

State of Minnesota  
County of Rice

District Court  
3rd Judicial District

Prosecutor File No. 0660041739  
Court File No. 66-CR-18-49

**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**CHRISTOPHER TODD JOHNSON DOB: 07/03/1968**

11095 Shieldsville Blvd.  
Montgomery, MN 56069

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: Fleeing a Peace Officer in a Motor Vehicle**

Minnesota Statute: 609.487.3, with reference to: 609.487.3

Maximum Sentence: 3 years and one day or \$5,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 01/07/2018

Control #(ICR#): 18000027

Charge Description: On or about January 7, 2018, in Rice County, Minnesota, Christopher Todd Johnson, the defendant, did by means of a motor vehicle flee or attempt to flee a peace officer acting in the lawful discharge of an official duty, and knew or should reasonably have known the same to be a peace officer.

**COUNT II**

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

Minnesota Statute: 169A.20.1(1), with reference to: 169A.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/07/2018

Control #(ICR#): 18000027

Charge Description: On or about January 7, 2018, in Rice County, Minnesota, Christopher Todd Johnson, the defendant, did drive, operate or be in physical control of a motor vehicle when under the influence of alcohol and two or more aggravating factors were present, to wit: 2010 DWI conviction and 2014 Implied Consent Revocation of driver's license.

**COUNT III**

**Charge: Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test**

Minnesota Statute: 169A.25.1(b), with reference to: 169A.25.2

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/07/2018

Control #(ICR#): 18000027

Charge Description: On or about January 7, 2018, in Rice County, Minnesota, Christopher Todd Johnson, the defendant, did refuse to submit to a chemical test of blood, breath, or urine, pursuant to 169A.51 or 169A.52, after having driven, operated or been in physical control of a motor vehicle and one aggravating factor was present, to wit: 2010 DWI conviction.

#### **COUNT IV**

**Charge: Traffic-DL-Driving after cancellation-inimical to public safety**

Minnesota Statute: 171.24.5, with reference to: 171.24.5

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 01/07/2018

Control #(ICR#): 18000027

Charge Description: On or about January 7, 2018, Rice County, Minnesota, Christopher Todd Johnson, the defendant, did drive a motor vehicle when his driver's license or driving privileges had been cancelled or denied as inimical to public safety and defendant had actual notice or reason to know of the cancellation or denial.

#### **COUNT V**

**Charge: Fleeing a Peace Officer By a Means Other Than a Motor Vehicle**

Minnesota Statute: 609.487.6, with reference to: 609.487.6

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

Offense Level: Misdemeanor

Offense Date (on or about): 01/07/2018

Control #(ICR#): 18000027

Charge Description: On or about January 7, 2018, in Rice County, Minnesota, Christopher Todd Johnson, the defendant, did and for the purpose of avoiding arrest, detention, or investigation, or in order to conceal or destroy potential evidence related to the commission of a crime, did attempt to evade or elude a peace officer acting in the lawful discharge of an official duty, by means of running, hiding, or by any other means except fleeing in a motor vehicle.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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Complainant and/or Signing Officer designated below, declares under penalty of perjury, that he/she has reviewed police reports relating to the above-named Defendant and the allegations contained herein, and/or has spoken with peace officers having knowledge of the incident, and based upon that information, believes the following to be true and correct.

On January 7, 2018, at about 9:10 p.m., Deputy Malecha of the Rice County Sheriff's Office was traveling southbound in the 12000 block of Dundas Boulevard in Rice County, Minnesota. Deputy Malecha saw a vehicle traveling in front of him. The vehicle crossed the center line a few times. The vehicle had MN license plate no. 960PGV. There was one occupant inside the vehicle. The vehicle turned westbound at 130<sup>th</sup> Street East. The vehicle quickly accelerated and went over the hill. Deputy Malecha estimated that the vehicle was traveling over 100 mph. The posted speed limit for the area is 55 mph. The deputy activated his radar and received a speed reading of 123 mph. The deputy attempted to catch up to the vehicle. The deputy was able to catch up to the vehicle after a few miles. The deputy saw the vehicle was crossing the center line repeatedly. The deputy saw the vehicle fail to completely stop for a stop sign at Bagley Avenue. The deputy activated his emergency lights to conduct a traffic stop of the vehicle.

The vehicle did not stop. The vehicle continued traveling. The vehicle was traveling at speeds of over 100 mph. The vehicle swerved hard to the north ditch and turned completely around and went into the ditch. The vehicle continued in the field with no lights on. Deputy Malecha's emergency lights on his squad car were still activated. The vehicle did not stop.

Deputy Malecha returned to Bagley Avenue. He went northbound looking into the field for the vehicle. About 1/3 mile north of 130<sup>th</sup> Street, Deputy Malecha saw what appeared to be a vehicle's hazard lights flashing down in the water ditch. Deputy Malecha exited his squad car and went towards the vehicle. The vehicle was at least 1/3 of a mile off the road. The deputy approached the vehicle and did not locate any individuals inside. The vehicle was submerged in about two to three feet of water, but was leaning so the passenger side was out of the water.

Law enforcement officers arrived to assist in the search of the suspect. The law enforcement officers located fresh footprints in the snow. The officers followed the footprints. They also located a small amount of blood in the snow. The footprints continued south to another field. The law enforcement officers located the male in a field with corn stalks. Law enforcement apprehended the male. The male declined medical treatment. Deputy Malecha noticed that the male had bloodshot and watery eyes, and slurred speech. Deputy Malecha detected a strong odor of alcohol coming from the male's person.

The male identified himself as CHRISTOPHER TODD JOHNSON, date of birth 7/3/1968, the defendant herein. According to MN DVS records, the defendant's driver's license is cancelled as inimical to public safety. The defendant said he had a warrant for his arrest out of Wisconsin. The defendant admitted that he was the only one inside the vehicle. The defendant was transported to the Rice County Law Enforcement Center.

At 10:52 p.m., Deputy Malecha read the Breath Test Advisory to the defendant. He understood what was explained to him and did not wish to speak to an attorney. The deputy asked if he would take a breath test. The defendant refused. He indicated that he drank alcohol while waiting for the officers. (Deputy Malecha

noted that they did not observe any alcohol containers in the area of the suspect's footprints). The defendant also mentioned that he was homeless and living in the car.

During the booking process at the Rice County Jail, the defendant submitted to a PBT. The result was 0.123 AC.

The defendant has the following prior impaired driving-related incidents or convictions within 10 years:

On March 22, 2010, the defendant was convicted of DWI (0.08 or More) (misdemeanor) in Waseca County District Court File No. 81-CR-10-30.

On December 27, 2014, the defendant's driver's license was revoked due to an Implied Consent Revocation in Rice County. The defendant's alcohol concentration was 0.18.

**PLEASE TAKE NOTICE:** Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

## 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**

Jesse Thomas  
Chief Deputy  
118 NW 3rd Street  
Faribault, MN 55021  
Badge: 1102

Electronically Signed:  
01/08/2018 10:14 AM  
Rice County, Minnesota

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

**Prosecuting Attorney**

Thao N. Trinh  
Assistant Rice County Attorney  
218 NW 3rd Street  
Faribault, MN 55021  
(507) 332-6103

Electronically Signed:  
01/08/2018 09:50 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 218 NW 3rd Street, Faribault, MN 55021 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 8, 2018.

**Judicial Officer**

John T Cajacob

Electronically Signed: 01/08/2018 10:37 AM

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

**COUNTY OF RICE  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Christopher Todd Johnson**

Defendant

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

Signature of Authorized Service Agent:

## DEFENDANT FACT SHEET

**Name:** Christopher Todd Johnson  
**DOB:** 07/03/1968  
**Address:** 11095 Shieldsville Blvd.  
Montgomery, MN 56069

**Alias Names/DOB:**

**SID:** MN97009906

**Height:**

**Weight:** 0lbs.

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** White

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** Yes

**Driver's License #:** J525115799526 (MN)

**Alcohol Concentration:**

## STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	1/7/2018	609.487.3 Fleeing a Peace Officer in a Motor Vehicle	Felony	E2773		MN0660000	18000027
	Penalty	1/7/2018	609.487.3 Fleeing a Peace Officer in a Motor Vehicle	Felony	E2773		MN0660000	18000027
2	Charge	1/7/2018	169A.20.1(1) Traffic - DWI - Operate Motor Vehicle Under Influence of Alcohol	Gross Misdemeanor	JE501		MN0660000	18000027
	Penalty	1/7/2018	169A.25.2 Traffic - DWI - Second-Degree Driving While Impaired; Criminal Penalty	Gross Misdemeanor	JE501		MN0660000	18000027
3	Charge	1/7/2018	169A.25.1(b) Traffic - DWI - Second-Degree Driving While Impaired; Refuse to submit to chemical test	Gross Misdemeanor	JER01		MN0660000	18000027
	Penalty	1/7/2018	169A.25.2 Traffic - DWI - Second-Degree Driving While Impaired; Criminal Penalty	Gross Misdemeanor	JER01		MN0660000	18000027
4	Charge	1/7/2018	171.24.5 Traffic-DL-Driving after cancellation-inimical to public safety	Gross Misdemeanor	J2901		MN0660000	18000027
	Penalty	1/7/2018	171.24.5 Traffic-DL-Driving after cancellation-inimical to public safety	Gross Misdemeanor	J2901		MN0660000	18000027
5	Charge	1/7/2018	609.487.6 Fleeing a Peace Officer By a Means Other Than a Motor Vehicle	Misdemeanor	E6773		MN0660000	18000027
	Penalty	1/7/2018	609.487.6 Fleeing a Peace Officer By a Means Other Than a Motor Vehicle	Misdemeanor	E6773		MN0660000	18000027