

FILED
04-28-2020
Clerk of Circuit Court
Polk County, Wisconsin
2020CF000158

STATE OF WISCONSIN CIRCUIT COURT POLK COUNTY

STATE OF WISCONSIN
 Plaintiff,

DA Case No.: 2020PL000378
 DA/ADA: Jeffrey L. Kemp
 Agency Case No.: 2020-00000673
 2020-00000693

vs.

CT CM CF
 ATN:

Jason Robert Diers-Leske
 1968 123Rd Ave
 Saint Croix Fall, WI 54024
 DOB: 10/30/1987
 Sex/Race: M/W
 Alias: Jason Robert Leske

CRIMINAL COMPLAINT

Defendant.

For Official Use

Mandatory Fingerprinting

Pursuant to sec.970.02(7), Wis. Stats., at the Initial Appearance the Judge is required by law to determine at your first appearance in Court if your (the defendant's) fingerprints, photographs and other identifying data have been taken and if not, the Judge shall direct that this information be obtained;

- Identifying information has been obtained at the time of arrest
 Identifying information has not been obtained.

The undersigned complainant, on information and belief, being first sworn, on oath, states:

Count 1: BATTERY TO A LAW ENFORCEMENT OFFICER, REPEATER

The above-named defendant on or about Friday, April 24, 2020, Polk County, Wisconsin, did intentionally cause bodily harm to Nathan A. Ferris, a law enforcement officer, without their consent, and at the time of the act, the defendant knew or should have known that Nathan A. Ferris was a law enforcement officer and the act was in a response to any action taken by a law enforcement officer in an official capacity, contrary to sec. 940.203(2), 939.62(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 2: ESCAPE, REPEATER

The above-named defendant on or about Friday, April 24, 2020, Polk County, Wisconsin, did intentionally escape from custody, having been lawfully arrested for a crime, contrary to sec. 946.42(3)(a), 939.62(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of

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imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 3: RESISTING AN OFFICER, REPEATER

The above-named defendant on or about Friday, April 24, 2020, Polk County, Wisconsin, did knowingly resist an officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(1), 939.62(1)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

Count 4: ATTEMPTING TO FLEE OR ELUDE AN OFFICER, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, while operating a motor vehicle on a highway, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knew or reasonably should have known was being operated by a law enforcement officer, did knowingly flee or attempt to elude a traffic officer by increasing the speed of the vehicle in an attempt to flee, contrary to sec. 346.04(3), 939.62(1)(b) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(d)1, upon conviction the department shall revoke the defendant's operating privileges for 6 months.

Count 5: SECOND DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did recklessly endanger the safety of Deputy Karl Beaupre, contrary to sec. 941.30(2), 939.62(1)(b) Wis. Stats., a Class G Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than ten (10) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

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Count 6: BATTERY TO A LAW ENFORCEMENT OFFICER, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did intentionally cause bodily harm to Karl Beaupre, a law enforcement officer, without their consent, and at the time of the act, the defendant knew or should have known that Karl Beaupre was a law enforcement officer and the act was in a response to any action taken by a law enforcement officer in an official capacity, contrary to sec. 940.203(2), 939.62(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 7: RESISTING AN OFFICER CAUSING SUBSTANTIAL BODILY HARM TO OFFICER, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did cause substantial bodily harm to an officer while knowingly resisting the officer, while such officer was doing an act in an official capacity and with lawful authority, contrary to sec. 946.41(2r), 939.62(1)(b) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 8: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did recklessly endanger the safety of Chief Tamara Larson, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.62(1)(c) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 9: FIRST DEGREE RECKLESSLY ENDANGERING SAFETY, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did recklessly endanger the safety of the citizens on the roadway, under circumstances which show utter disregard for human life, contrary to sec. 941.30(1), 939.62(1)(c) Wis. Stats., a Class F

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Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(c) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 6 years if the prior conviction was for a felony.

Count 10: FELONY CRIMINAL DAMAGE TO PROPERTY, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did intentionally cause damage to the physical property of another, to wit: a squad car, belonging to Polk County Sheriff Department, without that person's consent, whereby said property was reduced in value by more than \$2,500, contrary to sec. 943.01(2)(d), 939.62(1)(b) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

Count 11: CRIMINAL DAMAGE TO PROPERTY, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did intentionally cause damage to the physical property of another, to wit: a squad car, belonging to Frederic Police Department, without that person's consent, contrary to sec. 943.01(1), 939.62(1)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

And further, invoking the provisions of sec. 939.62(1)(a) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased to not more than 2 years.

Count 12: POSSESSION OF METHAMPHETAMINE, REPEATER

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did knowingly possess methamphetamine, contrary to sec. 961.41(3g)(g), 939.62(1)(b) Wis. Stats., a Class I Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than three (3) years and six (6) months, or both.

And further, invoking the provisions of sec. 939.62(1)(b) Wis. Stats., because the defendant is a repeater, having been convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed, the maximum term of imprisonment for the underlying crime may be increased by not more than 2 years if the prior convictions were for misdemeanors and by not more than 4 years if the prior conviction was for a felony.

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And the Court may suspend the defendant's operating privileges for not less than six (6) months nor more than five (5) years. If the defendant's driving privileges are already suspended, any suspension imposed must be served consecutively.

Count 13: OPERATING WHILE INTOXICATED CAUSING INJURY - 1ST OFFENSE

The above-named defendant on or about Monday, April 27, 2020, Polk County, Wisconsin, did cause injury to Deputy Karl Beaupre by the operation of a vehicle while under the influence of an intoxicant, contrary to sec. 346.63(2)(a)1, 346.65(3m) Wis. Stats., a Misdemeanor, and upon conviction shall be fined not less than Three Hundred Dollars (\$300) nor more than Two Thousand Dollars (\$2,000), and shall be imprisoned for not less than thirty (30) days nor more than one (1) year in the county jail.

And furthermore, invoking the provisions of Wisconsin Statute 343.31(3)(e), upon conviction, the department shall revoke the defendant's operating privilege for not less than one (1) year nor more than two (2) years. In addition, the defendant will be required to undertake an alcohol and drug abuse assessment, and follow through with treatment recommendations as a condition of reinstatement.

And prays that said defendant be dealt with according to law; and that the basis for complainant's charge of such offense is:

Your complainant is employed by the Polk County Sheriff's Office and in said capacity has access to the reports filed by Deputy Nathan Ferris and Inv. Jonathan Frieden of the Polk County Sheriff's Office.

PROBABLE CAUSE

Deputy Ferris states on April 24, 2020, at approximately 16:03 hours, he was requested by Brooke, a Child Protective Services (CPS) agent, to assist with a home visit at 1968 123rd Avenue, in Polk County.

Ferris states he met Brooke a couple of blocks from that location and she advised that they were checking on two children at the house, based on the conditions of the home and allegations that the parents were using methamphetamine. Brooke advised Ferris that she expected the mother, **Melissa Marie Diers-Leske, DOB 07/09/1991**, to be there and would require a urine test to see if she had been using drugs.

Ferris states Brooke was worried the children's father would be there and identified him as **Jason Diers-Leske, DOB 10/30/1987**. Brooke advised Ferris that Jason Diers-Leske has a warrant and is known for using methamphetamine. Ferris states he had prior knowledge of Jason and knew him to be unpredictable. Ferris states the last he knew was that Jason Diers-Leske was wanted for felony fleeing from law enforcement officers on or about March 7, 2020.

Ferris states they arrived at the residence and made contact with Melissa at the front door. Ferris states Melissa allowed them in and they could see that the house was in very bad condition. Ferris states the house smelled of animal feces and urine and would be considered very messy and dirty. Ferris states the two children were un-kept and dirty.

Ferris states after a couple minutes of being in the house, a neighbor called 9-1-1 and reported seeing an adult male exit the house through a side ground floor window. Ferris notes the house is a split level and the window would have been on the west side.

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Ferris states he located Joshua Hinderman in a northwest downstairs bedroom. Ferris states Hinderman was cooperative and advised that Jason had crawled out the window. Ferris states he ran Hinderman and learned that he had a warrant issued by the Department of Corrections.

