

State of Minnesota  
County of Hennepin

District Court  
4th Judicial District

Prosecutor File No. 19A05879  
Court File No. 27-CR-19-11793

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**State of Minnesota,**

Plaintiff,

vs.

**MICHAEL WAYNE BOUCHER DOB: 04/13/1979**

3010 38TH AV S  
MINNEAPOLIS, MN 55406

Defendant.

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**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 Operation - Great Bodily Harm - Any Amount Sched 1 or 2 Controlled Substance**

Minnesota Statute: 609.2113.1(6), with reference to: 609.2113.1

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

Offense Level: Felony

Offense Date (on or about): 05/19/2019

Control #(ICR#): 19006232

Charge Description: That on or about May 19, 2019, in Hennepin County, Minnesota, Michael Wayne Boucher did, by operating a motor vehicle in a negligent manner while any amount of a controlled substance listed in schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, was present in Michael Wayne Boucher's body, cause great bodily harm to Victim One.

**COUNT II**

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Any Amount Sch 1 or 2 Controlled Substance**

Minnesota Statute: 609.2113.2(6), with reference to: 609.2113.2

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

Offense Level: Felony

Offense Date (on or about): 05/19/2019

Control #(ICR#): 19006232

Charge Description: That on or about May 19, 2019, in Hennepin County, Minnesota, Michael Wayne Boucher did, by operating a motor vehicle in a negligent manner while any amount of a controlled substance listed in schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, was present in Michael Wayne Boucher, cause substantial bodily harm to Victim Two.

### COUNT III

**Charge: Criminal Vehicular Operation -Bodily Harm - Any Amount Sched 1 or 2 controlled substance**

Minnesota Statute: 609.2113.3(6), with reference to: 609.2113.3

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

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/19/2019

Control #(ICR#): 19006232

Charge Description: That on or about May 19, 2019, in Hennepin County, Minnesota, Michael Wayne Boucher did, by operating a motor vehicle in a negligent manner while any amount of a controlled substance listed in schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, was present in Michael Wayne Boucher's body, cause bodily harm to Victim Three.

## STATEMENT OF PROBABLE CAUSE

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

On May 19, 2019, Minneapolis and Metro Transit Police officers were dispatched to a bus shelter located near the intersection of Lake Street and 22nd Avenue South in Minneapolis, Hennepin County, Minnesota, on the report of a vehicle driving into the occupied bus shelter injuring at least three individuals. Once in the area, officers observed a black vehicle that had smashed into a bus shelter. Next to the driver's side of the vehicle, officers saw MICHAEL WAYNE BOUCHER, DEFENDANT herein, who was digging in the vehicle under the seats. Defendant told officers that he had been driving the vehicle, and lost control during a coughing fit resulting in the collision. He was placed under arrest. Multiple hypodermic needles were located around the crashed vehicle near where Defendant was digging in his vehicle.

Video surveillance captured this collision. The video depicts Defendant slam into the vehicle driving ahead of him while he travelling westbound on Lake Street at speeds faster than any other vehicle on the road. After crashing into the vehicle, Defendant swerved his vehicle and smashed into the bus shelter located on the north side of Lake Street. Defendant did not activate his brake lights at any point during this collision until a second before striking the bus shelter. After striking the pedestrians and the structure, Defendant continued to drive his vehicle across a nearby driveway, through a business complex, finally coming to a rest against a concrete wall.

Responding officers to the scene noticed a male, Victim One herein, who was face down on the pavement just in front of the Dodge vehicle, bleeding heavily from his face. Victim One's legs were also severely injured with bones protruding from them. Victim One was transported to the hospital and treated for a depressed skull fracture, a blown pupil, abdominal bleeding, and the injuries to his legs. One of his legs was amputated due to the severity of the damage. He remains unconscious, intubated, and in critical condition.

A second male, Victim Two herein, stumbled into a nearby restaurant following the crash. Victim Two had a laceration on his face that was bleeding profusely and had decreased breath sounds. He was transported to the hospital and ultimately had to be intubated due to his chest injuries. Victim Two had multiple broken ribs on his left side.

A third male, Victim Three herein, was found just next to the bus shelter. Victim Three had a puncture wound to his upper abdomen as well as injuries to his legs, hands, hip, and elbow. He was transported to the hospital for further treatment.

A fourth male, Victim Four herein, identified himself as the driver of the vehicle that Defendant struck just prior to striking the bus shelter. Victim Four was uninjured, and described to officers that he was driving westbound on Lake Street when Defendant slammed into the back of his vehicle causing severe damage to the trunk area of the vehicle.

Officers obtained a search warrant for Defendant's blood sample, which was executed at a local hospital within two hours of operating the motor vehicle. This sample was submitted to the Bureau of Criminal Apprehension for testing, and the results are pending.

Defendant was advised of his rights pursuant to Miranda, and stated that he would have cocaine and marijuana in his system when his sample was tested. Defendant admitted that earlier that morning he had snorted approximately six lines of cocaine while at a party. He stated that he had also smoked marijuana

that morning. Despite these admissions, Defendant maintained that the collision occurred because he had a coughing fit causing him to lose consciousness while driving. He stated that when he regained consciousness, he was about to hit a vehicle from behind so he swerved hitting the bus shelter.

A passenger was present in Defendant's vehicle at the time of the collision. He was interviewed, and stated that Defendant did not have a coughing or sneezing fit prior to the collision.

Defendant's driver's license was revoked at the time of these collisions.

## 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**

David Lund  
Police Officer  
2425 Minnehaha Avenue S  
Minneapolis, MN 55404-4117  
Badge: 71200

Electronically Signed:  
05/22/2019 10:49 AM  
Hennepin County, Minnesota

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

**Prosecuting Attorney**

Erin Lutz  
300 S 6th St  
Minneapolis, MN 55487  
(612) 348-5550

Electronically Signed:  
05/22/2019 10:45 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 the address listed on the attached court summons 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: \$100,000.00

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: May 22, 2019.

**Judicial Officer**

Jamie L Anderson  
District Court Judge

Electronically Signed: 05/22/2019 10:58 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.

**Michael Wayne BOUCHER**

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:** Michael Wayne BOUCHER  
**DOB:** 04/13/1979  
**Address:** 3010 38TH AV S  
MINNEAPOLIS, MN 55406

**Alias Names/DOB:**

**SID:** MN05051568

**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 #:** 730348

**SILS Tracking No.** 3101843

**Alcohol Concentration:**

## STATUTE AND OFFENSE GRID

<b>Cnt Nbr</b>	<b>Statute Type</b>	<b>Offense Date(s)</b>	<b>Statute Nbrs and Descriptions</b>	<b>Offense Level</b>	<b>MOC</b>	<b>GOC</b>	<b>Controlling Agencies</b>	<b>Case Numbers</b>
1	Charge	5/19/2019	609.2113.1(6) Criminal Vehicular Operation - Great Bodily Harm - Any Amount Sched 1 or 2 Controlled Substance	Felony	J1S21		MN0274300	19006232
	Penalty	5/19/2019	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1S21		MN0274300	19006232
2	Charge	5/19/2019	609.2113.2(6) Criminal Vehicular Operation - Substantial Bodily Harm - Any Amount Sch 1 or 2 Controlled Substance	Felony	J1S31		MN0274300	19006232
	Penalty	5/19/2019	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1S31		MN0274300	19006232
3	Charge	5/19/2019	609.2113.3(6) Criminal Vehicular Operation -Bodily Harm - Any Amount Sched 1 or 2 controlled substance	Gross Misdemeanor	J2S51		MN0274300	19006232
	Penalty	5/19/2019	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J2S51		MN0274300	19006232