

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No.  
Court File No.

18A04003  
27-CR-18-9071

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**State of Minnesota,**

Plaintiff,

vs.

**EMERY JARRIS WINFORD DOB: 08/07/1975**

483 Lynnhurst Ave W  
Apt 19  
St. Paul, MN 55104

Defendant.

**COMPLAINT**

Warrant

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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 - Alcohol Concentration .08 or More w/in 2 Hours of Driving**

Minnesota Statute: 609.2112.1(a)(4), with reference to: 609.2112.1(a)

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

Offense Level: Felony

Offense Date (on or about): 03/16/2018

Control #(ICR#): 18084279

Charge Description: That on or about 3/16/2018, in Hennepin County, Minnesota, EMERY JARRIS WINFORD did, by operating a motor vehicle while having an alcohol concentration of .08 or more, as measured within two hours of the time of driving, cause the death of A.S.

**COUNT II**

**Charge: Criminal Vehicular Homicide - Operate Vehicle with Negligence - Under Influence Alcohol**

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

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

Offense Level: Felony

Offense Date (on or about): 03/16/2018

Control #(ICR#): 18084279

Charge Description: That on or about 3/16/2018, in Hennepin County, Minnesota, EMERY JARRIS WINFORD did, by operating a motor vehicle in a negligent manner while under the influence of alcohol cause the death of A.S.

**COUNT III**

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Alcohol .08 or More w/in 2 Hours**

**of Driving**

Minnesota Statute: 609.2113.2(4), with reference to: 609.2113.2

Maximum Sentence: 3 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 03/16/2018

Control #(ICR#): 18084279

Charge Description: That on or about 3/16/2018, in Hennepin County, Minnesota, EMERY JARRIS WINFORD did, by operating a motor vehicle while having an alcohol concentration of .08 or more, as measured within two hours of the time of driving, cause substantial bodily harm to C.P..

**COUNT IV**

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Alcohol**

Minnesota Statute: 609.2113.2(2)(i), with reference to: 609.2113.2

Maximum Sentence: 3 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 03/16/2018

Control #(ICR#): 18084279

Charge Description: That on or about 3/16/2018, in Hennepin County, Minnesota, EMERY JARRIS WINFORD did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause substantial bodily harm to C.P.

## STATEMENT OF PROBABLE CAUSE

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

On March 16, 2018 at approximately 9:26pm, Minneapolis police were dispatched to an auto collision with serious injuries at the intersection of Lyndale Avenue North and Plymouth Avenue North in the City of Minneapolis, Hennepin County.

Upon arrival, police observed a black Chrysler sedan with an Uber sticker on the rear window crashed into an electrical box located in the south east corner of the intersection. The Chrysler was facing east and had extensive damage to the front driver's side of the vehicle extending from the wheel axle to the passenger door. The driver of the vehicle, later identified as A.S., was slumped over the steering wheel, unresponsive and bleeding.

Another vehicle, a Chevy Tahoe, was observed facing northbound in the right hand lane of Lyndale Avenue North. The Tahoe had damage to the front of the vehicle as well as damage to the rear window. The driver of the Tahoe was seated on the curb being treated by Emergency Medical Service personnel for injuries to his face and head. The driver was identified as EMERY JARRIS WINFORD, DOB: 8/7/75, the Defendant. Defendant was cooperative with law enforcement and EMS as he was treated for his injuries and as police gathered identifying information. As Defendant spoke, police noticed an odor of alcohol coming from his breath. Defendant admitted drinking one beer at dinner. Police also observed what appeared to be a freshly broken beer bottle laying immediately outside the passenger side of the Tahoe. Defendant was transported to the hospital where he was treated for his injuries. A Preliminary Breath Test at the hospital showed Defendant's Blood Alcohol Concentration to be 0.17. Police then obtained a warrant for a sample of Defendant's blood which was obtained while Defendant was being treated.

Police spoke with an eye witness at the scene of the collision and with the passenger of the Chrysler sedan. The eye witness stated she was traveling eastbound on Plymouth Avenue North with the Chrysler behind her when she took a left to turn northbound onto Lyndale Avenue North. She stated she had the green light at the time she turned onto Lyndale. Witness then observed the Tahoe traveling southbound on Lyndale at a high rate of speed. Witness estimated the speed of the Tahoe to be in excess of 80mph. Witness stated the high rate of speed and the swerving of the vehicle caused her to slow down and move her vehicle to the side out of fear the Tahoe might strike her car. She then observed the Tahoe continue southbound and strike the black Chrysler on the driver's side as it drove eastbound on Plymouth Avenue. Witness described the Tahoe as "fishtailing" after the collision. Witness then turned her car around and stopped at the crash scene where she provided information to police.

Police also spoke with C.P. who was the back seat passenger in the Chrysler. C.P. indicated he was an Uber passenger and that he had just met A.S., the driver of the vehicle when he picked him up that night. C.P. stated he and A.S. made small talk and that A.S. was driving well prior to the crash. C.P. stated he was on his phone sending a text at the time of impact and he did not see how the collision occurred. C.P. stated immediately after the crash he yelled to A.S. to call 911 but A.S. was unresponsive. C.P. sustained injuries to his ribs and his left leg as a result of the crash. C.P. was treated at a local hospital where he required five stitches to repair the wound to his leg.

A.S. was rushed from the scene to the hospital where he was treated for numerous catastrophic injuries including injuries to his brain and other vital internal organs.

After his release from the hospital, Defendant was taken into custody upon the belief he had committed the

crime of criminal vehicular operation. In a post-Miranda statement, Defendant admitted driving and admitted having one beer prior to driving. Defendant denied speeding and claimed his PBT was over twice the legal limit because he had adrenaline pumping from the crash. Defendant claimed he had heard adrenaline can elevate a person's Blood Alcohol Concentration even if a person had not been consuming alcohol. Defendant was released from custody pending the results of his blood sample which was sent out for testing at the Bureau of Criminal Apprehension. The results of that sample now show that Defendant's Blood Alcohol Concentration was 0.169 within two hours of the time of the collision.

On March 19, 2018, A.S. died as a result of the numerous injuries he sustained in the collision caused by Defendant on March 16, 2018.

Defendant is not currently in custody. Based on the severity of this crime and concerns for public safety on the roadways, the State requests this complaint issue by warrant.

## 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**

Eric Shogren  
Police Officer  
350 S 5th St  
Minneapolis, MN 55415-1389  
Badge: 6521

Electronically Signed:  
04/10/2018 01:01 PM  
Hennepin County, Minnesota

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

**Prosecuting Attorney**

Rachel Kraker  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
04/09/2018 04:31 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: \$150,000.00  
Conditions of Release: No Driving without a License; Random UAs; No use of drugs/alcohol

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: April 10, 2018.

**Judicial Officer**                      Kathryn Quaintance                      Electronically Signed: 04/10/2018 01:51 PM  
District Court Judge

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

**COUNTY OF HENNEPIN  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**EMERY JARRIS WINFORD**

Defendant

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

Signature of Authorized Service Agent:

## DEFENDANT FACT SHEET

**Name:** EMERY JARRIS WINFORD  
**DOB:** 08/07/1975  
**Address:** 483 Lynnhurst Ave W  
Apt 19  
St. Paul, MN 55104

**Alias Names/DOB:**

**SID:** MN97000669

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** Black

**Fingerprints Required per Statute:** Yes

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

**Driver's License #:**

**SILS Person ID #:** 299392

**SILS Tracking No.** 3001424

**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	3/16/2018	609.2112.1(a)(4) Criminal Vehicular Homicide - Alcohol Concentration .08 or More w/in 2 Hours of Driving	Felony	J1X11		MN0271100	18084279
	Penalty	3/16/2018	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1X11		MN0271100	18084279
2	Charge	3/16/2018	609.2112.1(a)(2)(i) Criminal Vehicular Homicide - Operate Vehicle with Negligence - Under Influence Alcohol	Felony	J1B11		MN0271100	18084279
	Penalty	3/16/2018	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1B11		MN0271100	18084279
3	Charge	3/16/2018	609.2113.2(4) Criminal Vehicular Operation - Substantial Bodily Harm - Alcohol .08 or More w/in 2 Hours of Driving	Felony	J1X31		MN0271100	18084279
	Penalty	3/16/2018	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1X31		MN0271100	18084279
4	Charge	3/16/2018	609.2113.2(2)(i) Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Alcohol	Felony	J1B31		MN0271100	18084279
	Penalty	3/16/2018	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1B31		MN0271100	18084279