Ferris states he went outside to locate Jason. Ferris states a neighbor to the west yelled that Jason was in the backyard on the southeast side of the house. Ferris states he went around the house and observed Jason standing by the far corner of the house. Ferris states he recognized Jason from prior contacts. Ferris states Jason looked right at him and then took off around the house. Ferris states Jason's eyes were wide and he had a blank look on his face.

Ferris states he ran back around the front of the house and the neighbors yelled that Jason had gone around the back, staying on the opposite side of the house. Ferris states he continued to the backyard and was advised that Jason was now on the roof. Ferris states Jason went to the deck area, jumped down and entered the house. Ferris states he entered the house through the front door and saw Jason go out through the sliding door, onto the deck. Ferris states Jason jumped to the ground and started running around the house again. Ferris states he chased Jason around the house and yelled at him that he was under arrest. Ferris states Jason made it to the front door, entered the house, and closed and locked the door.

Ferris states he knew two CPS workers were inside the residence so he breached the door by kicking it open. Ferris states he damaged the lock and frame area of the door.

Ferris states he again chased Jason outside and then lost sight of him. Ferris states he made his way around the house and noticed Jason climbing in a basement window on the southwest side of the house. Ferris states he got in front of the house in time to see that Jason was on the front steps, making his way outside. Ferris states he yelled to Jason to stop and Jason turned and attempted to get back inside. Ferris states he deployed his Taser and thought he hit him but later discovered that at least one barb went high and struck the wall.

Ferris states Jason tried holding the door closed, barring him from entering. Ferris states he pushed it in and grabbed one of Jason's wrists with his free hand. Ferris states he was then pinned against the doorframe by Melissa. Ferris states Melissa used a sizeable weight of her body to attempt to hold him against the doorframe and allow Jason to flee. Ferris states he maintained a grip on Jason, was able to push him to the ground, and hold him against the stairs heading up. Ferris states Jason was on his side and was struggling with both of his hands to get control of the Taser. Ferris states he fought with Jason to try and maintain control of the weapon. Ferris states Jason was able to bend his right wrist back, causing pain. Ferris states he did not give Jason permission to hurt him.

Ferris states while he struggled to keep control of the Taser and get to his radio to call for help, he felt weight on his back and discovered that Melissa was attempting to assist Jason by grabbing his left arm and putting her weight on his back. Ferris states both of his arms were secured by Jason and Melissa and he was unable to free himself. Ferris states Jason kept yelling to his younger brother, Isaiah, to go to the bedroom and get something to help him. Ferris states he yelled to Jason and Melissa to let him go and yelled at Isaiah not to move. Ferris states Isaiah stayed still and did not attempt to help. Ferris states the Taser was activated several times during the struggle and at least once caught him in the left hand with electricity.

Ferris states he instructed Jason and Melissa several times to let him go. Ferris states Melissa maintained a grip on his left arm and used her weight to pin him on top of Jason. Ferris states Jason

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was eventually able to wiggle out from under him and escape out the door. Ferris states he struggled with Melissa long enough to allow Jason to get away and was then able to secure her in handcuffs. Ferris states he led Melissa to his squad and placed her in the rear caged portion.

Ferris states Jason had appeared to be high on drugs and was slurring his speech and talking nonsense. Ferris states Jason's eyes did not appear to be focusing and he appeared to be looking through him.

Ferris states other deputies arrived at that time and a search of the house and surrounding property was completed without success.

Inv. Frieden states on April 27, 2020, at approximately 1132 hours, he overheard radio traffic that **Jason Robert Diers-Leske** had been seen entering his residence at 1968 123rd Avenue, in St. Croix Falls, in Polk County, Wisconsin.

Frieden states a short time later, officers advised that they had obtained information that Jason was possibly located at 337 North Washington Street, in Polk County. Frieden states officers arrived in the area and located Jason's vehicle at that address. Frieden states Chief Murphy, of the St. Croix Falls Police Department, located Jason standing in the front door area of the residence. Frieden states Jason saw Murphy and fled the residence. Frieden states officers pursued Jason through the residence. Frieden states Jason broke out a window and fled back to his vehicle. Frieden states officers discharged tasers several times in an attempt to keep Jason from fleeing in his vehicle.

Frieden states two officers of the St. Croix Falls Police Department and Deputy Beaupre, of the Polk County Sheriff's Office, had gathered near the open driver's door of Jason's vehicle, a black Chevrolet Cobalt, and attempted to remove him. Frieden states Jason started his vehicle and reversed, causing the door to strike Beaupre and knock him to the ground. Frieden states Beaupre did not give Jason permission to strike him and he did experience pain.

Cpt. Hall, of the Polk County Sheriff's Office, later advised that Beaupre was treated at the St. Croix Regional Medical Center and had sustained injuries to his shoulder and knee, scratches to his hand and a contusion on his head.

Frieden states Jason fled the area and was pursued by law enforcement. Frieden states officers pursued Jason through the downtown area of the City of St. Croix Falls and into Chisago County, Minnesota. Frieden states while pursuing him in Minnesota, Jason drove head on at responding law enforcement officers multiple times. Frieden states Jason then proceeded back into Polk County, Wisconsin and fled northbound on Washington Street to Highway 87. Frieden states visual contact with Jason was last at that point.

Frieden states Polk County Dispatch later advised that citizens were calling 9-1-1 reporting a black Cobalt with an open driver's side door speeding east on County Road N toward the Village of Luck, in Polk County, Wisconsin. Frieden states he was northbound on Highway 35, from the Village of Milltown, and headed toward the reported area to search for Jason.

Frieden states a short time later, a Wisconsin Conservation Warden located Jason in the area of Park and Main Street, in Luck. Frieden states several law enforcement officers were in the area at that time.

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Frieden states he activated his emergency equipment and began to pursue Jason along with the Conservation Warden. Frieden states Chief Tamara Larson, of the Frederic Police Department, was in a fully marked squad and was pursuing as the primary pursuit vehicle. Frieden states Larson advised that Jason had nearly struck a pedestrian in Luck when the pursuit was reinitiated.

Frieden states Jason fled through Luck to Highway 48 and traveled at speeds in excess of 100mph on Highway 48. Frieden states he observed Jason driving into oncoming traffic on Highway 48 multiple times. Frieden states Jason then made an abrupt turn into the address of 1383 Highway 48 (in Polk County). Frieden states he is familiar with that property from multiple prior law enforcement calls and is aware that there are numerous vehicles located at the property.

Frieden states he followed Larson, in her full marked squad, down the driveway after Jason. Frieden states all squads had emergency lights and sirens activated. Frieden states he then observed Jason exit his vehicle and begin to flee on foot. Frieden states he exited his squad with his gun drawn and ordered Jason, at gunpoint, to stop. Frieden states Jason entered a nearby pickup truck and started the engine. Frieden states he continued to order Jason to stop and exit the vehicle. Frieden states Jason placed the truck in drive and "peeled out" of the area at a high rate of speed. Frieden states Jason drove directly into Larson's squad, causing damage. Frieden states Larson had to jump back into her vehicle to avoid being struck by the truck operated by Jason. Frieden states Jason then proceeded to force his way past Larson's vehicle and drove toward him. Frieden states he maneuvered himself to avoid being struck by Jason's truck.

Frieden states as this point, Jason fled through the yard of 1383 Highway 48 in the stolen pickup. Frieden states he entered his squad and began to pursue. Frieden states he pursued Jason around the house and Jason entered a nearby wood line and went into the woods at a high rate of speed. Frieden states he was unable to pursue any further because of the trees. Frieden states he advised other units that Jason had swapped vehicles and was fleeing westbound through the woods and toward 140th Street.

Frieden states he drove to the intersection of 140th Street and Highway 48. Frieden states a road crew at that intersection advised that Jason had gotten the truck stuck in the woods. Frieden states the truck was slightly visible from the roadway. Frieden states the road crew informed him that Jason had fled back toward the residence.

Frieden states a short time later, Inv. Warner advised that she had a visual on Jason and he was fleeing on foot through the woods northeast, away from the residence. Frieden states he was later informed by Warner that she had observed Jason flee back to his original vehicle, the black Chevrolet Colbalt, and was attempting to flee the area in that vehicle. Frieden states Jason backed his vehicle into Warner's squad car, causing damage, and then attempted to flee by driving through a nearby swamp and became stuck. Frieden states Jason fled the area on foot and the perimeter was established with law enforcement from multiple jurisdictions.

Frieden states multiple K9 units from surrounding agencies and Polk County arrived on scene to conduct a track.

Frieden states he was driving south on 140th Street and observed Jason crossing 140th Street and being pursued by K9 Jaeger. Frieden states he arrived in the area while Deputy Stone and Deputy Birr held Jason at gunpoint. Frieden states he stood by until K9 Jaeger was removed from the scene and then ordered Jason to put his hands behind his back and secured him into handcuffs.

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Frieden states Jason was transported by ambulance to the St. Croix Regional Medical Center due to a complaint of injury sustained while fleeing through the woods.

Frieden states he returned to 1383 Highway 48 while Jason's Chevrolet Cobalt was recovered from the swamp by a tow company. Frieden states once the vehicle was removed, he observed a hypodermic needle in plain view in the driver's foot well of the vehicle. Frieden states he followed the tow truck, towing Jason's vehicle, to the Polk County Sheriff's Office for secure storage.

Frieden states at the Polk County Sheriff's Office he removed the needle from the vehicle and conducted a methamphetamine swipe tested, which returned positive for the presence of methamphetamine.

Frieden states he relayed this information to Deputy Morine who was on scene at the St. Croix Regional Medical Center. Frieden states Morine advised that he would be conducting a legal blood draw to pursue charges of OWI.

Frieden states the following three paragraphs were provided by Deputy Morine who conducted an OWI investigation at the St. Croix Regional Medical Center as a result of his investigation:

Deputy Morine states on April 27, 2020, at approximately 1230, he was involved in a vehicle pursuit after Jason Diers-Leske had assaulted a deputy and fled from the scene when law enforcement attempted to apprehend him. Morine states Jason drove his vehicle erratically during the pursuit and struck a deputy with his vehicle. Morine states the pursuit yielded reckless and dangerous driving, with Jason abandoning one vehicle and stealing another. Morine states law enforcement last observed Jason driving at approximately 1309 hours in the first vehicle, a black Chevrolet Colbalt, and a "loaded" needle was found with a solution inside. Morine states the solution contained visible blood and field tested positive for the presence of methamphetamine.

Morine states when Jason was taken into custody, he initially appeared to be exhausted but responded normally. Morine states as Jason was brought to the hospital for medical clearance, it appeared that he was becoming lethargic and not responding very much to words/stimulus. Morine states with the erratic behavior noted initially and the gradual onset of lethargy along with methamphetamine found on scene, he believed that Jason was under the influence of methamphetamine. Morine states he knows from training and experience that methamphetamine can deliver an intense high with a sobering crash of energy that requires an abnormal amount of rest.

Morine states Jason was already under arrest for fleeing and numerous other offenses while in the hospital. Morine states he issued Jason a citation for OWI Cause Injury due to the injuries sustained by Deputy Beaupre when Jason initially fled. Morine states he read Jason the Informing the Accused and Jason consented to a blood draw, which was completed. Morine states Jason was medically cleared and transported to the Polk County Jail. Morine states he completed the Alcohol/Drug Influence form with Jason at the jail and he was then transferred to the custody of corrections officers for booking.

Frieden states neither Chief Larson or Inv. Warner consented to their squad cars being struck by Jason. Cpt. Dale Hall of the Polk County Sheriff's Office estimated damage to Chief Larson's squad to be approximately \$750 and damage to Warner's squad to be approximately \$4,000.

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Your complainant states that Jason Diers-Leske was convicted of Take and Drive Vehicle w/o Consent on May 22, 2018 in St. Croix County Case No. 18CF154, which conviction(s) remain of record and unreversed.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 04/28/20

Electronically Signed By:

Jeffrey L. Kemp

District Attorney

State Bar #: 1075842

Electronically Signed By:

Deputy A. Goehring, 916

Complainant