

State of Minnesota
County of Rice

District Court
3rd Judicial District

Prosecutor File No. 0660042107
Court File No. 66-CR-18-498

State of Minnesota,

Plaintiff,

vs.

JOSHUA EDWARD TARKA DOB: 12/27/1995

416 Union St S
Northfield, MN 55057

Defendant.

COMPLAINT

Order of Detention

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: Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs

Minnesota Statute: 609.228

Maximum Sentence: Up to 10 years prison, or \$20,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/23/2018

Control #(ICR#): 18000301

Charge Description: On or about February 23, 2018, in Rice County, Minnesota, Joshua Tarka did proximately cause great bodily harm by directly or indirectly and unlawfully selling a controlled substance classified in Schedule II.

COUNT II

Charge: Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs

Minnesota Statute: 609.228

Maximum Sentence: up to 10 years prison, or \$20,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/23/2018

Control #(ICR#): 18000301

Charge Description: On or about February 23, 2018, in Rice County, Minnesota, Joshua Tarka did proximately cause great bodily harm by directly or indirectly and unlawfully selling a controlled substance classified in Schedule II.

COUNT III

Charge: Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs

Minnesota Statute: 609.228

Maximum Sentence: up to 10 years prison, or \$20,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/25/2018

Control #(ICR#): 18000301

Charge Description: On or about February 25, 2018, in Rice County, Minnesota, Joshua Tarka did proximately cause great bodily harm by directly or indirectly and unlawfully selling a controlled substance classified in Schedule II.

COUNT IV

Charge: 152.022.1 - Drugs - 2nd Degree - Sale 10 Grams or More - A narcotic other than heroin w/in 90-Day Period

Minnesota Statute: 152.022.1(1), with reference to: 152.022.3(a)

Maximum Sentence: 25 years or \$500,000, or both

Offense Level: Felony

Offense Date (on or about): 02/28/2018

Control #(ICR#): 18000301

Charge Description: On or about February 28, 2018, in Rice County, Minnesota, Joshua Tarka did unlawfully sell, or possessed with the intent to sell, Cocaine weighing ten grams or more.

COUNT V

Charge: 152.023.1 - Drugs - 3rd Degree - Sale - Narcotic

Minnesota Statute: 152.023.1(1), with reference to: 152.023.3(a)

Maximum Sentence: up to 20 years prison, or \$250,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 02/28/2018

Control #(ICR#): 18000301

Charge Description: On or about February 28, 2018, in Rice County, Minnesota, Joshua Tarka did unlawfully sell, or possessed with the intent to sell, a Schedule II narcotic, to wit: Oxycodone.

COUNT VI

Charge: Felony 5th Degree Controlled Substance- Possess Schedule 1,2,3,4

Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 02/28/2018

Control #(ICR#): 18000301

Charge Description: On or about February 28, 2018, in Rice County, Minnesota, Joshua Tarka did unlawfully possess Marijuana, weighing more than 42.5 grams

COUNT VII

Charge: Felony 5th Degree Controlled Substance- Possess Schedule 1,2,3,4

Minnesota Statute: 152.025.2(1), with reference to: 152.025.4(b)

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

Offense Level: Felony

Offense Date (on or about): 02/28/2018

Control #(ICR#): 18000301

Charge Description: On or about February 28, 2018, in Rice County, Minnesota, Joshua Tarka did unlawfully possess one or more mixtures containing a schedule I controlled substance, to wit: tetrahydrocannabinol (marijuana wax), weighing .25 grams or more.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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 February 23, 2018, The Northfield Police Department responded to an overdose on McKinley Drive in the City of Northfield. Emergency responders found two adult individuals unresponsive and believed to be overdosing on opioids. Each individual required administration of multiple doses of NARCAN or Naloxone to regain consciousness. Naloxone is an antidote for an opioid overdose.

On February 25, 2018, The Northfield Police Department responded to an overdose in the area of Gleason Court in the City of Northfield. Again, emergency responders found an unresponsive man believed to be overdosing on opioids. Again, this individual required the administration of Naloxone to regain consciousness.

Each overdose is believed to be caused by the same or similar pills. The pills from each location are believed to be coming from the same source. The pills were round and blue and stamped "K|9" which commonly indicates Oxycodone 30mg. The severity of the overdoses these pills caused lead law enforcement and medical personnel to believe they contained a much stronger opioid.

On February 26, 2018, two anonymous individuals came to the Northfield Police Department. The two individuals did not want to disclose their identity. The anonymous individuals said that Joshua Tarka, DOB: 12/27/1995 (hereinafter Tarka), supplied the Oxy pills that caused the two overdoses. The anonymous individuals said that Tarka lives at 416 Union St, in the city of Northfield, with his parents. The anonymous individuals said that Tarka deals cocaine, marijuana and also sells oxy pills. The anonymous individuals said that Tarka carries his drugs in a black backpack. The Northfield Police Department also received anonymous tips, through Tip 411, that Tarka and another individual were responsible for the overdoses.

On February 28, 2018, an Agent from the Cannon River Drug and Violent Offender Task Force was in the area of 416 Union Street in Northfield. The agent saw Tarka exit his residence carrying a black backpack and get into a black four door car, displaying MN plate #159VHT. The agent attempted to follow the vehicle in Northfield. The agent observed behavior that was indicative of drug deals occurring from the occupants of the vehicle. The vehicle stopped at multiple locations throughout the City of Northfield. At each location, Tarka exited the vehicle and walked to the location. While Tarka was at the location, the driver remained in the vehicle and the vehicle remained running. Tarka only remained at each location for a matter of five minutes or less. Tarka would then leave the location, get back into the running vehicle and left for the next

location.

Other Task Force agents drove to the City of Northfield. Agents lost sight of the vehicle in Northfield. Approximately 30 to 45 minutes later, agents were driving west on Woodley St when they saw the vehicle displaying MN plate #159VHT exiting Clifford's car wash. Agents saw two occupants in the vehicle but did not see their faces. The vehicle proceeded to go east on Woodley St and agents followed it to the intersection of Woodley and Prairie St. The vehicle stopped at the four way stop sign then signaled to turn north on Prairie St. Minnesota law required a vehicle to signal no less than 100 feet before turning.

Agents radioed for a squad in the area to conduct a traffic stop on the vehicle. The stop was for reasonable suspicious that there were controlled substances in the vehicle and because the vehicle failed to signal 100 feet before turning north on Prairie St. The vehicle turned in the rear parking lot at 403 Union Street. A traffic stop was conducted on the suspected video. Tarka was verified to be the passenger in the vehicle. Tarka, when directly in front of and speaking to an officer, reached into his chest jacket pocket and threw a baggie of cocaine over a wooden fence. The driver was identified as Paul Brekkestran, DOB: 04/16/1996 (hereinafter Brekkestran). Officers also located what appeared to be cocaine residue in the center console of the vehicle.

The baggie of cocaine contained 12.50 grams of cocaine.

Agents arrived on scene. At one point, Tarka stated, "all the stuff is in the backpack". He also advised, "I am not going to make you guy's job any harder. The backpack was removed from the backseat of the car. Inside the backpack was a large size bag that contained marijuana. There was also a digital scale that had white residue on it and several plastic baggies. Agents also found what appeared to be marijuana wax on a white piece of paper, inside the backpack.

Tarka and Brekkestran were transported to the Northfield Police Department.

Tarka's wallet was searched. Inside of his wallet agents found a large amount of cash totaling \$1,399.00. Inside of a zipper pocket, a total of six pills were located. Three of the pills were green with 80 stamped on one side and OC stamped on the other. These pills were identified as Oxycontin 80mg based on the markings. Oxycontin contains Oxycodone which is a schedule II controlled substance. The other three pills were light blue in color and had the letter M inside of a box on one side and "3|0" on the other. These pills were identified as Oxycodone Hydrochloride based the markings.

Agents conducted a post *Miranda* interview with Tarka. Tarka admitted he was in the vehicle with Brekkestran was driving. Tarka admitted that before officers searched the car he threw a baggie of

cocaine over a fence. Tarka admitted the baggie contained an 8-ball of cocaine. An 8-ball is a term commonly used when referring to 3.5 grams of a controlled substance. Tarka admitted that officers found "placebo pills" in his wallet because he is trying to quit opioids. Tarka admitted the placebo pill is blue with the inscription M30 on it. Tarka admitted he had other placebo pills. Tarka stated he does not have any pills with the inscription K9 on them.

Tarka admitted he knows the pills stamped with "K9" on them are the deadly pills.

Tarka admitted he had seen the K9 pills because his friend was taking them. Tarka refused to give the name of his friend. Tarka admitted the backpack belongs to him. Tarka admitted the backpack contained marijuana, scale and empty baggies. Tarka admitted he sells marijuana to his friends. Tarka said he does not sell cocaine and only has the scale to make sure he isn't shorted cocaine when he buys it. Tarka said he purchased about 7 grams of cocaine earlier that day.

Tarka admitted all his drugs were in his backpack. Tarka then admitted that the marijuana in the backpack belongs to him and his friends.

Agents conducted a post *Miranda* interview with Brekkestran. Brekkestran admitted he was driving the vehicle today. Brekkestran admitted his friend, Tarka, was the passenger. Brekkestran admitted they were together for about an hour and a half. Brekkestran admitted he knew that there were drugs in his car.

Brekkestran admitted Tarka wanted to make stops to meet some friends. Brekkestran admitted Tarka's meeting with his friends were brief. Brekkestran admitted they made 2 or 3 stops. Brekkestran admitted he has known Tarka for four years and knows Tarka sells drugs. Brekkestran admitted he knew that Tarka had weed and cocaine. Brekkestran admitted the backpack in the back seat belongs to Tarka.

Brekkestran admitted Tarka had pre-weighed bags in his cigarette container. Brekkestran admitted when Tarka saw the police car Tarka was reaching into the backpack in the back seat. Brekkestran admitted he knows that Tarka has little blue pills but he does not know what imprint is on them.

Agents again spoke with Tarka. Tarka was informed that Brekkestran said that he picked Tarka up and drove Tarka around. Tarka was informed that Brekkestran said he drove Tarka around and Tarka did drug deals with people. Tarka said the only stop they made was a Clifford's Carwash. This is known to be false based on observations by Task Force agents. Tarka was informed that Brekkestran is saying that he drove him and that Tarka did drug deals. Tarka denied doing any drug deals today.

Tarka admitted he knows that the three people overdosed on the pills. Tarka said the pills are not on the street anymore. Tarka admitted the person who had the pills also almost died. Tarka admitted he almost died himself. Tarka said the supplier, him and two close friends of his almost died from the pills. Tarka admitted he had five pills in his possession. Tarka admitted he did one but claimed he flushed the rest.

Tarka continued denying that he sold or gave the pills to anyone. Tarka was told that we knew that he had

cocaine, marijuana and pills on him and we also know he supplied the K9 pills. Tarka said they are gone and he made sure of it.

Tarka admitted the source (another individual) told him the pills were “natural selection.” Tarka said he told the other individual how serious the pills are. Tarka admitted the pills are gone. We continued to ask Tarka where he got the pills. Tarka admitted he got the pills from another individual. Tarka said he believes that he lives in Mankato. I showed Tarka a Facebook picture of the other individual and he identified him. Tarka said he had 30 or 40 of the pills. Tarka admitted he took his pill the same night that the first two victims overdosed. Tarka admitted he gives marijuana and cocaine to his small group of friends.

On March 1, 2018, agents spoke to the first two overdose victims. The male victim, J.E., said the ambulance responded to his address because the female victim, “K.K.,” and he were having a bad reaction to some pills they took. J.E. said the pills they took were a blue pill with the inscription K9. They snorted the pill. J.E. said he purchased the pill Friday morning at 1 or 2 am. J.E. said he purchased the pill from Tarka. J.E. said he paid \$35.00 for each pill. J.E. said he purchased two pills. J.E. said after they snorted the pills, they had a bad reaction. J.E. said Tarka had a bag that contained 20 or 30 of the pills. J.E. said during the deal he picked up Tarka at his house and they drove around for half an hour then he dropped Tarka back off. J.E. said after he purchased the pills he went back home. J.E. said K.K. was at his house. J.E. said he crushed the pills. Then they snorted the pill. K.K. said J.E. told her before leaving that he was going to meet Tarka to get pills. J.E. said after taking the pills they realized right away that they were pretty strong. J.E. said they didn’t think anything of it because they had not done it in a month, so their tolerance was low. J.E. said they went to bed and woke up with a lot of people around them.

A search of the backpack in the possession of Tarka during the traffic stop resulted in numerous items of evidence. There was a plastic baggie containing 310.53 grams of marijuana which field tested positive. There were several other baggies in the backpack. A digital scale with a white residue was located. Also located was 9.51 grams of marijuana wax which field tested positive.

On March 1, 2018, the Northfield Police Department received results of tests conducted by the BCA. The BCA tested the round blue pills found at the site of the drug overdoses. The pills came back as containing cocaine and Carfentanil. Carfentanil is a schedule II controlled substance and is not approved at all for human consumption. Carfentanil is about 5000 times more potent than a unit of heroin and about 10,000 times more potent than a unit of morphine. When consumed by humans, there is an extreme probability of severe overdose and a high likelihood of death if not immediately treated with an anti-overdose medication. Carfentanil is so powerful that a dose the size of a grain of salt can rapidly lead to overdose with death as a possibility. An overdose from Carfentanil is likely to result in death.

All events occurred in Rice County.

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

Paul Haider III
Sergeant
1615 Riverview Drive
Northfield, MN 55057
Badge: 6406

Electronically Signed:
03/02/2018 10:29 AM
Rice County, MN

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

Prosecuting Attorney

Brian M Mortenson
218 NW 3rd Street
Faribault, MN 55021
(507) 332-6103

Electronically Signed:
03/02/2018 10:27 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: March 2, 2018.

Judicial Officer

Christine A Long
Judge

Electronically Signed: 03/02/2018 10:43 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.

Joshua Edward Tarka

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: Joshua Edward Tarka
DOB: 12/27/1995
Address: 416 Union St S
Northfield, MN 55057

Alias Names/DOB:

SID: MN16JY5220

Height:

Weight: 200lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #: L382181009413 (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	2/23/2018	609.228 Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs	Felony	A0AAF		MN0660200	18000301
2	Charge	2/23/2018	609.228 Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs	Felony	A0AAF		MN0660200	18000301
3	Charge	2/25/2018	609.228 Great Bodily Harm-Caused by Distribution. Schedule 1 or 2 Drugs	Felony	A0AAF		MN0660200	18000301
4	Charge	2/28/2018	152.022.1(1) Drugs - 2nd Degree - Sale 10 Grams or More - A narcotic other than heroin w/in 90-Day Period	Felony	DE458		MN0660200	18000301
	Penalty	2/28/2018	152.022.3(a) Drugs - 2nd Degree - Sale or Possess - Penalty - 25 Yrs/\$500,000	Felony	DE458		MN0660200	18000301
5	Charge	2/28/2018	152.023.1(1) Drugs - 3rd Degree - Sale - Narcotic	Felony	DF428		MN0660200	18000301
	Penalty	2/28/2018	152.023.3(a) Drugs - 3rd Degree - Sale or Possession - Penalty - 20 Years/\$250,000	Felony	DF428		MN0660200	18000301
6	Charge	2/28/2018	152.025.2(1) Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana	Felony	DH548		MN0660200	18000301
	Penalty	2/28/2018	152.025.4(b) Drugs - 5th Degree Controlled Substance - Sale or possession	Felony	DH548		MN0660200	18000301
7	Charge	2/28/2018	152.025.2(1) Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana	Felony	DH548		MN0660200	18000301
	Penalty	2/28/2018	152.025.4(b) Drugs - 5th Degree Controlled Substance - Sale or possession	Felony	DH548		MN0660200	18000301