

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-1256  
07-CR-16-3198

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Warrant

vs.

**TIMOTHY TODD PICARD DOB: 01/31/1962**

No perm

Defendant.

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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: Assault-3rd Degree-Substantial Bodily Harm**

Minnesota Statute: 609.223.1

Maximum Sentence: 5 years and/or \$10,000

Offense Level: Felony

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022909

Charge Description: Timothy Todd Picard Also Known As Randall Blicke, Timothy Picard, Tim Todd Picard, Timothy Todd Pichard And Timothy T Picard

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Timothy Todd Picard did, assault another and inflicted substantial bodily harm.

**COUNT II**

**Charge: Assault-4th Deg-Motivated by Bias**

Minnesota Statute: 609.2231.4

Maximum Sentence: One year, \$3,000 or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022909

Charge Description: Timothy Todd Picard Also Known As Randall Blicke, Timothy Picard, Tim Todd Picard, Timothy Todd Pichard And Timothy T Picard

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Timothy Todd Picard did, assault another because of the victim's or another' actual or perceived race, color, religion, sex, sexual orientation, disability, age, or national origin.

### COUNT III

**Charge: Assault-5th Degree-Fear of Bodily Harm or Death**

Minnesota Statute: 609.224.1(1)

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022909

Charge Description: Timothy Todd Picard Also Known As Randall Blicke, Timothy Picard, Tim Todd Picard, Timothy Todd Pichard And Timothy T Picard

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Timothy Todd Picard did commit an act with intent to cause fear in another of immediate bodily harm or death.

### COUNT IV

**Charge: Assault-5th Deg-Inflict or Attempt Bodily Harm**

Minnesota Statute: 609.224.1(2)

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

Offense Level: Misdemeanor

Offense Date (on or about): 08/02/2016

Control #(ICR#): 16022909

Charge Description: Timothy Todd Picard Also Known As Randall Blicke, Timothy Picard, Tim Todd Picard, Timothy Todd Pichard And Timothy T Picard

On or about August 2, 2016, in the County of Blue Earth, said Defendant, Timothy Todd Picard did intentionally inflict or attempted to inflict bodily harm upon another.

## STATEMENT OF PROBABLE CAUSE

On August 2, 2016, at approximately 5:28 p.m., officers were dispatched to a residence in Mankato, Blue Earth County, on the report of someone being threatened. Upon arriving at the scene, officers made contact with Adult 2, who appeared to be intoxicated. Officer Lopez arrived on scene, and Officer Myers had Officer Lopez deal with Adult 2 as she went up to the residence where the disturbance was reported.

Officer Myers arrived at Adult 1's apartment and observed that the door was wide open. At first, Officer Myers could not see anyone inside; so she yelled into the apartment, but no one came to the door. She then heard some voices from the back and was concerned for Adult 1's safety as he was the one who called dispatch and stated that people were threatening him. Officer Myers entered the apartment and pulled a blanket aside that was hanging over a doorway. Officer Myers then heard a loud noise against the wall as she was pulling back the blanket. She observed a male, Adult 3, seated on a couch to the right as she looked in the room. She then observed Timothy Todd Picard, D.O.B. 1-31-1962, facing away from Officer Myers facing the wall the left as Officer Myers looked in the room. Picard had lunged forward and shoved someone against the wall. Officer Myers told Picard to leave the room, and he did. Officer Myers recognized that the person who got shoved was Adult 1, who had called in the disturbance.

Officer Myers observed that Picard appeared to be intoxicated. She had Officer Knutson make contact with Picard as he was on his way out of the apartment. Officer Myers observed that Adult 1 had fresh blood in his mouth. She also observed that he had some fresh blood on his right hand and some large amounts of blood around the web of his right hand.

Officer Myers had Adult 1 sit down on the couch as he also appeared to be intoxicated. As Adult 1 sat down, Officer Myers looked at his face and observed that Adult 1 had quite a bit of swelling on the right side of his face. Officer Myers observed a circular shaped swelling near his right eye. As Officer Myers looked further at Adult 1, she observed that a significant area of the right side of his face was swollen, indicating to her that he had some serious injury to his face and, most likely, some broken bones. She then radioed for an ambulance.

Adult 3 stated that "Tim beat [Adult 1]." Adult 3 was confused about certain things, such as who he was talking about; however, Adult 3 stated that "Joe beat the 'gay guy.'" Officer Myers knows from prior contact that Adult 1 identifies as liking both males and females and has heard others refer to Adult 1 as being homosexual. Adult 3 was also making comments that Adult 1's blood was all over because of the assault.

While Officer Lopez was dealing with Adult 2, he observed that Officer Knutson made contact with Picard. Officer Lopez observed that Picard appeared to be impaired. Picard became upset and began hitting the glass in the squad car. Officer Lopez asked Picard to stop hitting the glass multiple times.

When making contact with Picard, Officer Knutson observed that Picard was breathing heavy and sweating profusely. Officer Knutson asked Picard what happened today. Picard stated that things were crazy and that Adult 1 came after him. Officer Knutson asked Picard how that happened. Picard stated that Adult 1 tried to push him down the stairs, so Picard pushed Adult 1. Picard said that he never hit Adult 1, but he pushed him once when Adult 1 tried to push him.

