

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

MAN-16-0573  
07-CR-16-2818

**State of Minnesota,**

Plaintiff,

vs.

**KATIE LYNN GERHARDSON DOB: 04/20/1989**

108 Counry Manor Court  
Eagle Lake, MN 56024

Defendant.

**COMPLAINT**

Summons

Tab Charge/Citation Previously Filed

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: Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol**

Minnesota Statute: 169A.20.1(1), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 07/12/2016

Control #(ICR#): 16020538

Charge Description: Said Defendant, Katie Lynn Gerhardson, did drive or operate and was in physical control of any motor vehicle when he/she was under the influence of alcohol, and one aggravating factor was present when the violation was committed.

**COUNT II**

**Charge: Traffic - DWI - Operate Motor Vehicle - Alcohol Concentration 0.08 Within 2 Hours**

Minnesota Statute: 169A.20.1(5), with reference to: 169A.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 07/12/2016

Control #(ICR#): 16020538

Charge Description: Said Defendant, Katie Lynn Gerhardson, did drive, operate or was in physical control of any motor vehicle when his/her alcohol concentration at the time, or as measured within two hours of the time of driving, operating or being in physical control of the motor vehicle was .08 or more, and one aggravating factor was present when the violation was committed.

**COUNT III**

**Charge: Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle**

Minnesota Statute: 169.791.2(a)  
Maximum Sentence: 90 days and/or \$1,000  
Offense Level: Misdemeanor

Offense Date (on or about): 07/12/2016

Control #(ICR#): 16020538

Charge Description: Said Defendant, Katie Lynn Gerhardson, did fail to produce, upon demand of a peace officer, proof of insurance in force at the time of the demand covering the vehicle being operated.

#### **COUNT IV**

#### **Charge: Traffic-Drivers License-Driving After Revocation**

Minnesota Statute: 171.24.2  
Maximum Sentence: 90 days and/or \$1,000  
Offense Level: Misdemeanor

Offense Date (on or about): 07/12/2016

Control #(ICR#): 16020538

Charge Description: Said Defendant, Katie Lynn Gerhardson, did after being give notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

## STATEMENT OF PROBABLE CAUSE

Complainant is an Officer with the Mankato Police Department who believes the information set out below is true and accurate based on reports and information submitted to the Officer by Officer Dale Stoltman and others identified herein.

On July 12, 2016, at approximately 4:50 p.m., Officer Stoltman responded to a report of a driving complaint near Stadium and Tanager Roads, in the City of Mankato, Blue Earth County, Minnesota. Dispatch had received information from an individual later identified as Witness 1 regarding a complaint against another driver. Witness 1 reported an individual was tailgating and honking their horn. A short time later dispatch received a telephone call from the suspect. That person was later identified as Katie Lynn Gerhardson, the Defendant herein.

The Defendant had parked her vehicle in the Mankato Armory parking lot on Pohl Road. Officer Stoltman reported to that location and spoke with the Defendant. The Defendant had already given her keys to an individual present at the scene who was later identified as Witness 2. The Defendant could not locate her driver's license but informed Officer Stoltman that her driver's license was revoked. Officer Stoltman noted that the Defendant's eyes were glassy and she smelled of a strong odor of an alcoholic beverage. When asked if she had been drinking, the Defendant indicated she had consumed vodka. Officer Stoltman asked the Defendant where she was coming from, and the Defendant said Eagle Lake. Officer Stoltman observed that the Defendant was very emotional and appeared distraught. The Defendant told Officer Stoltman, 'I just wanted to get caught.' The Defendant told Officer Stoltman that two people in a black SUV had cut her off. The Defendant admitted that she has a bad temper and later stated, 'I fucked up.' When asked how much she had to drink, the Defendant replied, 'A lot.' The Defendant also acknowledged that she felt the effects of what she had consumed. Officer Stoltman administered the horizontal gaze nystagmus tests and observed all six clues indicating impairment. Officer Stoltman administered the one-legged stand test and noted the Defendant did not count as instructed. During the test the Defendant asked Officer Stoltman if he was going to start counting. The Defendant lost her balance and put her foot down at the count of four. The Defendant attempted the test a third time and immediately set her foot down and stated that she could not do it. Officer Stoltman administered the walk and turn test and observed the Defendant lose her balance after the fourth step down the line. The Defendant told Officer Stoltman that she could not do the test and asked him to just take her away. Officer Stoltman administered a portable breath test. The Defendant blew a .226 on the digital PBT. The Defendant was placed under arrest and transported to the Blue Earth County Justice Center for processing. While in route to jail, Officer Stoltman noted that the Defendant was scratching at her arms. The Defendant was placed in a data master breath test room while Officer Stoltman retrieved some forms. When Officer Stoltman returned, the Defendant had a USB cable from the computer and was vigorously scratching at her wrists with the cable. As Officer Stoltman began to read the Implied Consent Advisory, the Defendant continued to vigorously scratch at her wrists with her fingernails. The Defendant continued to do so in spite of Officer Stoltman's requests. The Defendant continued to pick at her wrists and stated, 'I just want to die.' The Defendant had to be placed in handcuffs because she would not stop digging at her wrists. The Defendant continued to pick at them so much that they started to bleed.

The Defendant was transported to MCHS. Officer Jesse Gilbertson assisted in the investigation of this incident. Officer Stoltman obtained a search warrant for the Defendant's blood that was signed by The Honorable Judge Krista J. Jass. A blood sample was withdrawn by the laboratory assistant using blood test kit number B389328. The laboratory assistant was identified as Witness 3.

The Defendant was unable to provide proof of insurance on the vehicle that she was operating.

## 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**

Daniel Schisel  
Police Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3135

Electronically Signed:  
07/19/2016 04:00 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

Christopher Cain  
Assistant Blue Earth County  
Attorney  
401 Carver Road  
PO Box 3129  
Mankato, MN 56002-3129  
(507) 304-4600

Electronically Signed:  
07/19/2016 08:18 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 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: July 20, 2016.

**Judicial Officer**

Bradley C Walker  
District Court Judge

Electronically Signed: 07/20/2016 03:46 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.

**KATIE LYNN GERHARDSON**

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: