

State of Minnesota County **Freeborn** District Court

CCT	List Charge Statute Only	M.O.C.	G.O.C.
1	609.224, Subd. 2(c)	AD30F	N
2	609.224, Subd. 2(c)	AD30F	N
3	609.2325, Subd. 1(a); Subd. 3(b)	I2148	N
4	609.2325, Subd. 1(a); Subd. 3(b)	I2148	N
5	609.2325, Subd. 1(a); Subd. 3(b)	I2148	N
6	609.2325, Subd. 1(a); Subd. 3(b)	I2148	N

CTY ATTY. FILE NO.	CONTROLLING AGENCY MN0240100	CONTROL NO. 08010714
COURT CASE NO. 24-CR-08-3059		DATE FILED

if more than 6 counts (see attached) if domestic assault

- Amended Tab Charge Previously Filed
- SERIOUS FELONY SUMMONS
 FELONY WARRANT
 GROSS MISDEMEANOR DWI ORDER OF DETENTION
 GROSS MISDEMEANOR

State of Minnesota
PLAINTIFF,

NAME: first, middle, last
Ashton Michelle Larson
 2137 Harmony Avenue
 Albert Lea, MN 56007

Date of Birth
01/14/90

SJIS COMPLAINT NUMBER

Defendant Fingerprinted

COMPLAINT

The Complainant, being duly sworn, makes Complaint to the above-named Court and states that there is probable cause to believe that the defendant committed the following offense(s). The Complainant states that the following facts establish PROBABLE CAUSE:

After receiving an initial notice of suspected abuse of elderly resident vulnerable adults suffering from Alzheimer's disease and/or dementia at the Good Samaritan Society nursing home located in Freeborn County Minnesota, on May 1, 2008, and as part of the investigation involving those allegations, Detective Debra Flatness of the Albert Lea Police Department with assistance from Deputy Robert Kindler of the Freeborn County Sheriff's Department conducted an investigation. Present during some the investigation interviews conducted by Detective Flatness were employees of Good Samaritan Society and Jolene Bertelsen, RN, Special Investigator for the Minnesota Department of Health who conducted a separate civil investigation for the Office of Health Facility Complaints.

Based upon the initial information received, the investigation focused on a group of young part-time nursing assistants some of who were directly involved in the abuse and some who knew or observed the abuse, but had failed to report the abuse. The group included: Brianna M. Broitzman, dob: 06/2/1989; Ashton M Larson, dob: 01/14/1990; AMH, dob: 08/01/1990; KNN, dob: 05/18/1990; SLS, dob: 05/05/1991; RMM, dob: 08/31/1990; JMS, dob: 05/18/1990; and MRW, dob: 08/17/1990.

On May 6, 2008, Ashton Larson, was invited to come the the Law Enforcement Center in the city Albert Lea, Freeborn County, Minnesota, to be interviewed by Detective Flatness of the Albert Lea Police Department and Deputy Robert Kindler of the Freeborn County Sheriff's Office about suspected abuse of vulnerable adults occurring at the Good Samaritan nursing home.

Ms. Larson voluntarily came to the Law Enforcement Center and was advised before the interview that her interview was voluntary and that she was free to leave at any time.

During the interview, Ashton Larson stated that she knew about the purpose for the interview and assumed that it had occurred as the result of a report made by SLS about her good friend Brianna Broitzman.

Ashton Larson stated that she had been working at the Good Samaritan Center for two

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7	609.2325, Subd. 1(a); Subd. 3(a)(4)	I2140	N
8	609.72, Subd. 3	N2030	N
9	609.72, Subd. 3	N2030	N
10	609.234, Subd. 1(1)	I3160	N

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years and that she worked the 3:00 p.m. to 9:00 p.m. shift, occasionally working over-night, and a.m. hours as well. She stated that she usually worked on Station One.

Detective Flatness asked Ashton Larson about things that she had seen or done.

Ashton Larson acknowledged that she knew that between the date January 1, 2008, and May 1, 2008, Brianna Broitzman had spit into EF's mouth, a vulnerable adult, at Good Samaritan Nursing Care Facility, Albert Lea, Freeborn County, Minnesota.

Ashton Larson admitted that on one occasion she spit water on resident GR.

Ashton Larson admitted to lying on the bed with resident GR and hugged her, kissed her forehead, and told her that she loved her. She stated GR may have kissed her a few times.

Ashton Larson stated there was times she was aggressive with a resident like SW. Ashton Larson stated that there were occasions when she would go into SW's room and try to get her mad and then just laugh at her.

Ashton Larson admitted that she inserted her finger into a resident's rectum. Stated that she was working with resident SW and she was trying to get her bowels to move. She stated that was not a part of her training.

Ashton Larson stated there was a video of "them" taking off resident KH's hat to antagonize him. Ashton Larson stated that she took a photo of resident OS after she put makeup and red lipstick on her. Ashton Larson stated that there was a video of resident MK singing a song to KNN.

Ashton Larson admitted that she had patted resident CK's buttocks.

Ashton Larson admitted she lay in bed with resident JJ who was laying on her back and "I might have done the motion (humping), but she was no where near me". Ashton Larson admitted that AMH and Brianna Broitzman "might" have been with her.

Ashton Larson stated that if she "humped" resident CK, she could not remember when that was.

Ashton Larson admitted that one time she put her hand over DT's mouth because she would scream and scream. Stated that it might have been one time, "anger got like over me".

During the ongoing investigation and based upon interviews with other Nursing

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assistants Detective Flatness obtained addition information and personal observations of Ashton Larson's activities and behavior with residents at Good Samaritan Nursing home between January 1, 2008 and May 1, 2008. The persons interviewed stated that "they" began talking among themselves about what they were doing in the nursing home after January 1, 2008. The statements included the following:

Brianna Broitzman stated in an interview that in May, 2008, that she was told by Ashton Larson that she had spit water on GR, a vulnerable adult, at the Good Samaritan Center, Albert Lea, Freeborn County, Minnesota.

Brianna Broitzman admitted that she and Ashton Larson had poked SW's breasts.

KNN stated in an interview that the girls started making jokes and pretending to hump residents in January 2008.

KNN stated that Ashton Larson would "hump" residents.

KNN stated that Ashton Larson flicked water at G.R. and ran away.

KNN stated that Ashton Larson touched GR's nose and played with her wig to get her really mad. GR would tell her to leave her alone. Ashton Larson would try to confuse and annoy her by tapping her shoulder on the opposite side.

MRW stated that the girls including Ashton Larson first started talking about the incidents with residents at AMH's house and later in the car or at school in January 2008. They talked on seven to twelve occasions. MRW stated that they openly discussed things among themselves as the girls were confident would not get caught because the "residents did not have their minds".

MRW stated that she was told by Brianna Broitzman and Ashton Larson that one night when Ashton Larson and Brianna Broitzman were doing cares for SW and they poked her breasts to make her mad. SW told them to leave her alone and the girls just laughed.

MRW stated that Brianna Broitzman and Ashton Larson told her and the other girls when they did cares on residents with Alzheimer's or dementia that they would hit the residents on their breasts or genitals or rub on the breasts or genitals to make the residents mad.

MRW stated that Brianna Broitzman and Ashton Larson would touch resident KH's peri-area (genital area) in such a manner as to to make him mad or KH would get an erection.

MRW stated that when she was doing cares with Ashton Larson, that Ashton Larson

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placed her hand over D.T.'s mouth so she couldn't yell.

RMM stated that on one occasion when she was working with Ashton Larson, Ashton Larson had been "washing a guy up and was rougher than they needed and he got an erection from it". RMM stated in her interview that she believed that Ashton Larson was deliberately trying to stimulate him. RMM stated that the girls would laugh if the "resident got one and then said something dirty". RMM stated that they would do this for fun, did not do it to cause pain.

JMS stated that Brianna Broitzman and Ashton Larson told her about spanking CK, a vulnerable adult. They would play with his cane, ride it like a horse, and spank CK on the buttocks with it.

AMH stated that she was told by Brianna Broitzman that Ashton Larson inserted her finger into a resident's rectum. Ashton Larson was present during this conversation and did not deny it.

AMH stated that she observed Ashton Larson in bed with resident GR groping her. AMH demonstrated with her hands how Ashton Larson ran her hands down her body from her neck to her groin area.

AMH stated that when she was assisting Ashton Larson getting O.S. ready for bed and Ashton Larson "mooned" her and sat on her lap.

AMH stated that she had witnessed Ashton Larson and Brianna Broitzman poke residents in the breasts. AMH advised that she had witnessed Ashton Larson rubbing vigorously a resident's per-area. AMH advised that Ashton Larson was rubbing to sexually arouse residents. AMH stated heard Ashton Larson and Brianna Broitzman talked about doing this four or five times with residents.

AMH stated that Ashton Larson tapped O.S. face to make her mad.

AMH stated that Ashton Larson had pictures of residents on her phone. She stated that she and Ashton Larson video-recorded resident KH trying to get his hat back after the girls had taken it from him and would not give it back to him.

AMH stated that she had taken a video of Resident MK "tickling her (Ashton Larson) and telling her she had a cute butt".

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----- CHARGE(S) -----

Count : 1
Charge : Assault in the Fifth Degree - Caregiver of a Vulnerable Adult
In Violation Of: 609.224, Subd. 2(c)
Maximum Penalty: One year in jail and/or payment of a fine of not more than \$3,000

Defendant as a caregiver as defined in Minnesota Statutes 609.232, between January 1, 2008 and May 1, 2008 did in Freeborn County, Minnesota, intentionally inflict or attempt to inflict bodily harm upon a vulnerable adult, OS, as defined in Minnesota Statutes 609.232.

Count : 2
Charge : Assault in the Fifth Degree - Caregiver of a Vulnerable Adult
In Violation Of: 609.224, Subd. 2(c)
Maximum Penalty: One year in jail and/or payment of a fine of not more than \$3,000

Defendant as a caregiver as defined in Minnesota Statutes 609.232, between January 1, 2008 and May 1, 2008 did in Freeborn County, Minnesota, intentionally inflict or attempt to inflict bodily harm upon a vulnerable adult, SW, as defined in Minnesota Statutes 609.232.

Count : 3
Charge : Criminal Abuse of a Vulnerable Adult - Sexual Contact
In Violation Of: 609.2325, Subd. 1(a); Subd. 3(b)
Maximum Penalty: Not more than one year in jail and/or \$3,000 fine

Defendant as a caregiver, or person providing services, between January 1, 2008 and May 1, 2008 in a facility in Freeborn County, Minnesota, engaged in sexual contact as defined by Minnesota Statutes 609.341, with a resident, SW, of the facility.

Count : 4
Charge : Criminal Abuse of a Vulnerable Adult - Sexual Contact
In Violation Of: 609.2325, Subd. 1(a); Subd. 3(b)
Maximum Penalty: Not more than one year in jail and/or \$3,000 fine

Defendant as a caregiver, or person providing services, between January 1, 2008 and May 1, 2008 in a facility in Freeborn County, Minnesota, engaged in sexual contact as defined by Minnesota Statutes 609.341, with a resident, KH, of the facility.

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Count : 5
Charge : Criminal Abuse of a Vulnerable Adult - Sexual Contact
In Violation Of: 609.2325, Subd. 1(a); Subd. 3(b)
Maximum Penalty: Not more than one year in jail and/or \$3,000 fine

Defendant as a caregiver, or person providing services, between January 1, 2008 and May 1, 2008 in a facility in Freeborn County, Minnesota, engaged in sexual contact as defined by Minnesota Statutes 609.341, with a resident, GR, of the facility.

Count : 6
Charge : Criminal Abuse of a Vulnerable Adult - Sexual Contact
In Violation Of: 609.2325, Subd. 1(a); Subd. 3(b)
Maximum Penalty: Not more than one year in jail and/or \$3,000 fine

Defendant as a caregiver, or person providing services, between January 1, 2008 and May 1, 2008 in a facility in Freeborn County, Minnesota, engaged in sexual contact as defined by Minnesota Statutes 609.341, with a resident, OS, of the facility.

Count : 7
Charge : Criminal Abuse of a Vulnerable Adult
In Violation Of: 609.2325, Subd. 1(a); Subd. 3(a)(4)
Maximum Penalty: Not more than one year in jail and/or \$3,000 fine

Defendant as a caregiver as defined in Minnesota Statutes 609.232, Subd. 2, in Freeborn County, Minnesota, between January 1, 2008 and May 1, 2008 with intent to produce physical or mental pain or injury to a vulnerable adult as defined by Minnesota Statutes 609.232, Subd. 11, did subject a vulnerable adult, DT, to aversive or deprivation procedures.

Count : 8
Charge : Disorderly Conduct by Caregiver
In Violation Of: 609.72, Subd. 3
Maximum Penalty: One year in jail and/or \$3,000 fine

The Defendant as a Caregiver as defined by Minnesota Statutes 609.323 did knowing or having reasonable grounds to know that it would tend reasonably to alarm, anger or cause resentment in others on or between January 1, 2008 and May 1, 2008 in Freeborn County, Minnesota, engage in offensive, obscene or abusive conduct or offensive, obscene or abusive language directed against a Vulnerable Adult, GR, as defined by

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Minnesota Statutes 609.232.

Count : 9
Charge : Disorderly Conduct by Caregiver
In Violation Of: 609.72, Subd. 3
Maximum Penalty: One year in jail and/or \$3,000 fine

The Defendant as a Caregiver as defined by Minnesota Statutes 609.323 did knowing or having reasonable grounds to know that it would tend reasonably to alarm, anger or cause resentment in others on or between January 1, 2008 and May 1, 2008 in Freeborn County, Minnesota, engage in offensive, obscene or abusive conduct or offensive, obscene or abusive language directed against a Vulnerable Adult, OS, as defined by Minnesota Statutes 609.232.

Count : 10
Charge : Mandated Reporter Failure to Report
In Violation Of: 609.234, Subd. 1(1)
Maximum Penalty: 90 days jail and/or \$1,000 fine

Defendant who as a Mandated Reporter was working in Freeborn County, Minnesota, between January 1, 2008 and May 1, 2008 and required to report pursuant to Minnesota Statute 626.557, knew or had reason to believe that a vulnerable adult was being or had been maltreated as defined by Minnesota Statute 609.5572, Subd. 15, did intentionally fail to make a report.

THEREFORE, Complainant requests that said 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'S NAME:

COMPLAINANT'S SIGNATURE:

Being duly authorized to prosecute the offense(s) charged, I hereby approve this Complaint.

DATE:
 11/30/08

PROSECUTING ATTORNEY'S SIGNATURE:

PROSECUTING ATTORNEY:

NAME/TITLE:
Craig S. Nelson, Freeborn County Attorney 77616

ADDRESS/TELEPHONE:
**411 S. Broadway, Albert Lea, MN 56007
 (507) 377-5192**

This COMPLAINT was subscribed and sworn to before the undersigned this day of

NAME:	SIGNATURE:
TITLE:	

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. The Defendant(s) is/are thereof charged with the above stated offense(s)

SUMMONS

THEREFORE, You, THE ABOVE-NAMED DEFENDANT(S), ARE HEREBY SUMMONED to appear on the day of , at AM/PM before the above-named court at to answer this complaint.

IF YOU FAIL TO APPEAR in response to this **SUMMONS**, a **WARRANT FOR YOUR ARREST** shall be issued.

WARRANT

EXECUTE IN MINNESOTA ONLY

To the sheriff of the above-named county; or other person authorized to execute this **WARRANT**; I hereby order, in the name of the State of Minnesota, that the above-named Defendant(s) be apprehended and arrested without delay and brought promptly before the above-named 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 thereafter as such Judge or Judicial Officer is available) to be dealt with according to law.

ORDER OF DETENTION

Since the above-named Defendant(s) is/are already in custody; I hereby order; subject to bail or conditions of release, that the above-named Defendant(s) continue to be detained pending further proceedings.

Bail:
Conditions of Release:

This Complaint - **Summons** duly subscribed and sworn to, is issued by the undersigned Judicial Officer this day of

NAME:	SIGNATURE:
TITLE: Judge of District Court	

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

STATE OF MINNESOTA **COUNTY OF**

Freeborn

State of Minnesota

Plaintiff

vs.

Ashton Michelle Larson

Defendant(s)

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this COMPLAINT upon then Defendant(s) herein-named.

Signature of Authorized Agent: