

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 17A11307
Court File No. 27-CR-17-22815

State of Minnesota,

Plaintiff,

vs.

BETH ILENE FREEMAN DOB: 08/17/1963

3051 Longfellow Road
Mound, MN 55364

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: Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 09/08/2017

Control #(ICR#): 17011842

Charge Description: That on or about 9/8/2017, in Hennepin County, Minnesota, BETH ILENE FREEMAN, did by operating a motor vehicle in a grossly negligent manner, cause the death of victim.

COUNT II

Charge: Criminal Vehicular Homicide - Operate Vehicle with Negl-Und Infl Ctrl Substance

Minnesota Statute: 609.2112.1(a)(2)(ii), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 09/08/2017

Control #(ICR#): 17011842

Charge Description: That on or about 9/8/2017, in Hennepin County, Minnesota, BETH ILENE FREEMAN did, by operating a motor vehicle in a negligent manner while under the influence of a controlled substance, cause the death of victim.

COUNT III

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

Minnesota Statute: 171.24.5, with reference to: 171.24.5

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/08/2017

Control #(ICR#): 17011842

Charge Description: That on or about 9/8/2017, in Hennepin County, Minnesota, BETH ILENE FREEMAN operated a motor vehicle, the operation of which requires a driver's license, while such license or privilege was cancelled or denied under Minn. Stat. 171.04, subdivision 1, clause (10) and BETH ILENE FREEMAN had been given notice of, or reasonably should have known of the cancellation or denial.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On Friday, September 8, at 12:26 p.m., a known police officer, (hereinafter, "victim") was dispatched to a "chunk of metal in road," said to be at the intersection of Highway 12 and Broadway Avenue. Minutes later, at approximately 12:30 p.m. on that same date, law enforcement heard "Officer down!" come over the dispatch. It was further aired that the location of the incident was Highway 12 and Central Avenue. Dispatch updated that a Wayzata police officer had been in that area for a "Road Debris" call and had been struck by another vehicle.

When law enforcement arrived at the scene, numerous first responder vehicles were present from multiple jurisdictions. They observed a fully marked Wayzata PD SUV parked on the right shoulder of Highway 12. The back tailgate was raised exposing a flashing light bar that could be seen from the rear. All the vehicle's emergency lights were illuminated.

First responders performed CPR on the victim, who would be pronounced dead shortly thereafter. Parked just to the west of where the victim was receiving medical attention was a silver Nissan Murano, bearing MN license plates 137GKT. The windshield was heavily damaged. This was positively identified by numerous witnesses as the vehicle that struck the victim.

The driver and sole occupant of the Nissan Murano was a BETH ILENE FREEMAN, DOB 8/17/1963. A check of the status of FREEMAN's driver's license status revealed that it was Cancelled as Inimical to Public Safety. Law enforcement also learned that FREEMAN has a history of DUI and narcotics related arrests, and is currently on probation for a Fifth Degree Controlled Substance.

Officers began to identify and speak with witnesses. One, an identified male with initials TG, told investigators he was driving behind the Nissan Murano east on Highway 12. TG said he saw the Wayzata SUV on the right shoulder, with its emergency lights flashing. TG first observed the victim stand up from a bent-over position in what he thought was the middle lane; As the victim stood up, the Murano struck him, and sent the victim airborne. TG said he was approximately 150 feet behind the Murano and was traveling 55-60 MPH. He estimated the Murano was traveling approximately the same speed. TG did not see the brake lights on the Murano illuminate until after the collision. He said the Murano did not swerve or make any movements to avoid striking the officer.

After the collision, TG stopped his vehicle, approached the victim, and checked for a pulse. TG thought the victim had a faint pulse. He said the victim was bleeding from the head but wasn't sure if he was breathing. TG said the victim was never conscious during his interaction with him.

While checking the victim, TG said the female driver of the Murano was outside her vehicle and kept saying, "What have I done?" As a front tire of her Murano was still resting on the officer, TG told her to get back in her car, and back off of the victim.

There were other witnesses still at the scene.

Another witness, an identified female, initials EN, was traveling eastbound on Highway 12 during this time, and she observed the rear flashers from the victim's squad car. When she saw the emergency lights, EN moved from the right lane of Highway 12 to the center lane. As she passed the victim's squad car, she saw the victim getting out of his car.

As she continued driving, EN looked in her rear view mirror, and could see the victim walking back to his squad when he was struck by another vehicle. EN indicated the victim was approximately in the middle of the far right lane, returning to his squad, when he was struck.

A third witness, an identified female, initials EM, was traveling eastbound on Highway 12, in the far right lane, behind EN. EM also observed the flashing emergency lights from the victim's squad car, and slowed her speed, and moved from the far right lane into the center lane of eastbound Highway 12. EM observed the victim pick up some debris in the road, along the dotted lines between the center lane and far right lanes.

As the officer was picking up the debris, EM observed the officer look up. EM realized at this time that another vehicle, a Nissan Murano, was in the far right lane, and was passing EM. EM had slowed down considerably, and estimated that the Nissan Murano was traveling at approximately 65 mph, when it struck and killed the victim. EM observed the victim fly up over the Nissan Murano. EM indicated that there was plenty of time to react to the victim's flashing lights and provide the officer an extra lane of space.

A Drug Recognition Expert (DRE) arrived at the scene, and administered field sobriety tests (FST's) to FREEMAN. The actual FST's weren't administered until approximately one hour and 15 minutes after she hit the victim. The DRE indicated that despite the passage of time, the influence of a controlled substance was "evident," as FREEMAN had an elevated pulse, constricted pupils, and difficulty in counting backwards.

A search warrant was executed to obtain a sample of FREEMAN's blood. This blood specimen will be analyzed by the Bureau of Criminal Apprehension.

During a post-Miranda interview, FREEMAN admitted to talking on her phone and receiving text messages prior to the incident. A forensic examination of her phone corroborated this recount and showed that FREEMAN had been actively talking on the phone, receiving text messages, and that the messages had been read in the time frame immediately prior to her hitting the victim.

A review of her criminal history and driving record shows Freeman has a history of convictions for DWI and narcotics-related offenses. A search warrant was executed on Freeman's car, and drug paraphernalia discovered from the passenger compartment tested positive for the presence of cocaine.

Investigators also obtained a video tape that had been posted to "Instagram," by a known male, initials TC. The video shows FREEMAN immediately after she struck and killed the victim. In the video, FREEMAN exclaims, "I just looked up and he was there."

Eastbound Highway 12 was clear and straight for some distance prior to where FREEMAN hit and killed the victim. There were no road or traffic conditions that contributed to this accident, and all other traffic was able to see the victim's squad lights, and move over to the left to give him room.

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

Cory McLouden
Detective
350 S 5th St
Minneapolis, MN 55415
Badge: 564

Electronically Signed:
09/11/2017 01:00 PM
hennepin County, Minnesota

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

Prosecuting Attorney

Stephanie Morgan
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
09/11/2017 12:57 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 300 S Sixth Street, Minneapolis, MN 55487 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: \$50,000.00

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: September 11, 2017.

Judicial Officer

Jay Quam
District Court Judge

Electronically Signed: 09/11/2017 01:02 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

BETH ILENE FREEMAN

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: