public Safety, reports that on February 14, 2016, at approximately 2:05 p.m., dispatch received a call of an infant left in a vehicle at the River Hills Mall near the west side of Herbergers. River Hills Mall is located in the City of Mankato, Minnesota. Dispatch advised that the vehicle was not running and that they were told there was no one else around with the vehicle. Officer Myers was then dispatched to investigate.

While in route, Myers was advised that a River Hills Mall security guard had arrived at the vehicle and checked the vehicle doors and discovered that all of the doors were locked.

Myers reports she arrived on scene at approximately 2:15 p.m. and found the infant awake in a car seat in the rear of the motor vehicle on the passenger's side. Myers also notes the infant had a blanket over him.

A short time after Myers arrived, a male approached and said he was the father of the infant. He was identified as Thomas Charette.

Charette then opened the vehicle and made contact with his son, who he identified as O.C. O.C. is under the age of 2 years. Myers noted that O.C. appeared to be healthy and not in any duress. Myers then had dispatch check the weather at the time. Dispatch reported it was 19 degrees with 'a feel' of 5 degrees and a wind speed of 15 miles per hour.

Myers then asked Charette why O.C. had been left in the vehicle alone, and Charette stated that O.C. had been asleep. Charette stated that he and his wife were sharing child care duties and that she was with their 9-week-old child.

Myers then spoke with a male on scene, who was identified as Witness 1. Witness 1 stated that he is the one who found the infant in the vehicle and that he asked his wife, an employee at a store in the River Hills Mall to call police. Witness 1 stated that the infant had been alone inside the vehicle a minimum of 30 minutes that he was aware of.

Myers further reports that Charette had several shopping bags with him from Sears, Scheels, and Motherhood. The River Hills Mall security guard checked the receipts and found that the earliest time on the Motherhood receipt was stamped at 1:08 p.m. Charette further admitted to the security guard that he had traveled all the way to Target at the opposite end of the mall to shop.

Myers reports that after she spoke with the security guard, she observed Charette in the rear seat of the vehicle with O.C., playing some games or watching something on his phone or a similar device.

Myers then approached Charette again and advised that charges would be requested. Myers then allowed Charette to leave the scene with O.C.

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

Jeremy Clifton
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3149

Electronically Signed:
02/26/2016 01:42 PM
Blue Earth County, MN

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

Prosecuting Attorney

Christopher Rovney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
02/26/2016 09:27 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 **March 24, 2016 at 8:15 AM** before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 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: \$
Conditions of Release:

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 26, 2016.

Judicial Officer

Kurt D Johnson
District Court Judge

Electronically Signed: 02/26/2016 02:04 PM

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

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

THOMAS LAWRENCE CHARETTE

Defendant

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

Signature of Authorized Service Agent: