

State of Minnesota  
County of Rice

District Court  
3rd Judicial District

Prosecutor File No. 0660044192  
Court File No. 66-CR-19-366

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Order of Detention

vs.

**KRISTIN MARIE WESTERMAN DOB: 11/03/1982**

1210 Greenvale Ave W  
Northfield, MN 55057

Defendant.

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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: Drugs - 3rd Degree - Poss. Sch 1 or 2 Narcotic, LSD, MDA, or MDMA in School/Park/Public Housing Zone**

Minnesota Statute: 152.023.2(a)(4), with reference to: 152.023.3(a)  
Maximum Sentence: 20 years or \$250,000, or both  
Offense Level: Felony

Offense Date (on or about): 02/06/2019

Control #(ICR#): 19000166

Charge Description: On or about February 7, 2019, in Rice County, Minnesota, Kristin Westerman did unlawfully possess one or more mixtures containing a schedule I or II narcotic, to wit: heroin and/or oxycodone, in a park zone.

**COUNT II**

**Charge: Endanger Child-Permit Present Sale/Poss Cont Subs-G**

Minnesota Statute: 609.378.1(b)(2)  
Maximum Sentence: 1 year and/or \$3,000 fine  
Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/06/2019

Control #(ICR#): 19000166

Charge Description: On or about February 6, 2019, in the County of Rice, Minnesota, Kristin Marie Westerman did knowingly cause or permit the child to be present where any person is selling, manufacturing, possessing immediate precursors or chemical substances with intent to manufacture, or possessing a controlled substance.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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Complainant and/or Signing Officer designated below, declares under penalty of perjury, that he/she has reviewed police reports relating to the above-named Defendant and the allegations contained herein, and/or has spoken with peace officers having knowledge of the incident, and based upon that information, believes the following to be true and correct.

On February 6, 2019, The Cannon River Drug & Violent Offender Task Force Agents executed a search warrant for the person of JEREMY JACOB HAGEN, date of birth 11/28/1981, DEFENDANT HAGEN herein. DEFENDANT HAGEN was located in the city of Northfield, Rice County, Minnesota. Below described the circumstances of DEFENDANT HAGEN's apprehension and search of his person:

Cannon River Drug & Violent Offender Task Force Agents knew that DEFENDANT HAGEN worked in Faribault until 4:20 pm. Agents watched HAGEN as he left his workplace. HAGEN got into the front passenger seat of a 2012 Ford Escape with MN license plate number 4560AB. The vehicle was driven by KRISTIN MARIE WESTERMAN, date of birth 11/3/1982, DEFENDANT WESTERMAN herein. They traveled to their residence in the city of Northfield, Rice County, Minnesota. They were followed by Cannon River Drug & Violent Offender Task Force Agents. HAGEN and WESTERMAN did not make any stops or meet with other people during this time. Once at their residence WESTERMAN remained in the driver's seat while HAGEN went inside the house. HAGEN was inside the residence for less than five minutes.

Officer Sjodin of the Faribault Police Department observed a white Chevy truck driving northbound on MN Highway 3 in Rice County, just ahead of WESTERMAN and HAGEN. Cannon River Drug & Violent Offender Task Force Agents knew that the driver and passenger of the Chevy truck were known heroin addicts. Cannon River Drug & Violent Offender Task Force Agents had suspicion to believe the driver and passenger may be traveling to Northfield to meet with HAGEN for a possible heroin deal.

WESTERMAN and HAGEN then drove directly to the Holiday Gas Station in Northfield, Rice County. Cannon River Drug & Violent Offender Task Force Agents saw the white Chevy truck arrive at the gas station. HAGEN got out of the truck and walked toward the white Chevy truck. Cannon River Drug & Violent Offender Task Force Agents apprehended and detained HAGEN. HAGEN was informed that

there was a search warrant for his person. HAGEN looked extremely nervous and his eyes were darting around. A Cannon River Drug & Violent Offender Task Force Agent searched HAGEN. The Agent found in his jean's right front inner pocket a small clear plastic baggy of suspected Heroin. HAGEN admitted it was Heroin. HAGEN was placed under arrest.

A Cannon River Drug & Violent Offender Task Force Agent approached WESTERMAN, who was in the driver's seat of the vehicle. A Cannon River Drug & Violent Offender Task Force Agent knew that WESTERMAN is required to have an Ignition Interlock to operate a vehicle. The Agent saw the vehicle did not have one. WESTERMAN admitted this violation.

WESTERMAN made the following post-Miranda statement. Below is a brief summary:

She and HAGEN have a child together. He sometimes stays at her residence in Northfield.

HAGEN told her the reason he was coming to Holiday was "to pick something up."

She says Hagen has used Heroin in the past.

She doesn't use heroin and is on Suboxone.

She stated she didn't know that HAGEN was going to do a heroin deal.

She doesn't know that HAGEN sells heroin.

She just drives him because he doesn't have a license.

She denies again she is involved in heroin sales.

Agent Malecha asks her to be honest about how much heroin that Hagen sells and she replies, "I don't know,

I try to stay out of his business."

She doesn't know how much HAGEN makes off of dealing.

She doesn't know if she's driving him to his source or not

She admitted it was a possibility that HAGEN was doing a drug deal today at Holiday, she stated she tries to ignore it.

She denied any more heroin being in her SUV.

She also denied anything would be at the house, because "my kids are there."

She has seen Hagen with his baggies and that he carries a little scale in his pocket, or he keeps his stuff in his Toyota Camry.

She admitted that in the top dresser drawer in the bedroom she saw a couple of baggies within a week.

A search warrant was executed at WESTERMAN's residence at 1210 Greenvale Ave W in Northfield. Three minor children were located inside the residence.

The following items were located in the residence:

- a. Snort straw with white suspected heroin residue in it - located in top dresser drawer of NE bedroom
- b. Small plastic baggies with suspected heroin residue - located in top dresser drawer of NE bedroom
- c. Clean plastic sandwich bags with corners torn off (indicative of packaging small amounts of drugs like heroin) located on top of bed in NE bedroom
- d. Document in name of Kristin Westerman - located on dresser in NE bedroom Document in name of Jeremy Hagen - located on dresser in NE bedroom
- e. Mint container with small amount of suspected heroin in a plastic baggy - located in a pocket of a black women's sweatshirt hanging in the closet of the NE bedroom closet - later field tested positive as heroin and weighed 0.1 grams without packaging
- f. Clean plastic sandwich bags (used in drug sales) - located on floor of NE bedroom Smaller silver digital scale - located in top drawer of a built-in dresser in NE bedroom
- g. Larger silver digital scale - located in top drawer of a built-in dresser in NE bedroom
- h. Residue covered bags from all over the NE bedroom were collected a large evidence bag

It should be noted that there was a small children's mattress on the floor of this NE bedroom. The one year old child stays in that room with WESTERMAN and HAGEN and easily can have access to the heroin and heroin residue.

The property at 1210 Greenvale Ave W in the City of Northfield is in a Park Zone.

On February 7, 2019, Cannon River Drug & Violent Offender Task Force Agents executed the search warrant on the 2012 Ford Escape with MN license plate no. 4560AB. The following items were located:

- a. Five (5) whole pills and One (1) broken pill, white oval shaped - located in a Coach purse on the driver side rear seat - later identified by imprint as 325mg Acetaminophen/10mg Oxycodone pills, a Schedule 2 Controlled Substance.
- b. AAA card in name of Kristin Westerman - located in same Coach purse as the pills.
- c. Document in name of Jeremy Hagen - also located in the Coach purse
- d. Narcan was in the glovebox.

On February 7, 2019, Cannon River Drug & Violent Offender Task Force Agents interviewed WESTERMAN. She made the following post-Miranda statement:

She and HAGEN are in the NE bedroom of the house.

The one year old child sleeps in bed with them.

She denied knowledge of the heroin in the closet.

She denied knowledge of the snort straw in the dresser.

She admitted to seeing clean sandwich baggies in the room.

She denied any drug activity in their room.

She admitted the Oxycodone pills located in the Coach purse inside the Ford Escape are hers. She used to have a prescription but does not now.

She again denies she knowingly drives HAGEN to drug deals.

On February 7, 2019, Cannon River Drug & Violent Offender Task Force Agents interviewed HAGEN. He made the following post-Miranda statement:

HAGEN said "the heroin... whatever you found in there [the bedroom] was mine."

He admitted all the residue baggies about his bedroom are his.

HAGEN said the snort straw with heroin residue is his.

The baggies in the top dresser drawer were his.

The baggies with the corners pulled off were his

He denied he was going to Holiday to do a drug deal.

He admitted other people were calling his phone because he had told them he had heroin. HAGEN stated the gram of heroin in his pocket was his for personal use.

He uses two grams a day.

He denied he has ever sold heroin.

HAGEN eventually then admitted he is just selling to support his own habit.

He stated he can get heroin in the metro for \$80 a gram.

He stated he has traveled to the cities to get heroin every couple days, and would get 5-6 grams each time. HAGEN stated he can double the price and charges people \$200 a gram locally in Faribault and Northfield HAGEN denies he ever sold from his house.

He admitted to dealing for about the last month.

HAGEN stated WESTERMAN didn't know that he was dealing. He just makes her take him places.

The Agent asked HAGEN about people wanting his heroin because it's a tan color, and he agreed people are

The Agent asked HAGEN if that meant it contains Fentanyl. He stated he knows it doesn't have it because he would be able to tell when he uses if it has Fentanyl.

HAGEN admitted all the residue baggies about his bedroom are his.

**PLEASE TAKE NOTICE:** Pursuant to Minn. Stat. 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.

## 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**

Mark Dukatz  
Deputy Chief  
1615 Riverview Drive  
Northfield, MN 55057  
Badge: 6402

Electronically Signed:  
02/08/2019 01:18 PM  
Rice County, Minnesota

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

**Prosecuting Attorney**

Brian M Mortenson  
218 NW 3rd Street  
Faribault, MN 55021  
(507) 332-6103

Electronically Signed:  
02/08/2019 01:06 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 218 NW 3rd Street, Faribault, MN 55021 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 8, 2019.

**Judicial Officer**

John T Cajacob

Electronically Signed: 02/08/2019 01:44 PM

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

**COUNTY OF RICE  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Kristin Marie Westerman**

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:** Kristin Marie Westerman  
**DOB:** 11/03/1982  
**Address:** 1210 Greenvale Ave W  
Northfield, MN 55057

**Alias Names/DOB:**

**SID:** MN01019914

**Height:**

**Weight:** 123lbs.

**Eye Color:**

**Hair Color:**

**Gender:** FEMALE

**Race:**

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** Yes

**Driver's License #:** T670224038213 (MN)

**Alcohol Concentration:**

## STATUTE AND OFFENSE GRID

<b>Cnt Nbr</b>	<b>Statute Type</b>	<b>Offense Date(s)</b>	<b>Statute Nbrs and Descriptions</b>	<b>Offense Level</b>	<b>MOC</b>	<b>GOC</b>	<b>Controlling Agencies</b>	<b>Case Numbers</b>
1	Charge	2/6/2019	152.023.2(a)(4) Drugs - 3rd Degree - Poss. Sch 1 or 2 Narcotic, LSD, MDA, or MDMA in School/Park/Public Housing Zone	Felony	DF516		MN0660200	19000166
	Penalty	2/6/2019	152.023.3(a) Drugs - 3rd Degree - Sale or Possession - Penalty - 20 Years/\$250,000	Felony	DF516		MN0660200	19000166
2	Charge	2/6/2019	609.378.1(b)(2) Endanger Child-Permit Present Sale/Poss Cont Subs-G	Gross Misdemeanor	I2100		MN0660200	19000166