

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0049
07-CR-16-209

State of Minnesota,

Plaintiff,

vs.

JOHN FREDERICK GOOSSEN DOB: 10/19/1948

1204 East River Drive
Mankato, MN 56001

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): 01/19/2016

Control #(ICR#): 16001780

Charge Description: Said Defendant, John Frederick Goossen, did drive, operate and have physical control of a motor vehicle in the State of Minnesota or upon any boundary water of the State of Minnesota while under the influence of alcohol and one or more aggravating factors exist, to-wit: an alcohol concentration of .16 or more and/or a prior conviction or driver's license revocation due to a prior DWI.

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): 01/19/2016

Control #(ICR#): 16001780

Charge Description: Said Defendant, John Frederick Goossen, did drive, operate and have physical control of a motor vehicle in the State of Minnesota or upon any boundary water of the State of Minnesota with an alcohol concentration of .08 or more as measured at the time or within two hours of the time of driving and one or more aggravating factors exist, to-wit: an alcohol concentration of .16 or more and/or a prior conviction or driver's license revocation due to a prior DWI.

COUNT III

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

Minnesota Statute: 169A.20.1(1), with reference to: 169A.27.2

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 01/19/2016

Control #(ICR#): 16001780

Charge Description: Said Defendant, John Frederick Goossen, did drive, operate and have physical control of a motor vehicle in the State of Minnesota or upon any boundary water of the State of Minnesota while under the influence of alcohol.

COUNT IV

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

Minnesota Statute: 169A.20.1(5), with reference to: 169A.27.2

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 01/19/2016

Control #(ICR#): 16001780

Charge Description: Said Defendant, John Frederick Goossen, did drive, operate and have physical control of a motor vehicle with an alcohol concentration of .08 or more as measured at the time or within two hours of time of driving.

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 Adam Kruger and others identified herein.

On January 19, 2016, at approximately 7:28 pm, Officer Kruger was clearing a traffic stop on North Second Street and Mulberry Street in the city of Mankato, Blue Earth County, Minnesota. He states a citizen traveling on North Second Street honked its horn to get his attention. Officer Kruger rolled down his driver's window and the citizen yelled that the truck in front of them is possibly intoxicated. Officer Kruger states that vehicle left and the very next vehicle pulled up and yelled out their driver's window, 'Hey, that guy in that truck is drunk.' Officer Kruger turned around and located the suspect vehicle, a 2015 GMC Sierra Pickup bearing MN license plate 083PPM, stopped at the red light on S. Second and Main Streets. Officer Kruger states when the light turned green, the vehicle accelerated at a high rate of speed, crossed over Main Street and then drove into the turn lane of on-coming traffic in the 100 block of N. 2nd Street. The truck continued to drive on the center lane and into the center turn lane. Officer Kruger activated his emergency lights and the truck traveled for another two blocks before pulling over. Officer Kruger noted the vehicle's brake reverse lights were on so waited a few seconds. The brake lights came off and the truck started going in reverse towards him. Officer Kruger states he put his squad car in reverse and honked his horn. The driver of the truck then slammed on his brakes and put the truck into park. Officer Kruger made contact with the driver of the truck and states when the driver opened the door he was immediately overwhelmed with a strong odor of an alcoholic beverage coming from within the vehicle. Officer Kruger also observed that the defendant's eyes were watery/glassy, and bloodshot with marked reddening, his pupils were dilated, his speech was slurred and he was slow to react to instructions. The driver exited the vehicle at Officer Kruger's request and upon getting out stumbled into the side of his truck. Officer Kruger attempted to administer the Horizontal Gaze Nystagmus test to the driver, however the defendant would not look at Officer Kruger's finger as instructed. Officer Kruger identified the driver of the vehicle as John Frederick Goossen, the defendant herein. Officer Kruger administered a portable breath test and the defendant blew a .221 on the digital PBT. The defendant was placed under arrest and Officer Kruger read him the Implied Consent Advisory at 7:43 pm. The defendant stated he understood the advisory, was given an opportunity to contact an attorney and agreed to take a breath test. The result of the breath test, which was reported at 8:25 pm, was .23 alcohol concentration.

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:
01/20/2016 01:16 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Christopher Cain
Assistant City Attorney
10 Civic Center Plaza
PO Box 3368
Mankato, MN 56002-3368
(507) 387-8559

Electronically Signed:
01/20/2016 10:09 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 **February 18, 2016 at 2:30 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: January 20, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 01/20/2016 04:30 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.

JOHN FREDERICK GOOSSEN

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: