

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 24A09768
Court File No. 27-CR-24-20150

State of Minnesota,

COMPLAINT

Plaintiff,

Order of Detention

vs.

STEVEN FRANE BAILEY DOB: 05/18/1968

7725 W LAKE ST
ST LOUIS PARK, MN 55426

Defendant.

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 Vehicle with Negligence - Under Influence Alcohol

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

Maximum Sentence: 15 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol cause the death of K.F. and Steven Frane Bailey has a prior qualified driving related offense within the past ten years.

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(b)

Maximum Sentence: 15 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol cause the death of G.H. and Steven Frane Bailey has a prior qualified driving related offense within the past ten years.

COUNT III

Charge: Criminal Vehicular Operation - Great Bodily Harm - Under Influence Alcohol

Minnesota Statute: 609.2113.1(2)(i), with reference to: 609.2113.1

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

Offense Level: Felony

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a vehicle in a negligent manner while under the influence of alcohol, cause great bodily harm to T.D.

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): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause substantial bodily harm to L.K.

COUNT V

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): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause substantial bodily harm to T.L.

COUNT VI

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): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause substantial bodily harm to E.S.

COUNT VII

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

Minnesota Statute: 609.2113.3(2)(i), with reference to: 609.2113.3

Maximum Sentence: 364 DAYS AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause bodily harm to A.R.

COUNT VIII

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

Minnesota Statute: 609.2113.3(2)(i), with reference to: 609.2113.3

Maximum Sentence: 364 DAYS AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause bodily harm to R.C.

COUNT IX

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

Minnesota Statute: 609.2113.3(2)(i), with reference to: 609.2113.3

Maximum Sentence: 364 DAYS AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause bodily harm to D.K.

COUNT X

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

Minnesota Statute: 609.2113.3(2)(i), with reference to: 609.2113.3

Maximum Sentence: 364 DAYS AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause bodily harm to S.M.

COUNT XI

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

Minnesota Statute: 609.2113.3(2)(i), with reference to: 609.2113.3

Maximum Sentence: 364 DAYS AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/01/2024

Control #(ICR#): 24005107

Charge Description: That on or about September 1, 2024, in Hennepin County, Minnesota, Steven Frane Bailey did, by operating a motor vehicle in a negligent manner while under the influence of alcohol, cause bodily harm to L.M.



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STATEMENT OF PROBABLE CAUSE

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

On September 1, 2024, officers were dispatched to Park Tavern in St. Louis Park, Hennepin County on a report of a motor vehicle driving through the patio and striking multiple patrons. Upon arrival, officers observed a Gray BMW X5, MN license plate APC538, up against large boulders at the base of a hill on the south side of the patio. The driver of the vehicle, STEVEN FRANE BAILEY, Defendant herein, was still inside and was the sole occupant of the vehicle. Based on officer observations and witness statements, Defendant had driven through the metal fence surrounding the Park Tavern patio and had struck several people. Officers observed debris, broken tables and chairs, and initially identified five victims who were being provided medical aid by other patrons. An additional victim, K.F., was found pinned under the BMW, which was inoperable due to damage. Officers lifted the BMW off of K.F. and despite life-saving efforts, K.F. was pronounced deceased at the scene.

Officers approached Defendant's vehicle and heard him on the phone with an unknown person. Officers heard Defendant say, "I'm fucked". He was also heard on the phone saying, "I hit the gas instead of the brake and went right through a thing" and "I'm probably going to jail." Defendant appeared calm but was slow to respond to officers' directions. Defendant's speech was slurred, and his eyes were bloodshot and watery. As he exited the vehicle, Defendant was unsteady on his feet and fell to his knees. Defendant made several spontaneous statements after being removed from the car, including "well I already know. I already know." When officers told Defendant they were going to perform field sobriety tests, Defendant responded "you don't need to do fields. I know what I did."

During the Horizontal Nystagmus test, officers observed six clues of impairment. No other field sobriety tests were performed due to Defendant claiming he had surgery on his legs and was unable to participate.

Defendant was transported to HCMC, where he provided a preliminary breath sample with a resulting BAC of .325. Officers drafted and executed a search warrant for Defendant's blood, and a blood draw was completed by HCMC staff. Results of the blood kit test are pending as of the writing of this complaint.

After being medically evaluated, Defendant was transported to the Hennepin County Jail. When officers explained to him that he was being booked with criminal vehicular homicide, Defendant responded, "you got to be kidding me" and "my life's pretty much fucked now, isn't it?"

Officers at the scene identified multiple victims, several of whom were transported by ambulance to HCMC and North Memorial Medical Center. Additional victims were also identified during subsequent investigation. Several victims are still at the hospital undergoing medical treatment and as of the writing of this complaint, the full extent of their injuries is not known. Medical records have been requested. The following is a list of currently known victims and preliminary information about the injuries they sustained.

1. Victim K.F. was pronounced deceased on scene due to the nature and extent of her injuries.
2. Victim G.H. was transported to HCMC where he was pronounced deceased.
3. Victim T.D. sustained broken legs, a broken pelvis, broken ribs, and dislocated knees. She is currently still unconscious and intubated.
4. Victim L.K. sustained head trauma and lost consciousness during transport to the hospital.
5. Victim T.L. sustained head trauma, facial lacerations, and complete loss of memory

regarding what happened or where he was prior to being at the hospital.

6. Victim E.S. sustained serious road rash injuries, chest pain, bruising, and torn off skin.
7. Victim A.R. sustained multiple bruises.
8. Victim R.C. sustained a minor bruise to the back of her right knee.
9. Victim D.K. sustained a minor bruise to the middle of his back.
10. Victim S.M. sustained minor injuries from being hit by an object during the collision.
11. Victim L.M. sustained minor injuries from being hit by an object during the collision.

Officers reviewed surveillance video from Park Tavern and observed Defendant pull into the parking lot and drive past an open parking spot. Defendant then attempted to back into the spot and struck a parked car. Defendant then pulled out and drove south through the parking lot towards the patio and struck an oncoming SUV. Defendant then accelerated rapidly and plowed through the metal fence surrounding the patio and into the seating area, where he struck several individuals who were seated or walking within the patio area. Defendant continued to accelerate all the way through the patio area, reaching estimated speeds of 30-45 MPH. Defendant's vehicle is seen finally coming to an abrupt and violent halt when he hits several boulders at the base of a steep hill.

At the time this occurred, multiple children were present on the scene.

Defendant has two prior DWI convictions, including Gross Misdemeanor Third Degree DWI convicted January 23, 2015 (27CR1416055) and Misdemeanor Fourth Degree DWI convicted January 10, 2014 (81CR13135).

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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

Samuel Heffernan
Police Officer
3015 Raleigh Ave S
St Louis Park, MN 55416
Badge: 286

Electronically Signed:
09/03/2024 03:48 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Krista White
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
09/03/2024 03:48 PM

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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 as directed in the Notice of Hearing before the above-named court 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: \$1,000,000.00

Conditions of Release: Alcosensor/scram; No use of drugs/alcohol; Random UAs; Other: EHM; Surrender Passport; Remain Law Abiding; Make All Appearances

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 3, 2024.

Judicial Officer

Elizabeth Cutter
District Court Judge

Electronically Signed: 09/03/2024 03:52 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.

STEVEN FRANE BAILEY

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:

27-CR-24-20150
DEFENDANT FACT SHEET

Filed in District Court
State of Minnesota
9/3/2024

Name: STEVEN FRANE BAILEY
DOB: 05/18/1968
Address: 7725 W LAKE ST
ST LOUIS PARK, MN 55426

Alias Names/DOB:
SID: MN13FX2358
Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race: Unknown
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: Yes
Driver's License #:
SILS Person ID #: 351095
SILS Tracking No. 3416208
Alcohol Concentration:



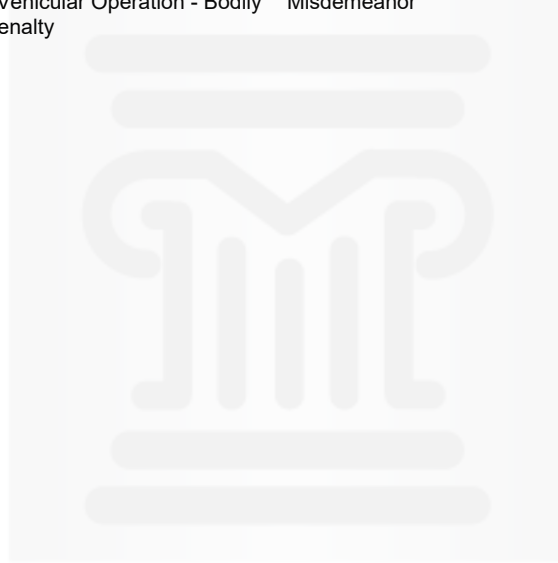
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STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	9/1/2024	609.2112.1(a)(2)(i) Criminal Vehicular Homicide - Operate Vehicle with Negligence - Under Influence Alcohol	Felony	J1B11		MN0272100	24005107
	Penalty	9/1/2024	609.2112.1(b) Criminal Vehicular Homicide - Increased penalty w/in 10 years of a qualified prior driving offense	Felony	J1B11		MN0272100	24005107
2	Charge	9/1/2024	609.2112.1(a)(2)(i) Criminal Vehicular Homicide - Operate Vehicle with Negligence - Under Influence Alcohol	Felony	J1B11		MN0272100	24005107
	Penalty	9/1/2024	609.2112.1(b) Criminal Vehicular Homicide - Increased penalty w/in 10 years of a qualified prior driving offense	Felony	J1B11		MN0272100	24005107
3	Charge	9/1/2024	609.2113.1(2)(i) Criminal Vehicular Operation - Great Bodily Harm - Under Influence Alcohol	Felony	J1B21		MN0272100	24005107
	Penalty	9/1/2024	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1B21		MN0272100	24005107
4	Charge	9/1/2024	609.2113.2(2)(i) Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Alcohol	Felony	J1B31		MN0272100	24005107
	Penalty	9/1/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1B31		MN0272100	24005107
5	Charge	9/1/2024	609.2113.2(2)(i) Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Alcohol	Felony	J1B31		MN0272100	24005107
	Penalty	9/1/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1B31		MN0272100	24005107
6	Charge	9/1/2024	609.2113.2(2)(i) Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Alcohol	Felony	J1B31		MN0272100	24005107
	Penalty	9/1/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony	J1B31		MN0272100	24005107
7	Charge	9/1/2024	609.2113.3(2)(i) Criminal Vehicular Operation - Bodily Harm - Under Influence Alcohol	Gross Misdemeanor	J1B51		MN0272100	24005107
	Penalty	9/1/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J1B51		MN0272100	24005107
8	Charge	9/1/2024	609.2113.3(2)(i) Criminal Vehicular Operation - Bodily Harm - Under Influence Alcohol	Gross Misdemeanor	J1B51		MN0272100	24005107
	Penalty	9/1/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J1B51		MN0272100	24005107
9	Charge	9/1/2024	609.2113.3(2)(i) Criminal Vehicular Operation - Bodily Harm - Under Influence Alcohol	Gross Misdemeanor	J1B51		MN0272100	24005107
	Penalty	9/1/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J1B51		MN0272100	24005107

10	Charge	9/1/2024	609.2113.3(2)(i) Criminal Vehicular Operation - Bodily Harm - Under Influence Alcohol	Gross Misdemeanor	J1B51	MN0272100	24005107
	Penalty	9/1/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J1B51	MN0272100	24005107

11	Charge	9/1/2024	609.2113.3(2)(i) Criminal Vehicular Operation - Bodily Harm - Under Influence Alcohol	Gross Misdemeanor	J1B51	MN0272100	24005107
	Penalty	9/1/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J1B51	MN0272100	24005107



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