

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 18A07849
Court File No. 27-CR-18-16262

State of Minnesota,

Plaintiff,

vs.

ANDREW ROY HOGAN DOB: 08/22/1991

7325 62nd Ave N
New Hope, MN 55428

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: Assault-2nd Degree-Dangerous Weapon

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.5(a), 609.101.2

Maximum Sentence: 7 YEARS AND/OR \$4,200-\$14,000

Offense Level: Felony

Offense Date (on or about): 06/25/2018

Control #(ICR#): 18011025

Charge Description: That on or about June 25, 2018, in Hennepin County, Minnesota, ANDREW ROY HOGAN, assaulted VICTIM 1, while using or possessing a firearm.

Minimum Sentence: 3 YEARS

COUNT II

Charge: Terroristic Threats-Reckless Disregard Risk

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 06/25/2018

Control #(ICR#): 18011025

Charge Description: That on or about June 25, 2018, in Hennepin County, Minnesota, ANDREW ROY HOGAN did threaten to commit a crime of violence with the purpose of terrorizing another, and/or in reckless disregard of the risk of causing terror in another, VICTIM 1.

COUNT III

Charge: Terroristic Threats-Reckless Disregard Risk

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 06/25/2018

Control #(ICR#): 18011025

Charge Description: That on or about June 25, 2018, in Hennepin County, Minnesota, ANDREW ROY HOGAN did threaten to commit a crime of violence with the purpose of terrorizing another, and/or in reckless disregard of the risk of causing terror in another, LAW ENFORCEMENT.

COUNT IV

Charge: Endanger Child-Situation Could Cause Harm or Death-G

Minnesota Statute: 609.378.1(b)(1), with reference to: 609.378.1(b)(1)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/25/2018

Control #(ICR#): 18011025

Charge Description: That between June 25, 2018 and June 26, 2018, in Hennepin County, Minnesota, ANDREW ROY HOGAN, a parent, legal guardian, or caretaker endangered a child's person or health by intentionally or recklessly causing or permitting a child, VICTIM 2, to be placed in a situation likely to substantially harm the child's physical, emotional, or mental health or cause the child's death.

COUNT V

Charge: Endanger Child-Situation Could Cause Harm or Death-G

Minnesota Statute: 609.378.1(b)(1), with reference to: 609.378.1(b)(1)

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/25/2018

Control #(ICR#): 18011025

Charge Description: That between June 25, 2018 and June 26, 2018, in Hennepin County, Minnesota, ANDREW ROY HOGAN, a parent, legal guardian, or caretaker endangered a child's person or health by intentionally or recklessly causing or permitting a child, VICTIM 3, to be placed in a situation likely to substantially harm the child's physical, emotional, or mental health or cause the child's death.

STATEMENT OF PROBABLE CAUSE

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

On June 25, 2018 at approximately 8:00 PM, New Hope police responded to a residence in New Hope, Hennepin County, Minnesota after 911 dispatch received text messages from a woman inside. The woman, hereafter VICTIM 1, had texted 911 stating that her boyfriend, later identified as ANDREW ROY HOGAN, Defendant herein, was threatening to kill her and would not let her out of the bathroom inside the residence. Victim 1 also indicated that there was a shotgun and an airsoft gun in the residence and that her two children, ages four and two, hereafter VICTIM 2 and VICTIM 3, were in the bathroom with her.

Police arrived and approached the front door of the residence. As they did so, the front door opened, and VICTIM 1 came outside. As police were about to enter the home to retrieve the children, Defendant shut the front door. Defendant refused to comply with multiple verbal commands from officers to come out of the residence. Knowing that Defendant may be armed with a shotgun, officers formed a perimeter and called for a negotiator and a SWAT Team.

While officers at the scene waited for SWAT, they were able to speak to Defendant through a front window of the home. Defendant said repeatedly that he would not come out and that police would have to come inside and shoot him. Defendant told officers that they would get "blasted" if they came inside to get him. Defendant also turned up loud music near the window and periodically screamed at officers to come get him. At one point, Defendant held one of his small children up to the window.

VICTIM 1 told police that Defendant had been drinking alcohol and was getting "amped up" when she took VICTIMS 2 and 3 upstairs to the bathroom to give them a bath. Defendant followed them upstairs, screaming that he was going to drown VICTIM 1 and then threatening to kill VICTIM 1 if she came out of the bathroom. Defendant then attempted to physically force the bathroom door open as VICTIM 1 held it shut with her body. VICTIM 1 then heard Defendant "clicking" a gun outside the bathroom door. VICTIM 1 told police that the sound was the same as when Defendant has attempted to scare and intimidate her by loading the shotgun on previous occasions. VICTIM 1 "tiptoed" downstairs after she thought police had arrived, opened the door, and followed officers' directions to come outside.

The SWAT Team arrived at the scene and set up outside the residence. For the next 18 hours, SWAT members attempted repeatedly to make contact and negotiate with Defendant. Defendant refused multiple times to come out of the home or to send the children outside. At approximately 9:41 PM, Defendant told SWAT officers outside the home, "I'll blow your heads off." Four minutes later, officers could hear the children crying inside the residence and Defendant yelling at them. At approximately 10:26 PM, Defendant again threatened to shoot officers outside. Finally, at approximately 2:22 PM the next day, Defendant came out the back door of the home and was taken into custody. VICTIM 2 and VICTIM 3 were located inside by law enforcement and reunited with their mother. A 12 gauge shotgun was found and seized from a downstairs bedroom along with a CO2 BB pistol.

Defendant is in custody.

The State will seek an aggravated sentence on the following ground: Counts 1-3 were committed in the presence of two young children, and Defendant gratuitously increased VICTIM 1's fear and distress by engaging in an 18-hour stand-off with police.

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

Anthony H. Loser
Detective
4401 Xylon Avenue N
New Hope, MN 55428
Badge: 61

Electronically Signed:
06/28/2018 07:18 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Paige L Starkey
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
06/27/2018 04:51 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: \$200,000.00

Conditions of Release: No Contact with Victim; No Possession of Weapons; Make All Appearances; Remain Law Abiding

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: June 28, 2018.

Judicial Officer

Nelson Peralta
Judge

Electronically Signed: 06/28/2018 09:21 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

ANDREW ROY HOGAN

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: ANDREW ROY HOGAN
DOB: 08/22/1991
Address: 7325 62nd Ave N
New Hope, MN 55428

Alias Names/DOB:

SID: MN10D14431

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 731227

SILS Tracking No. 3021289

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	6/25/2018	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2511		MN0271400	18011025
	Definition	6/25/2018	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A2511		MN0271400	18011025
	Penalty	6/25/2018	609.11.5(a) Minimum Sentences of Imprisonment-Firearm Use or Possession	Felony	A2511		MN0271400	18011025
	Penalty	6/25/2018	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2511		MN0271400	18011025
2	Charge	6/25/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9B11		MN0271400	18011025
	Penalty	6/25/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9B11		MN0271400	18011025
3	Charge	6/25/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9B17		MN0271400	18011025
	Penalty	6/25/2018	609.713.1 Terroristic Threats-Reckless Disregard Risk	Felony	A9B17		MN0271400	18011025
4	Charge	6/25/2018	609.378.1(b)(1) Endanger Child-Situation Could Cause Harm or Death-G	Gross Misdemeanor	I2100		MN0271400	18011025
	Penalty	6/25/2018	609.378.1(b)(1) Endanger Child-Situation Could Cause Harm or Death-G	Gross Misdemeanor	I2100		MN0271400	18011025
5	Charge	6/25/2018	609.378.1(b)(1) Endanger Child-Situation Could Cause Harm or Death-G	Gross Misdemeanor	I2100		MN0271400	18011025
	Penalty	6/25/2018	609.378.1(b)(1) Endanger Child-Situation Could Cause Harm or Death-G	Gross Misdemeanor	I2100		MN0271400	18011025