

OFFICE OF THE ANOKA COUNTY ATTORNEY

Tony Palumbo, County Attorney

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Aug. 29, 2016

FOR IMMEDIATE RELEASE

Michigan firefighter charged with criminal vehicular homicide for fatal crash

The Anoka County Attorney's Office today charged a Michigan man in connection to a single-vehicle crash on Saturday, Aug. 27, that resulted in the death of two of his fellow firefighters.

Michael Allen Johnson, 28, of Baraga, Mich., is charged with two counts of felony criminal vehicular homicide.

A copy of the criminal complaint is attached.

Johnson remains in custody at the Anoka County Jail and is scheduled for a hearing in Anoka County District Court at 9 a.m. Tuesday, Aug. 30.

Anoka County Attorney Tony Palumbo will be available for interviews following Johnson's court appearance. Please let me know if you are interested, so that we can make arrangements.

State of Minnesota
County of Anoka

District Court
10th Judicial District

Prosecutor File No. CA-2016-01417
Court File No. 02-CR-16-5657

State of Minnesota,

Plaintiff,

vs.

MICHAEL ALLEN JOHNSON DOB: 08/03/1988

619 Lyons Street
Baraga, MI 49908

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: Criminal Vehicular Homicide (Gross Negligence)

Minnesota Statute: 609.2112.1(a)(1)

Maximum Sentence: 0-10 Years and/or \$6,000.00 - \$20,000.00

Offense Level: Felony

Offense Date (on or about): 08/27/2016

Control #(ICR#): 16015469

Charge Description: On or about August 27, 2016, in the County of Anoka, Minnesota, MICHAEL ALLEN JOHNSON, did cause the death of a human being not constituting murder or manslaughter as a result of operating a motor vehicle in a grossly negligent manner.

COUNT II

Charge: Criminal Vehicular Homicide (Gross Negligence)

Minnesota Statute: 609.2112.1(a)(1)

Maximum Sentence: 0-10 Years and/or \$6,000.00 - \$20,000.00

Offense Level: Felony

Offense Date (on or about): 08/27/2016

Control #(ICR#): 16015469

Charge Description: On or about August 27, 2016, in the County of Anoka, Minnesota, MICHAEL ALLEN JOHNSON, did cause the death of a human being not constituting murder or manslaughter as a result of operating a motor vehicle in a grossly negligent manner.

STATEMENT OF PROBABLE CAUSE

On August 27, 2016, at approximately 3:13 p.m., multiple law enforcement agencies were dispatched to the area of southbound Interstate Highway 35W and 95th Avenue Northeast in the City of Blaine, County of Anoka, State of Minnesota involving a rollover single vehicle crash on the highway. Upon arrival, law enforcement observed a single vehicle crash on the two southbound lanes of traffic. The vehicle was identified as a 2005 International Crew Cab Carrier Fire Truck. The cab and the box of the truck had been separated during the crash. Law enforcement observed the cab of the truck in the southbound lane of Highway 35W while the box of the truck was lying on its side in the median. Law enforcement observed tire markings that indicated the vehicle drifted off the right shoulder of the two lane highway and then overcorrected to the left forcing the vehicle into the cable barrier between southbound and northbound Interstate Highway 35W. Law enforcement identified the driver of the truck as Michael Allen Johnson, (d.o.b. 8/3/1988), the defendant herein. The defendant was still seated in the driver's seat of the truck. Law enforcement also located eight other adult males identified as passengers in the truck. One passenger, identified by initials RJJ, had been the front seat passenger with the defendant inside the cab of the truck. RJJ was transported to Mercy Hospital in stable condition. Seven of the passengers had been seated in the box area of the truck. One twenty-three-year old male, identified by initials JFS, was located inside the box and pronounced dead at the scene. Another twenty-five-year old male, identified by initials AJS, was transported to Mercy Hospital. AJS was pronounced dead at Mercy Hospital shortly after arrival. The remaining five passengers were transported to local hospitals with varying degrees of injury.

Upon making contact with the defendant at the scene, law enforcement noted signs of impairment and combative behavior. A warrant was obtained to collect a blood sample from the defendant. The sample was collected and submitted for analysis. Results of the test are pending.

A post-Miranda statement was taken from the defendant. The defendant reported being a member of a wildfire fighting crew from Michigan. The crew with the defendant was a part of a three vehicle convoy traveling from Michigan to Utah for a wildlife fire. The defendant was driving the third vehicle with the other two in front of him. The defendant stated that he woke up on Friday, August 26th, at approximately 11:00 a.m. and had not slept since then at the time of the crash, aside from a forty-five minute nap during the early morning hours of August 27th. The defendant believed he fell asleep while driving and woke up to his passenger yelling at him as he veered off the road. The defendant attempted to gain control but crashed into the barrier inside the median. The defendant also admitted to the use of marijuana during the early morning hours of August 27th and to the use of cocaine on August 25th.

Statements were obtained from various witnesses traveling on Highway 35W at the time of the crash. One witness described driving southbound on Highway 35W and seeing the three fire truck vehicles approaching him at a high rate of speed. The witness moved to the right lane of traffic to allow the vehicles to pass him. The witness estimated the vehicles to be traveling approximately 80 to 90 mph in a 70 mph zone. After the third vehicle passed, the witness observed the third vehicle swerve into the right lane of traffic approximately three times. The vehicle then swerved again traveling across the lane of traffic onto the right side of the roadway. The vehicle attempted to correct itself but traveled back across the highway ultimately crashing into the barrier on the left. The box separated from the cab and rolled several times. Another witness described contacting 911 before the crash out of concern of the driving conduct of the vehicle. This witness called 911 back after observing the crash and provided consistent details regarding the accident.

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

Michael Schantzen
Detective
10801 TOWN SQUARE DRIVE
NE
BLAINE, MN 55449
Badge: 224

Electronically Signed:
08/29/2016 02:50 PM
Anoka County, Minnesota

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

Prosecuting Attorney

Jennifer L. Verdeja
Assistant Anoka County Attorney
2100 3rd Ave
Anoka, MN 55303-2265
(763) 323-5550

Electronically Signed:
08/29/2016 02:48 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 325 E Main Street, Anoka, MN 55303 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: August 29, 2016.

Judicial Officer

Daniel A. O'Fallon
Judge, District Court

Electronically Signed: 08/29/2016 03:02 PM

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

**COUNTY OF ANOKA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Michael Allen Johnson

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 Allen Johnson
DOB: 08/03/1988
Address: 619 Lyons Street
Baraga, MI 49908

Alias Names/DOB:
SID:
Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race: White
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: No
Handgun Permit: No
Driver's License #:
Case Scheduling Information: RUSH - In Custody Sign by 3:00 today
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	8/27/2016	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A16		MN0020200	16015469
2	Charge	8/27/2016	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A16		MN0020200	16015469