While Officer Vitale was on scene, he observed Adult 1 sitting on a couch in a small living room and observed that Adult 1's face appeared to be discolored, swollen; and his mouth was full of blood. Officer Vitale assisted the ambulance crew carrying Adult 1 out of the house. At that time, he asked Adult 1 who hit him. Adult 1 replied, "Tim did it." Officer Vitale noted that he is familiar with Adult 1 from prior contact and has never known Adult 1 to be a violent person. Officer Vitale also noted that Picard was very agitated, was

hitting the squad car cage, and was yelling. Officer Vitale then transported Picard to the Justice Center, at which time Picard remained agitated and extremely uncooperative. Picard repeatedly said and yelled "fuck" numerous times during the transport. Picard also told Officer Vitale and Officer Vitale's ride-along partner that they "suck wiener." Officer Vitale observed that Picard seemed to be the only agitated person located at the scene.

Officer Ellis transported Adult 2 to the LEC where she attempted to speak to him about the disturbance. Adult 2 stated that he and Adult 1 called Picard a faggot several times and that upset him. Adult 2 stated there was then some pushing and shoving but that he didn't see what happened. Adult 2 claimed that he looked away or was in a different room and stated that he wanted to stay out of the argument.

Officer Waterstreet made contact with Adult 3 at the scene. Officer Waterstreet asked Adult 3 what happened. Adult 3 stated that he could only tell Officer Waterstreet that someone was fighting with the "gay guy." Adult 3 was referring to Adult 1.

At the Blue Earth County Jail, Officer Waterstreet read Picard his Miranda warning. Picard agreed to speak to Officer Waterstreet. Officer Waterstreet asked Picard what happened, and Picard stated "nothing." Picard eventually stated he was at the residence, and everyone was drinking. Picard stated that Adult 1 began doing "fag stuff" to him, so he left the residence. When Officer Waterstreet asked Picard what Picard meant, Picard made a petting motion with his hand. Picard then reiterated that he left after that happened. Officer Waterstreet reminded Picard that officers found him inside the residence. Picard stated they did not find him in the residence. Picard stated he never hit or kicked anyone.

The next day, August 3, 2016, Officer Huettl made contact with Adult 1 at the hospital. Adult 1 stated that he and Adult 3 were at his residence when Picard and Adult 2 came over. They all began to drink vodka. Adult 1 stated that Picard passed out; and when he woke up, he began yelling at Adult 1. Adult 1 stated that Picard attempted to shake hands with him and apologize for yelling. Adult 1 stated he was reluctant to shake hands but eventually did in attempts to get along with Picard.

Adult 1 stated that he was sitting in a chair; and Picard was standing in front of him when Picard hit him in the face, causing him to fall out of the chair. Adult 1 stated that Picard then began punching him with a closed fist and stomped on his chest. Adult 1 stated he was on the floor in the fetal position in the corner next to the chair. Adult 1 stated he never fought back because he was unable. Adult 1 denied attempting to give Picard a hug.

Adult 1 believed that Picard assaulted him because of his sexual orientation. Adult 1 stated that he was gay and that he thought that during the incident, Picard referred to him as a "faggot." Adult 1 stated he had past dealings with Picard and was assaulted by Picard approximately a week ago during a separate incident that he did not report.

Officer Huettl spoke to medical staff, who advised that Adult 1 had suffered a broken nose and other minor contusions.

On August 3, 2016, Officer McGinnis made contact with Picard at the Blue Earth County Jail. Officer McGinnis read Picard his Miranda warning and Picard agreed to speak to Officer McGinnis. Picard stated he had been drinking with everyone else and that he had used some black tar heroin without the others knowing. Picard started out by saying that Adult 1 is gay and that Adult 1 started touching him, which Picard doesn't like. Picard stated that he tried to tell Adult 1 to leave him alone; and then Adult 1 tried to grab his penis, knowing that Picard isn't gay. Picard stated that Adult 1 tried to hug him and that he is not really a "huggie" guy.

Picard stated that he didn't remember exactly how it started but that when Adult 1 tried to give him a hug, he slammed Adult 1 away from himself. Picard claimed that Adult 1 then came back at him and put him in a headlock. Picard stated once Adult 1 had him in a headlock, Picard threw his elbow up and hit Adult 1 in the face to get away. Picard stated he then pushed Adult 1 to the ground, and then Adult 1 grabbed his leg. Picard stated he started kicking and shaking his leg until Adult 1 let go of him. Adult 1 started getting up; and Picard pushed him down again and said, "Dude, I can fight. You don't want nothing to do with me." Picard then headed down the stairs, and Adult 1 was following him, saying he was going to call the cops. Picard stated he remembered Adult 1 bleeding and thinks Adult 1 either got hurt when Picard elbowed him or when Picard pushed Adult 1 against the wall.

Picard stated that he has nothing against Adult 1 being gay; but when Picard said no, he means it and doesn't appreciate when Adult 1 grabs at his penis. Picard stated he doesn't remember throwing any punches or striking Adult 1 repeatedly and only recalls elbowing Adult 1 when he was in the headlock and then pushing him. Picard claimed that Adult 1 was apologizing to him about the altercation. Picard later stated that he had been sleeping and woke up to Adult 1's hand being on his penis and that's when he initially pushed Adult 1 and the altercation started.

Later that day, Officer McGinnis tried to speak to Adult 2 and Adult 3; however, both stated they did not recall anything happening between Adult 1 and Picard and stated they really didn't remember being at Adult 1's house due to them both being "blacked out."

Picard currently does not have an address and is homeless; thus, a Warrant is requested.

## 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**

Craig Frericks  
Commander  
710 S Front St  
Mankato, MN 56001-3803  
Badge: 3102

Electronically Signed:  
08/12/2016 05:06 PM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

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

Electronically Signed:  
08/12/2016 03:48 PM

**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: August 15, 2016.

**Judicial Officer**

Krista J Jass  
Judge of District Court

Electronically Signed: 08/15/2016 09:19 AM

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.

**TIMOTHY TODD PICARD**

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: