

State of Minnesota  
County of Olmsted

District Court  
3rd Judicial District

Prosecutor File No. 0550077831  
Court File No. 55-CR-24-4513

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**State of Minnesota,**  
Plaintiff,

**COMPLAINT**  
Summons

vs.

**SHANE ELROY ROPER DOB: 02/24/1992**

21252 State Hwy 30  
Hayfield, MN 55940

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: Manslaughter - 2nd Degree - Culpable Negligence Creating Unreasonable Risk**

Minnesota Statute: 609.205(1), with reference to: 609.205

Maximum Sentence: 10 years or \$20,000 or both

Offense Level: Felony

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause the death of Victim 1 by culpable negligence which created an unreasonable risk, and consciously took chances of causing death or great bodily harm to another.

**COUNT II**

**Charge: Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner**

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years or \$20,000 or both

Offense Level: Felony

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause the death of a human being, Victim 1, not constituting murder or manslaughter, as a result of operating a motor vehicle in a grossly negligent manner.

**COUNT III**

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence**

Minnesota Statute: 609.2113.2(1), with reference to: 609.2113.2

Maximum Sentence: 5 years or \$10,000 fine, or both  
Offense Level: Felony

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause substantial bodily harm to another, Victim 2, as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT IV

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence**

Minnesota Statute: 609.2113.2(1), with reference to: 609.2113.2

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause substantial bodily harm to another, Victim 3, as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT V

**Charge: Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence**

Minnesota Statute: 609.2113.2(1), with reference to: 609.2113.2

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause substantial bodily harm to another, Victim 6, as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT VI

**Charge: Criminal Vehicular Operation - Bodily harm - Gross Negligence**

Minnesota Statute: 609.2113.3(1), with reference to: 609.2113.3

Maximum Sentence: 364 days jail, or \$3,000 fine or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause bodily harm to another, Victim 4, as a result of operating a motor vehicle in a grossly negligent manner.

#### COUNT VII

**Charge: Criminal Vehicular Operation - Bodily harm - Gross Negligence**

Minnesota Statute: 609.2113.3(1), with reference to: 609.2113.3

Maximum Sentence: 364 days jail, or \$3,000 fine or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did cause bodily harm to another, Victim 5, as a result of operating a motor vehicle in a grossly negligent manner.

### COUNT VIII

**Charge: Traffic - Reckless driving; Drives Consciously Disregarding a Substantial or Unjustifiable Risk**

Minnesota Statute: 169.13.1(a), with reference to: 169.13.1(c)

Maximum Sentence: 364 days jail, or \$3,000 fine or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper did drive a motor vehicle while aware of and consciously disregarding a substantial and unjustifiable risk that the driving may result in harm to another or another's property in such a nature and degree that disregard constitutes a significant deviation from the standard of conduct that a reasonable person would observe in the situation and the conduct caused death to another, Victim 1.

### COUNT IX

**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, \$1,000 fine or both

Offense Level: Misdemeanor

Offense Date (on or about): 05/18/2024

Control #(ICR#): 24022177

Charge Description: On or about May 18, 2024, in the County of Olmsted, Minnesota, Shane Elroy Roper 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 a person, including the driver or passengers of the vehicle.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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Your complainant is a licensed peace officer employed by the Rochester Police Department. In that capacity your Complainant has reviewed the police reports relating to Shane Elroy Roper, the above-named defendant, and the allegations contained therein. Based upon that information, your complainant believes the following to be true and correct.

Shane Elroy Roper (DOB 2/24/1992) has been a trooper with the Minnesota State Patrol (MSP) for approximately 8 years. He held that position and was on duty on May 18, 2024. During his shift on May 18, Roper was on patrol in SE Minnesota, specifically in and near Olmsted County.

At 5:41 PM, Roper's MSP squad car was stationary and facing southbound on the 6th Street SW entrance ramp to Highway 52. Roper was out of his squad car conducting traffic enforcement. After observing an apparent petty traffic offense, Roper entered his squad car and drove southbound onto Highway 52. Data retrieved from his squad car and its equipped camera revealed that Roper activated his emergency lights and accelerated to 98 miles per hour on Highway 52. Roper's vehicle slowed for traffic as he exited onto 12th Street SW to head eastbound, still following the vehicle suspected of committing a petty traffic offense. Once Roper maneuvered around traffic and entered 12th Street SW, he turned his emergency lights off and accelerated with a fully engaged throttle. In less than a quarter of a mile, Roper's squad car reached a speed of 83 miles per hour. The speed limit on this road is 40 miles per hour.

Roper continued driving eastbound on 12th Street SW at full throttle, quickly approaching the intersection of Apache Drive SW (also the intersection of Memorial Parkway SW to the North). It is noteworthy that Apache Drive SW is one of the primary entry points to the mall area and has very active traffic during the late afternoon and early evening hours of a typical Saturday. It is also noteworthy that traveling eastbound on 12th Street SW from the Highway 52 entrance ramp passes over the highway. The crest in the roadway formed by that overpass limits the distance westbound vehicles can see oncoming traffic. When Roper's squad car was approximately 400 feet from the intersection, his squad camera shows that eastbound traffic had a green traffic signal. A larger SUV was also traveling eastbound on 12th Street SW and had entered the left turn lane to go northbound onto Memorial Parkway SW. This vehicle's position at least partially obstructed the view of the left turn lane on westbound 12th Street SW for vehicles turning South onto Apache Dr. SW. A Ford Focus with three occupants was in that turn lane and attempted to drive through the intersection. Due to Roper's excessive speed (traveling 83 miles per hour and at full throttle up until 1.4 seconds before impact), when the Ford Focus started through the intersection, Roper was unable to sufficiently brake or maneuver his squad car to avoid the collision. Roper's squad car struck the passenger side of the Ford Focus while still traveling at least 55 miles per hour. This impact caused both vehicles to go eastbound through the intersection and collide with a Toyota Rav4 containing two occupants. The driver of the Ford Focus described the speed of the oncoming vehicle as "a rocket." The driver did not see or hear emergency lights or a siren. Other witnesses described the speed of the oncoming vehicle as "flying," "in a blink of an eye," and "hauling ass." No witnesses saw or heard emergency lights or a siren.

The rear passenger in the Ford Focus (hereinafter "Victim 1") died as a result of blunt force injuries sustained in the collision. The driver of the Ford Focus (hereinafter "Victim 2") suffered a liver laceration, a bruised kidney, and numerous additional minor injuries. The front passenger in the Ford Focus (hereinafter "Victim 3") sustained a broken pelvis, a lacerated kidney, and numerous additional minor injuries. Both occupants of the Toyota Rav4 (hereinafter "Victim 4" and "Victim 5") suffered physical pain due to the

collision. Roper had a passenger (hereinafter "Victim 6") in his squad car—commonly referred to as a "ride along"—at the time of the collision. Victim 6 sustained rib bruising and multiple fractures during the crash.

Several weeks after this incident, Roper agreed to provide a statement to law enforcement. Roper confirmed that he was attempting to "close the gap" between his squad car and the vehicle he suspected of being in violation of the traffic code. However, Roper said that this was not an active pursuit. Roper also said he was not paying attention to his speed. When asked about the operation of his emergency lights, Roper said he believed his lights were still activated when he was on 12th Street SW. Roper said he attempted to "clear" the intersection prior to entering it. He admitted that he intensively patrols this area of Rochester and is very familiar with these roadways.

Law enforcement reviewed Roper's MSP discipline records and his driving patterns in the hours leading up to the collision. Roper's discipline records revealed four prior crashes he has been involved in while driving his squad car either due to inattentive driving or excessive speed. In the three hours leading up to the collision on May 18, it was discovered that on numerous occasions Roper accelerated to over 99 miles per hour while attempting to initiate traffic stops for suspected petty traffic offenses. There was a consistent pattern of Roper reaching and maintaining these high speeds either without activating his emergency lights at all, or turning them off while driving at high rates of speed. During another instance on May 18, it was discovered Roper was traveling 135 miles per hour in a 55 mile per hour zone on the way to a medical assistance call. Neither his lights nor his siren was activated. On the way to this call he noted to his passenger that medical assistance likely would not be needed and that driving in such a manner was normal behavior for him.

Law enforcement also reviewed Roper's MSP training records. Training records reflected a starting date of January 2016, and that Roper has consistently received driving related training over the past 8 years. During this time, Roper has been trained in driving-related courses approximately 13 times for a total of 107 hours. Courses include risk management with risk-versus-reward analysis, braking training, understanding of braking systems, braking limitations, liability involved in emergency and non-emergency driving, and emergency and non-emergency driving.

Roper's driving conduct on May 18, including the high rate of speed, failure to verify the intersection was safe for passage, and failure to use lights or a siren to alert other drivers on the roadway of his presence, was grossly negligent and reckless in nature. This conduct disregarded the safety and lives of other individuals on or near the roadway. Roper's driving conduct ultimately caused the collision and resulting death and injuries of the victims.

**PLEASE TAKE NOTICE: YOU MUST APPEAR FOR EVERY COURT HEARING REGARDING THIS CASE. FAILURE TO APPEAR FOR COURT IS A CRIMINAL OFFENSE AND MAY RESULT IN ADDITIONAL CRIMINAL CHARGES BEING IMPOSED AND PUNISHED AS PROVIDED IN MINNESOTA STATUTES SECTION 609.49.**

## 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**

Geoff Alan Kusick II  
Patrol Officer  
101 4th Street SE  
Rochester, MN 55904-3761  
Badge: 2498

Electronically Signed:  
07/09/2024 09:37 AM  
Olmsted County, 20430

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

**Prosecuting Attorney**

A. Michael DeBolt  
Assistant County Attorney  
151 4th Street SE  
Government Center - 3rd Floor  
Rochester, MN 55904  
(507) 328-7600

Electronically Signed:  
07/09/2024 09:16 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: July 9, 2024.

**Judicial Officer**

Kathy M. Wallace

Electronically Signed: 07/09/2024 10:29 AM

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

**COUNTY OF OLMSTED  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Shane Elroy Roper**

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:

## DEFENDANT FACT SHEET

**Name:** Shane Elroy Roper  
**DOB:** 02/24/1992  
**Address:** 21252 State Hwy 30  
Hayfield, MN 55940

**Alias Names/DOB:**  
**SID:**  
**Height:**  
**Weight:** 190lbs.  
**Eye Color:**  
**Hair Color:**  
**Gender:**  
**Race:**  
**Fingerprints Required per Statute:** Yes  
**Fingerprint match to Criminal History Record:** No  
**Driver's License #:** T850224862313 (MN)  
**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	5/18/2024	609.205(1) Manslaughter - 2nd Degree - Culpable Negligence Creating Unreasonable Risk	Felony			MN0550100	24022177
	Penalty	5/18/2024	609.205 Manslaughter - 2nd Degree	Felony			MN0550100	24022177
2	Charge	5/18/2024	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony			MN0550100	24022177
	Penalty	5/18/2024	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony			MN0550100	24022177
3	Charge	5/18/2024	609.2113.2(1) Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence	Felony			MN0550100	24022177
	Penalty	5/18/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony			MN0550100	24022177
4	Charge	5/18/2024	609.2113.2(1) Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence	Felony			MN0550100	24022177
	Penalty	5/18/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony			MN0550100	24022177
5	Charge	5/18/2024	609.2113.2(1) Criminal Vehicular Operation - Substantial Bodily Harm - Gross Negligence	Felony			MN0550100	24022177
	Penalty	5/18/2024	609.2113.2 Criminal Vehicular Operation - Substantial Bodily Harm - Penalty	Felony			MN0550100	24022177
6	Charge	5/18/2024	609.2113.3(1) Criminal Vehicular Operation - Bodily harm - Gross Negligence	Gross Misdemeanor			MN0550100	24022177
	Penalty	5/18/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor			MN0550100	24022177
7	Charge	5/18/2024	609.2113.3(1) Criminal Vehicular Operation - Bodily harm - Gross Negligence	Gross Misdemeanor			MN0550100	24022177
	Penalty	5/18/2024	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor			MN0550100	24022177
8	Charge	5/18/2024	169.13.1(a) Traffic - Reckless driving; Drives Consciously Disregarding a Substantial or Unjustifiable Risk	Gross Misdemeanor			MN0550100	24022177
	Penalty	5/18/2024	169.13.1(c) Traffic - Reckless driving; Violate (a) or (b) Misd.; Cause Great Bodily Harm Gross Misd.	Gross Misdemeanor			MN0550100	24022177
9	Charge	5/18/2024	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor			MN0550100	24022177
	Penalty	5/18/2024	169.13.2(a) Traffic - Careless Driving - Operate any vehicle carelessly on street or highway	Misdemeanor			MN0550100	24022177