

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

MAN-16-0091
07-CR-16-393

State of Minnesota,

Plaintiff,

vs.

HAILEY JO KRAUSE DOB: 03/16/1993

14636 Lola Ave
Waseca, MN 56093

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.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, 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 two 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.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, did drive, operate and have physical control of a motor vehicle in the State of Minnesota or upon the ice of 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 two 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.26.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, 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 IV

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): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, did drive, operate and have physical control of a motor vehicle in the State of Minnesota or upon the 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 V

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): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, 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 VI

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): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, 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.

COUNT VII

Charge: Drugs - Possess/Sale Small Amount of Marijuana - No Remuneration

Minnesota Statute: 152.027.4(a)

Maximum Sentence: \$300 fine

Offense Level: Petty Misdemeanor

Offense Date (on or about): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, did unlawfully sell a small amount of marijuana for no remuneration or did unlawfully possess a small amount of marijuana.

COUNT VIII

Charge: Drugs - Possession of Drug Paraphernalia - Use or Possession Prohibited

Minnesota Statute: 152.092

Maximum Sentence: \$300

Offense Level: Petty Misdemeanor

Offense Date (on or about): 01/31/2016

Control #(ICR#): 16003010

Charge Description: Said Defendant, Hailey Jo Krause, did knowingly possess drug paraphernalia.

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 31, 2016, at approximately 10:00 p.m., Officer Adam Kruger responded to a report of an accident in the 1000 block of Raintree Road in the City of Mankato, Blue Earth County, Minnesota. Officer Kruger reported to that location and identified the driver of the vehicle Hailey Jo Krause, the defendant herein. Officer Melissa Myers assisted in the investigation of the accident. The defendant had been initially placed in Officer Myers' squad car. Officer Myers notes in her report that the defendant had a staggered walk. In addition, Officer Myers noted the odor of an alcoholic beverage. Four witnesses were identified as W1, W2, W3 and W4. Witnesses 1, 2 and 3 were three females that were riding together in one vehicle when they came upon the accident. The witnesses stated that they believed the defendant was intoxicated. The defendant asked the women if they would help her push her vehicle out of the ditch. When W1 suggested calling a tow truck, the defendant said that she didn't have money for a tow. The witnesses reported that the defendant refused to give up trying to get her vehicle out of the ditch. Officer Kruger learned that the defendant had asked the women to lie to police. After the defendant learned that the police had been called and were at the scene, the defendant had asked the women to state that a friend of the defendant had been driving. The defendant asked the women to tell the police that the 'friend' who had been driving the vehicle had walked away from the scene. While Officer Kruger obtained additional information the defendant was placed in his squad car.

Officer Kruger asked the defendant to get out of his squad car in order for him to administer field sobriety tests. When the defendant got out of the squad car, she stumbled into the side of Officer Kruger's squad car. Officer Kruger attempted to administer the horizontal gaze nystagmus test. At that time, the defendant made the claim that she was not driving the vehicle but that a friend was driving. She continued denying that she had been driving the vehicle. She continued to repeat her story and would not submit to any field sobriety tests. At that time, Officer Kruger informed the defendant that she was under arrest for driving while intoxicated. Officer Kruger administered a portable breath test and the defendant blew a .189 on the digital PBT.

North Mankato Police Officer Brian Gangelhoff assisted in the investigation of the incident. Officer Gangelhoff located numerous empty pill bottles in the vehicle. Another pill bottle contained a green leafy material consistent with marijuana. Officer Gangelhoff located a small glass pipe with the odor of burnt marijuana. Officer Kruger read the defendant the Implied Consent Advisory at 10:38 p.m. After being given an opportunity to contact an attorney, the defendant agreed to submit to a breath test. The results of the breath test were .18 alcohol concentration.

A computer check of the defendant's driver's license record indicates that she has a previous conviction for DWI from an incident on June 23, 2013. The defendant is only 21 years old. In addition, the defendant's driver's license has been revoked due to three previous convictions for either having sold or possessed a Controlled Substance. The three separate convictions for the Controlled Substance Violations all originate from Waseca County in March of 2010; October of 2010; and January of 2012.

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:
02/04/2016 01:15 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:
02/04/2016 11:18 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: February 4, 2016.

Judicial Officer

Richard C. Perkins
Judge of District Court

Electronically Signed: 02/04/2016 03:48 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.

HAILEY JO KRAUSE

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: