

State of Minnesota
County of Fillmore

District Court
3rd Judicial District

Prosecutor File No. 24CR01007
Court File No. 23-CR-24-48

State of Minnesota,

COMPLAINT

Plaintiff,

Summons

vs.

SAMANTHA JO PETERSEN DOB: 03/30/1988

305 E. Baldwin Ave.
Kellogg, MN 55945

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 Negl-Und Infl Ctrl Substance

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

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (IMM, Age 11) as a result of operating a motor vehicle in a negligent manner while under the influence of a controlled substance.

COUNT II

Charge: Criminal Vehicular Homicide - Operate Vehicle w/ Negl-Und Infl Combination Alc/Cntrl Subst/CBD/THC

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

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (IMM, Age 11) as a result of operating a motor vehicle in a negligent manner while under the influence of any combination of alcohol, controlled substance, and/or cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols.

Charge: Criminal Vehicular Homicide - Operate Vehicle Any Amount Sched 1 or 2; Not cannabis/hemp/CBD/THC

Minnesota Statute: 609.2112.1(a)(6), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (IMM, age 11) as a result of 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 cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols, was present in the defendant's body.

COUNT IV**Charge: Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene**

Minnesota Statute: 609.2112.1(a)(7), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (IMM, age 11) as a result of operating a motor vehicle and the defendant, the driver who caused the collision, left the scene of the collision in violation of section 169.09, subdivision 1 or 6.

COUNT V**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 imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (WM, age 7) as a result of operating a motor vehicle in a negligent manner while under the influence of a controlled substance.

COUNT VI**Charge: Criminal Vehicular Homicide - Operate Vehicle w/ Negl-Und Infl Combination Alc/Cntrl Subst/CBD/THC**

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

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (WM, age 7) as a result of operating a motor vehicle in a negligent manner while under the influence of any combination of alcohol, controlled substance, and/or cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols.

COUNT VII

Charge: Criminal Vehicular Homicide - Operate Vehicle Any Amount Sched 1 or 2; Not cannabis/hemp/CBD/THC

Minnesota Statute: 609.2112.1(a)(6), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (WM, age 7) as a result of 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 cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols, was present in the defendant's body.

COUNT VIII

Charge: Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene

Minnesota Statute: 609.2112.1(a)(7), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years imprisonment and/or a \$20,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused the death of a human being (WM, age 7) as a result of operating a motor vehicle and the defendant, the driver who caused the collision, left the scene of the collision in violation of section 169.09, subdivision 1 or 6.

COUNT IX

Charge: Criminal Vehicular Operation - Great Bodily Harm - Under Influence Control Substance

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

Maximum Sentence: 5 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused great bodily harm to another (AM, age 9) as a result of operating a motor vehicle in a negligent manner while under the influence of a controlled substance.

COUNT X

**Charge: Criminal Vehicular Operation - Great Bodily Harm - Und Infl combination AIC/Contrl
Subst/Cannbis/Hemp**

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

Maximum Sentence: 5 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused great bodily harm to another (AM, age 9) as a result of operating a motor vehicle in a negligent manner while under the influence of any combination of alcohol, controlled substance, and/or cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols.

COUNT XI**Charge: Criminal Vehicular Operation - Great Bodily Harm - Any Amount Sched 1 or 2; Not cannabis/hemp**

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

Maximum Sentence: 5 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused great bodily harm to another (AM, age 9) as a result of 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 cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols, was present in the defendant's body.

COUNT XII**Charge: Criminal Vehicular Operation - Great Bodily Harm - Driver Who Causes Collision Leaves Scene**

Minnesota Statute: 609.2113.1(7), with reference to: 609.2113.1

Maximum Sentence: 5 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused great bodily harm to another (AM, age 9) as a result of operating a motor vehicle and the defendant, the driver who caused the accident, left the scene of the accident in violation of section 169.09, subdivision 1 or 6.

COUNT XIII**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Control Substance**

Minnesota Statute: 609.2113.2(2)(ii), with reference to: 609.2113.1

Maximum Sentence: 3 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused substantial bodily harm to another (AM, age 9 and RAM, age 13) as a result of operating a motor vehicle in a negligent manner while under the influence of a controlled substance.

COUNT XIV

Charge: Criminal Vehicular Operation - Substantial Bodily Harm- Und Influence Combination (i), (ii) or (iii)

Minnesota Statute: 609.2113.2(2)(iv), with reference to: 609.2113.1

Maximum Sentence: 3 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused substantial bodily harm to another (AM, age 9 and RAM, age 13) as a result of operating a motor vehicle in a negligent manner while under the influence of any combination of alcohol, controlled substance, and/or cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols.

COUNT XV

Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Any Amount Sch 1 or 2; Not cannabis/hemp

Minnesota Statute: 609.2113.2(6), with reference to: 609.2113.1

Maximum Sentence: 3 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused substantial bodily harm to another (AM, age 9 and RAM, age 13) as a result of 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 cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols, was present in the defendant's body.

COUNT XVI

Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Driver Who Causes Collision Leaves Scene

Minnesota Statute: 609.2113.2(7), with reference to: 609.2113.1

Maximum Sentence: 3 years imprisonment and/or a \$10,000 fine

Offense Level: Felony

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant caused

substantial bodily harm to another (AM, age 9 and RAM, age 13) as a result of operating a motor vehicle and the defendant, the driver who caused the accident, left the scene of the accident in violation of section 169.09, subdivision 1 or 6.

COUNT XVII

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.25.2, 169A.25.1(a)

Maximum Sentence: 1 year in jail and/or a \$3,000 fine

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant did drive, operate, or was in physical control of a motor vehicle when the person was under the influence of a controlled substance and two or more aggravating factors were present when the violation was committed, to-wit: the defendant has two qualified prior impaired driving convictions within the last ten years. The defendant was convicted on 08/06/2018 of 3rd Degree DWI-Controlled Substance in Mower County File 50-CR-17-1152 and was convicted on 10/15/2015 of DWI-Alcohol in Mower County File 50-CR-15-1153.

COUNT XVIII

Charge: Traffic - DWI - Operate Motor Vehicle - Any Amount Schedule I/II Drugs/metabolite; Not cannabis/hemp

Minnesota Statute: 169A.20.1(7), with reference to: 169A.25.2, 169A.25.1(a)

Maximum Sentence: 1 year in jail and/or a \$3,000 fine

Offense Level: Gross Misdemeanor

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant did drive, operate, or was in physical control of a motor vehicle, when the defendant's body contained any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, an artificially derived cannabinoid, or tetrahydrocannabinols. Two or more aggravating factors were present when the violation was committed, to-wit: the defendant has two qualified prior impaired driving convictions within the last ten years. The defendant was convicted on 08/06/2018 of 3rd Degree DWI-Controlled Substance in Mower County File 50-CR-17-1152 and was convicted on 10/15/2015 of DWI-Alcohol in Mower County File 50-CR-15-1153.

COUNT XIX

Charge: Failure to Provide Proof of Insurance

Minnesota Statute: 169.791.2(a), with reference to: 169.791.2(a)

Maximum Sentence: 90 days in jail and/or a \$1,000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant failed to have in her possession at all times when operating a motor vehicle and failed to produce proof of

insurance in force at the time of operating the motor vehicle.

COUNT XX

Charge: Traffic - Careless Driving - Operate any Vehicle Carelessly on Street or Highway

Minnesota Statute: 169.13.2(a), with reference to: 169.13.2(a)

Maximum Sentence: 90 days in jail and/or a \$1,000 fine

Offense Level: Misdemeanor

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant did operate or halt a vehicle upon a street or highway carelessly or heedlessly in disregard of the rights of others, or in a manner that endangered or was likely to endanger property or any person, including the driver or passengers of the vehicle.

COUNT XXI

Charge: Traffic - Speeding - Exceed Limit 55 mph Where Appropriate

Minnesota Statute: 169.14.2(a)(3), with reference to: 169.89.1

Maximum Sentence: \$300 fine

Offense Level: Petty Misdemeanor

Offense Date (on or about): 09/25/2023

Control #(ICR#): 23006662

Charge Description: On or about September 25, 2023, within Fillmore County, MN, the defendant did drive in excess of 55 miles per hour in a 55 MPH-zone.



STATEMENT OF PROBABLE CAUSE

Your Complainant is a licensed peace officer employed by the Fillmore County Sheriff's Office in Fillmore County, Minnesota. In this capacity, your Complainant believes the following to be true and correct.

On or about September 25, 2023, at approximately 0826 hours, Fillmore County Sheriff's Deputy Scott Sweeney heard a page on his squad car radio for Spring Valley Ambulance and Spring Valley Fire Department. The page was for a crash involving a motor vehicle and an Amish buggy on County Road 1 in rural Stewartville, Fillmore County, MN. Dispatch advised the crash was near Sumner Center Church. Sweeney responded to the scene from Spring Valley. Sweeney arrived on scene at approximately 0837 hours and observed a silver SUV with front-end damage parked along the shoulder of the southbound lane of County Road 1. Sweeney observed several people in the ditch on the west side of County Road 1, just north of the silver SUV. There was debris on the roadway, west shoulder, and in the west ditch. There was an Amish buggy and a horse that appeared deceased in the west ditch. Sweeney exited his squad and was met by a male named Brooks. Brooks advised Sweeney that there were two children who needed an ambulance. Brooks pointed to a child lying in the southbound lane, later identified as RAM, age 13. Brooks pointed out a child lying in the ditch next to the shoulder, later identified as AM, age 9. Brooks pointed to a third child lying in the ditch not far from AM. Brooks stated they were unable to revive the child, later identified as IMM, age 11.

Sweeney observed first responders performing life-saving measures on a fourth child. The first responder asked for an AED. Sweeney retrieved his AED from his squad car and provided it to the responders. It was around this time that Spring Valley Ambulance and Chatfield Ambulance arrived on scene and transported AM and RAM to the hospital. It was later confirmed that two of the children, IMM and WM, age 7, passed away. AM sustained great bodily injury including a broken left shoulder, lacerated kidney, torn spleen, concussion, and slight bleeding in his brain. RAM sustained substantial bodily injury including a scarred face ("road rash").

At the scene, Captain Phil Whitacre with the Fillmore County Sheriff's Office spoke with a man named Tristan who was identified as the first witness to arrive on the scene. Tristan stated that he was southbound on County 1 when he saw rubble and slammed on his brakes. He saw a girl lying at rest on the road. He also saw a horse in the ditch and pieced together what happened. Tristan said he saw a woman on the phone and confirmed that she was calling 911. Tristan later described the driver of the SUV that hit the buggy as a blonde female wearing a Hy-Vee employee shirt that was black and red.

Whitacre took a statement from a man named Leroy who stated that he and his wife, Laura, approached the scene with their driver, Kenneth. Leroy saw debris on the road, a buggy in the ditch, and children lying on the ground. Laura went to let the children's mother know about the crash while Leroy stayed at the scene to tend to the children. Leroy saw a lady on her phone in the ditch flailing her arms around yelling and he wasn't sure if she was on the phone with dispatchers or a friend. Leroy described the lady as wearing black clothing, no eyeglasses, really light blonde hair, was taller, and kind of heavy set. Whitacre asked if he saw a vehicle at the scene. Leroy recalled seeing a silver SUV that he presumed was involved in the crash. Leroy noticed another lady appear at the scene who looked similar to the lady he initially saw at the scene. The second lady had a tee shirt with no sleeves on and she looked a little bit smaller than the first lady. Leroy wasn't sure how the second lady got there; she just sort of appeared. Leroy saw the second lady give the first lady a hug and heard the first lady say that she didn't see them until it was too late.

A review of Sweeney's squad camera footage revealed that when he arrived on scene, two blonde females were present. In the first part of the video, both the females can be seen on the roadway. Female #1 is wearing a black coat and black leggings with thong sandals. Female #2 is initially wearing a red shirt

consistent with a Hy-Vee employee uniform. Shortly after Sweeney's arrival, Female #2 moves a vehicle to the side of the road and when she exits the vehicle, she is seen wearing a black tank top instead of the red shirt. Female #2's footwear appears to remain consistent.

Deputy Don Kullot with the Fillmore County Sheriff's Office arrived on scene and was walking south through the emergency vehicles when he was approached by a female in a black light-weight coat (Female #1). Female #1 later identified herself as "Sarah Beth Petersen" (DOB: 03/30/1988). She was visibly upset and told Kullot that she was the driver of the car that hit the Amish buggy. As Kullot and Female #1 were walking to his squad truck, Kullot activated his digital pocket recorder. Kullot asked for her driver's license. She said it was in a black SUV parked in a field near the firetrucks. Kullot walked to the black SUV with her. Kullot thought it was odd that her driver's license was in the black SUV when she claimed to have been driving the silver SUV at the time of the crash. Female #2, later self-identified as "Samantha Jo Petersen" (DOB: 03/30/1988), said she took the wallet from the silver SUV and brought it to the black SUV. Kullot noticed Female #2 looked extremely similar to Female #1. Female #1 produced a paper copy of a MN temporary license with the name of Sarah Beth Petersen (DOB: 03/30/1988). Kullot asked if she was still living in Spring Valley as shown on the temporary license. She confirmed she was.

Kullot had Sarah sit in the front seat of his squad truck for privacy. Kullot asked her to tell him what happened. She said she had been driving, didn't see the buggy, and hit them. She said the buggy was on the road, closer to the middle of the road. Kullot asked where she was headed. She said she was headed home from work in Rochester. Kullot asked if she works overnights. She said she works day shift but she was headed to Spring Valley to make sure her kids were out of bed and get them to school before heading to work at 10:00 AM. Kullot asked what she was doing in Rochester. She said she had stopped to get her paycheck, cash it, pay her electricity bill, and then head in to work.

Kullot asked her if the vehicle belonged to her or someone else. Sarah said the vehicle belonged to her sister, Samantha Petersen, and that her vehicle was in the shop. Kullot asked if she and Samantha were twins and Sarah confirmed they were.

Kullot left the squad truck to discuss next steps with Whitacre and Deputy Jordan Heyer with the Fillmore County Sheriff's Office. Kullot left his digital recorder on in the squad truck. While Kullot was speaking with Whitacre and Heyer, Sarah had opened the window to visit with her sister, Samantha. The discussion between the two sisters was recorded. In the recording, the sisters chatted about what was asked by law enforcement to each of them. During the recording, Sarah can be heard saying, "I think that one of the guys is onto me but I don't really care..." and "there's no way they would ever know the difference between the two of us so they can't tell."

After visiting with Whitacre and Heyer, Kullot returned to the squad truck. Kullot read the Miranda Waiver of Rights to Sarah. Kullot asked her if she would be willing to speak with him. She was hesitant. She said she didn't feel like she did anything wrong but knows that she hit someone, killed someone, and would have to live with that for the rest of her life. Kullot asked her again if she would answer his questions. She said she didn't know. She asked if she was being criminally charged and what the charge would be. Kullot said the charges would be up to the decision of the County Attorney. She continued to say, "I don't know."

Kullot asked for her motor vehicle insurance information. She provided a picture of the insurance card on her phone. The insurance company later confirmed that the policy was cancelled on September 22, 2023. The silver SUV did not have insurance at the time of the crash.

Kullot again asked Sarah if she would be willing to answer his questions and that he had some very difficult questions that needed answers. She said she would like to speak to attorney but didn't have one in mind. Kullot informed her that he would be seizing her phone. The phone was logged into evidence.

Samantha asked to retrieve an item out of the silver SUV. Kullot asked her what it was. She said there was an ID card that was under the floormat. Kullot escorted Samantha to the silver SUV and she retrieved the ID. Kullot took a photograph of the MN driver's license belonging to SAMANTHA JO PETERSEN (DOB: 03/30/1988), which was expired. Kullot did not see anything else being removed. Inside the silver SUV, Kullot noticed a couple of burnt marijuana blunts and a small tin can commonly used to hold marijuana. The vehicle was later towed and inventoried. A red tee shirt and black smock worn by Hy-Vee employees was located inside the silver SUV.

Heyer and Whitacre took statements from the district store manager for Hy-Vee (hereinafter referred to as "DSM") and the Human Resources manager (hereinafter "HR") regarding the fatal crash. DSM stated Sarah and Samantha both work for him. Samantha had messaged DSM and HR on September 25, 2023, saying that she messed up and was under the influence of methamphetamine at the time of the crash. Heyer asked why Sarah would take the fall for Samantha. DSM believed it was because Samantha took care of Sarah's children while Sarah was in prison and now, she feels like she needs to help Samantha.

HR said Samantha punched out of work at 7:47 AM on September 25, 2023. Around 10:00 AM on September 25, Samantha texted HR asking HR to call her. HR called Samantha and the first words out of Samantha's mouth were, "I f***ed up..." "I just killed two Amish people; they were kids..." "I just hit a f***ing buggy and I killed two people..." "I'm not sober." HR said Samantha sounded hysterical. HR asked Samantha if she had been drinking and Samantha said, "No, [HR], you know that's not my first choice... I'm high on meth." HR asked Samantha if she called 911 and Samantha confirmed that she called 911 before calling Sarah. Samantha said she left the scene after Sarah came. HR later provided text messages from Samantha admitting what she did. The text messages are dated September 26, 2023. HR confirmed with Whitacre that Samantha is employed as a baker and that her uniform consists of a black chef's jacket with black pants. HR knows Samantha to drive a silver Toyota 4Runner SUV. On September 26th, Sarah texted HR saying she wasn't coming in and that she was helping Samantha get into treatment.

Heyer reviewed the security footage from September 25, 2023, of the parking lot of the Rochester Hy-Vee where Samantha works. Samantha is seen exiting the store at 0758 hours and leaving in a silver SUV at 0802 hours. Heyer reviewed the estimated travel time from Hy-Vee to Sumner Center Church. The approximate travel time is 25 minutes.

Heyer reviewed the 911 calls associated with the incident. On September 25, 2023, at 0825 hours, a 911 call was received from the same phone number listed as belonging to Samantha Jo Petersen in the Fillmore County Sheriff's Office records management system. The reporting party was difficult to understand on the 911 because she was emotional and upset. At one point during the call, she can be heard saying, "I didn't see them coming up over the hill."

On September 26, 2023, Heyer applied for and was granted a search warrant for the person of Samantha Jo Petersen and her residence on Broadway Avenue in Spring Valley to retrieve Samantha's cell phone and a blood or urine sample. On September 26 at 2000 hours, Investigator Sergeant Dan Dornink with the Fillmore County Sheriff's Office went to the residence with Heyer to execute the warrant. They knocked on the door which was answered by Sarah. Sarah stated that Samantha was not there, and that Samantha moved to Stewartville in May 2023, after Sarah got out of prison. Sarah said Samantha paid their utility bill in Spring Valley on the morning of September 25, 2023. Sarah said that she had her own cell phone with her when she went to Rochester on September 25th and that it was just a terrible accident. Sarah told Heyer and Dornink that she was wearing a red tee shirt on the morning of the crash. Sarah said she called Samantha right after the crash and had Samantha call 911 for her. Sarah also said that Samantha comes down and sleeps on her couch and that "she is here all the time."

Dornink and Heyer had Sarah stay outside while law enforcement searched the residence. Samantha was inside the residence. Heyer handed Samantha a copy of the search warrant. Samantha handed over a blue Apple iPhone. Sweeney transported Samantha to the Fillmore County Sheriff's Office where she provided a sample of her blood, pursuant to the search warrant. On October 3, 2023, the BCA results on the blood sample were returned which showed the presence of methamphetamine, amphetamine, Delta-9 THC, and the metabolite of the latter.

On September 27, 2023, Heyer spoke with a Kingsland school social worker (hereinafter referred to as "SW"). SW said she had a conversation with Sarah's thirteen year-old daughter (hereinafter referred to as "AP"). SW said AP seemed upset so she spoke with her. AP told SW, "my mom wasn't the one that was driving." AP was afraid that when she went home that day, her mom and aunt would be gone. AP said her mom drove to the scene of the crash after the crash. AP told SW that the cops came and got Samantha and took Samantha's phone on September 26th. AP told SW that she was anxious and felt like she was going to vomit. SW reported this conversation because she did not believe that AP would be willing to speak with deputies.

On September 29, 2023, Dornink spoke with a Spring Valley Public Utilities ("SVPU") employee who confirmed that she took payment in the form of cash to be applied to Sarah's account. The employee stated the transaction occurred around 0800 hours on September 25, 2023. Sarah called SVPU shortly after leaving to confirm that the payment was applied to her account. A review of phone call data recovered indicates that the phone call to SVPU came from the phone number listed to Sarah. SVPU confirmed there is no account listed to Samantha Petersen in the City of Spring Valley.

Kingsland Public Schools provided the Fillmore County Sheriff's Office with security footage of the morning of September 25, 2023. The footage shows a black Toyota SUV dropping off Sarah's kids at the elementary school at approximately 0741 hours. At approximately 0830 hours, the black SUV is seen traveling northbound on County Road 1.

Spring Valley Kwik Trip provided the Fillmore County Sheriff's Office with security footage of the morning of September 25, 2023. The footage shows a black Toyota SUV pulling into their parking lot at 0746 hours on September 25, 2023. The driver is seen exiting her vehicle and entering the store. The driver has blonde hair, is wearing black pants, a black shirt, and a black zip-up hoodie. The black SUV then left the parking lot at 0751 hours. A license plate check showed the SUV is registered to Samantha Petersen.

On November 8, 2023, Heyer applied for and was granted a search warrant for data from 09/25/23-09/26/23 on the Apple iPhone belonging to Samantha. His review of the cell phone records confirm that Samantha was at Hy-Vee at 0500 hours on September 25, 2023; she was near the Rochester airport at 0811 hours, which is on the way to Spring Valley; she continued tracking south to the intersection of Highway 30 and County Road 1 at 0820 hours; and that she was at the scene of the crash at 0823 hours.

A review of a message exchange between Samantha and an individual identified as "DH" in her phone on September 25 through September 26, 2023 is as follows:

DH: This little girl got killed today so sad

Sam: dan i don't think you realize that i did that

DH: I'm confused

Sam: confused on what i hit that amish buggy and killed two ppl

Sam: made sarah come there and take the fall for it so i wouldn't go to prison

Investigators reviewed searches on Samantha's phone and discovered that she searched, "What happens if you get in an accident with an Amish buggy and kill two people," "how to lock an iphone cops have," and "if you hit a buggy and kill two people are you going to prison?" and similar searches.

Minnesota State Patrol completed the crash reconstruction. It concluded that the driver of the silver Toyota 4Runner SUV was travelling between 63-71 miles per hour at the time of the crash. The speed limit on County Road 1 is 55 MPH. The view on the road was clear for 1,452 feet before the crash scene and there were no obstructions.

Shortly after the date of the crash, both Samantha and Sarah Petersen moved out of their Spring Valley residence. They are believed to be living in the Kellogg, MN area.

A review of Samantha's criminal history shows she was convicted of: 4th Degree DWI-Alcohol on October 15, 2015 in Mower County District Court File No. 50-CR-15-1153; 3rd Degree DWI-Controlled Substance on August 6, 2018 in Mower County District Court File No. 50-CR-17-1152; and Giving a False Name to a Peace Officer on March 15, 2007 in Olmsted County District Court File No. 55-CR-07-2354.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. Sec. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.



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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

Daniel S Dornink
Investigator/Sgt.
901 Houston St NW
Preston, MN 55965-1080
Badge: 2314

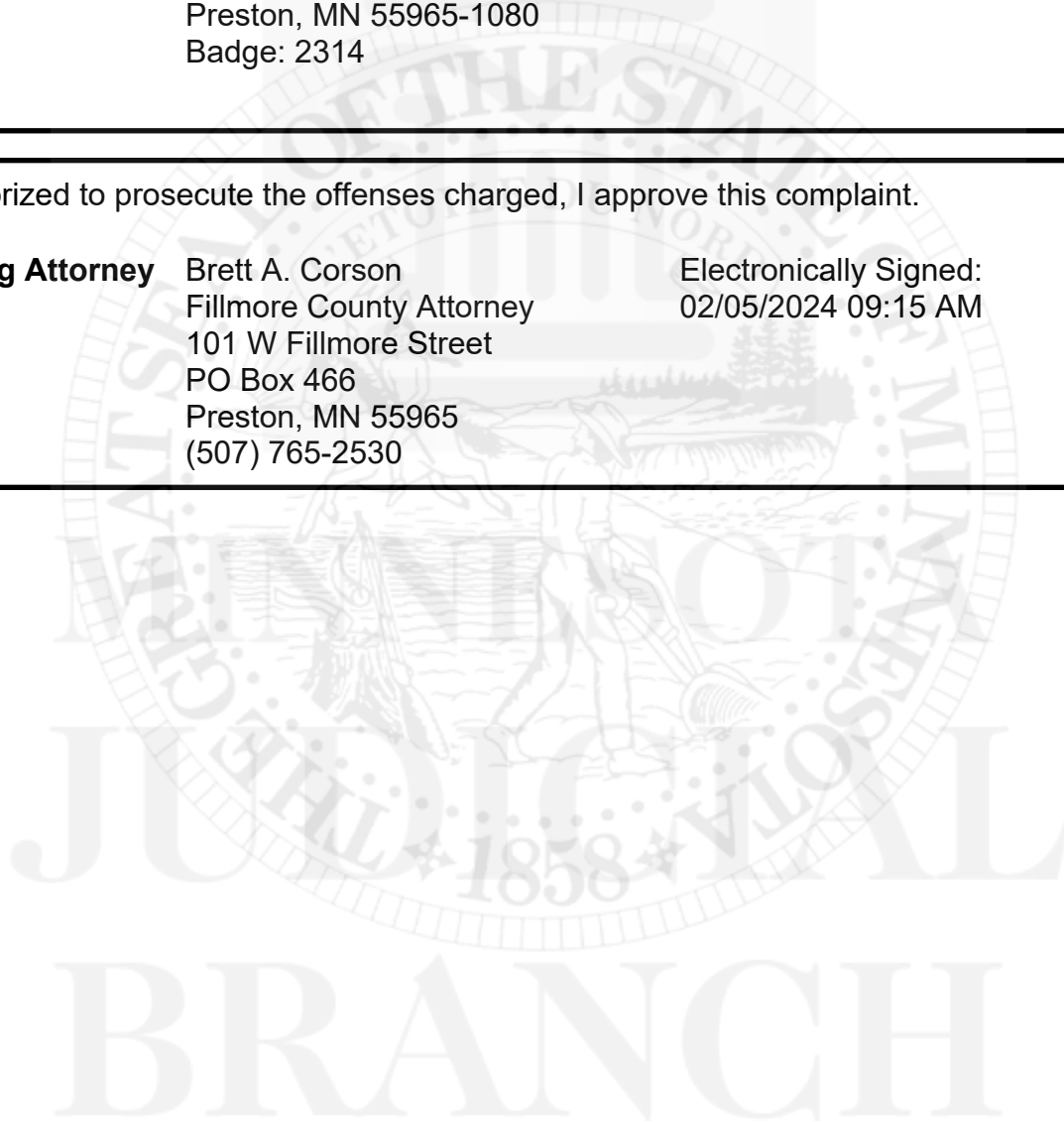
Electronically Signed:
02/05/2024 09:18 AM
FILLMORE County, MINNESOTA

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

Prosecuting Attorney

Brett A. Corson
Fillmore County Attorney
101 W Fillmore Street
PO Box 466
Preston, MN 55965
(507) 765-2530

Electronically Signed:
02/05/2024 09:15 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 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: \$
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: February 5, 2024.

Judicial Officer

Jeremy Clinefelter

Electronically Signed: 02/05/2024 09:26 AM

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

**COUNTY OF FILLMORE
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Samantha Jo Petersen

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Summons upon the Defendant herein named.

Signature of Authorized Service Agent:

23-CR-24-48
DEFENDANT FACT SHEET

Filed in District Court
State of Minnesota
2/5/2024

Name: Samantha Jo Petersen
DOB: 03/30/1988
Address: 305 E. Baldwin Ave.
Kellogg, MN 55945

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender:

FEMALE

Race:

Fingerprints Required per Statute:

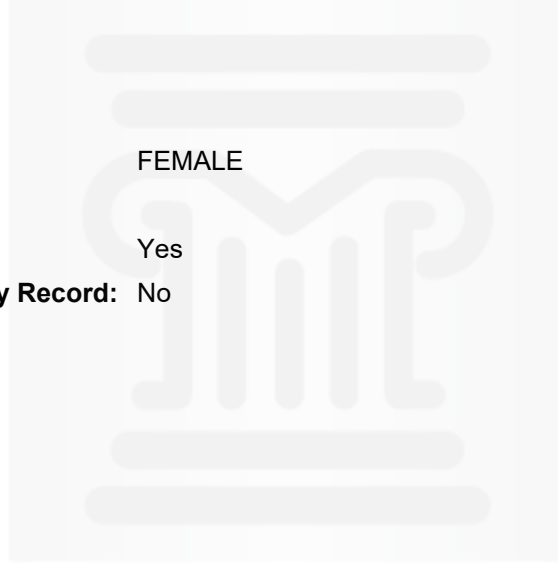
Yes

Fingerprint match to Criminal History Record:

No

Driver's License #:

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	9/25/2023	609.2112.1(a)(2)(ii) Criminal Vehicular Homicide - Operate Vehicle with Negl-Und Infl Ctrl Substance	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
2	Charge	9/25/2023	609.2112.1(a)(2)(iv) Criminal Vehicular Homicide - Operate Vehicle w/ Negl-Und Infl Combination Alc/Cntrl Subst/CBD/THC	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
3	Charge	9/25/2023	609.2112.1(a)(6) Criminal Vehicular Homicide - Operate Vehicle Any Amount Sched 1 or 2; Not cannabis/hemp/CBD/THC	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
4	Charge	9/25/2023	609.2112.1(a)(7) Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene	Felony	J1311	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1311	N	MN0230000	23006662
5	Charge	9/25/2023	609.2112.1(a)(2)(ii) Criminal Vehicular Homicide - Operate Vehicle with Negl-Und Infl Ctrl Substance	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
6	Charge	9/25/2023	609.2112.1(a)(2)(iv) Criminal Vehicular Homicide - Operate Vehicle w/ Negl-Und Infl Combination Alc/Cntrl Subst/CBD/THC	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
7	Charge	9/25/2023	609.2112.1(a)(6) Criminal Vehicular Homicide - Operate Vehicle Any Amount Sched 1 or 2; Not cannabis/hemp/CBD/THC	Felony	J1C11	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1C11	N	MN0230000	23006662
8	Charge	9/25/2023	609.2112.1(a)(7) Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene	Felony	J1311	N	MN0230000	23006662
	Penalty	9/25/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1311	N	MN0230000	23006662
9	Charge	9/25/2023	609.2113.1(2)(ii) Criminal Vehicular Operation - Great Bodily Harm - Under Influence Control Substance	Felony	J1C21	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1C21	N	MN0230000	23006662
10	Charge	9/25/2023	609.2113.1(2)(iv) Criminal Vehicular Operation - Great Bodily Harm - Und Infl combination Alc/Cntrl Subst/Cannbis/Hemp	Felony	J1C21	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1	Felony	J1C21	N	MN0230000	23006662

11	Charge	9/25/2023	609.2113.1(6) Criminal Vehicular Operation - Great Bodily Harm - Any Amount Sched 1 or 2; Not cannabis/hemp	Felony	J1C21	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1C21	N	MN0230000	23006662
12	Charge	9/25/2023	609.2113.1(7) Criminal Vehicular Operation - Great Bodily Harm - Driver Who Causes Collision Leaves Scene	Felony	J1321	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1321	N	MN0230000	23006662
13	Charge	9/25/2023	609.2113.2(2)(ii) Criminal Vehicular Operation - Substantial Bodily Harm - Under Influence Control Substance	Felony	J1C31	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1C31	N	MN0230000	23006662
14	Charge	9/25/2023	609.2113.2(2)(iv) Criminal Vehicular Operation - Substantial Bodily Harm- Und Influence Combination (i), (ii) or (iii)	Felony	J1C31	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1C31	N	MN0230000	23006662
15	Charge	9/25/2023	609.2113.2(6) Criminal Vehicular Operation - Substantial Bodily Harm - Any Amount Sch 1 or 2; Not cannabis/hemp	Felony	J1C31	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1C31	N	MN0230000	23006662
16	Charge	9/25/2023	609.2113.2(7) Criminal Vehicular Operation - Substantial Bodily Harm - Driver Who Causes Collision Leaves Scene	Felony	J1331	N	MN0230000	23006662
	Penalty	9/25/2023	609.2113.1 Criminal Vehicular Operation - Great Bodily Harm - Penalty	Felony	J1331	N	MN0230000	23006662
17	Charge	9/25/2023	169A.25.1(a) Traffic - DWI - Second-Degree Driving While Impaired; 2 or more Aggravating Factors	Gross Misdemeanor	JE501	N	MN0230000	23006662
	Charge	9/25/2023	169A.20.1(2) Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance	Gross Misdemeanor	JE501	N	MN0230000	23006662
	Penalty	9/25/2023	169A.25.2 Traffic - DWI - Second-Degree Driving While Impaired; Criminal Penalty	Gross Misdemeanor	JE501	N	MN0230000	23006662
18	Charge	9/25/2023	169A.25.1(a) Traffic - DWI - Second-Degree Driving While Impaired; 2 or more Aggravating Factors	Gross Misdemeanor	JE501	N	MN0230000	23006662
	Charge	9/25/2023	169A.20.1(7) Traffic - DWI - Operate Motor Vehicle - Any Amount Schedule I/II Drugs/metabolite; Not cannabis/hemp	Gross Misdemeanor	JE501	N	MN0230000	23006662
	Penalty	9/25/2023	169A.25.2	Gross	JE501	N	MN0230000	23006662

19	Charge	9/25/2023	169.791.2(a) Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle	Misdemeanor	J3901	N	MN0230000	23006662
	Penalty	9/25/2023	169.791.2(a) Traffic Regulation - Driver Must Carry Proof of Insurance when Operating Vehicle	Misdemeanor	J3901	N	MN0230000	23006662
20	Charge	9/25/2023	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor	J3901	N	MN0230000	23006662
	Penalty	9/25/2023	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor	J3901	N	MN0230000	23006662
21	Charge	9/25/2023	169.14.2(a)(3) Traffic - Speeding - Exceed Limit 55 mph Where Appropriate	Petty Misdemeanor	J8901	N	MN0230000	23006662
	Penalty	9/25/2023	169.89.1 Traffic Regulation - Penalties for Traffic Violations	Petty Misdemeanor	J8901	N	MN0230000	23006662

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