

FILED
06-17-2020
Clerk of Circuit Court
Buffalo County WI
2020CF000069

STATE OF WISCONSIN

CIRCUIT COURT

BUFFALO COUNTY

STATE OF WISCONSIN,
Post Office Box 7857
Madison, WI 53707-7857,

Plaintiff,

v.

Case No. 20-CF-_____

RANDALL Q. MERRICK, M/W
2135 N. Frontage Road SE
Rochester, MN 55904
DOB: 9/8/1971
Height: 5'8" Weight: 175 lbs.
Hair: Brown Eyes: Blue

Defendant.

CRIMINAL COMPLAINT

Your complainant, Special Agent Adam L. Frederick, being first duly sworn on oath, states as follows:

COUNT ONE: FIRST DEGREE INTENTIONAL HOMICIDE, DOMESTIC ABUSE

On or about and between December 25, 2016 and March 12, 2017, in Buffalo County, Wisconsin, the defendant did cause the death of Beth Johnson with intent to kill her, contrary to Wis. Stat. § 940.01(1)(a), a Class A Felony, and, upon conviction, shall be imprisoned for life.

And further, invoking the provisions of Wis. Stat. § 968.075(1)(a), because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under Wis. Stat. § 973.055(1).

COUNT TWO: HIDING A CORPSE

On or about and between December 25, 2016 and March 12, 2017, in Buffalo County, Wisconsin, the defendant did hide or bury a corpse with the intent to conceal a crime or avoid apprehension, prosecution, or conviction for a crime, contrary to Wis. Stat. § 940.11(2), a Class G Felony, punishable by a fine not to exceed \$10,000, or imprisonment not to exceed 10 years, or both.

PROBABLE CAUSE

Your complainant reports that Beth Johnson (“Beth”), DOB: 4/25/1966, was last seen alive on December 25, 2016, in her trailer, S264 Castleburg Drive in the Village of Nelson, Buffalo County, Wisconsin. Buffalo County Sheriff’s Deputy Nicholas Scholl reports that Beth’s adult son, Joel Johnson, (“Joel”), who lives in Minnesota, called law enforcement on March 12, 2017, to report that he had not seen or heard from Beth since December 25, 2016. Joel stated that Beth had not called him on his birthday (February 20), which was very unusual. Joel stated that he saw Beth on December 25, 2016, at her home (S264 Castleburg Drive) that she shared with the defendant, Randall Merrick. Joel stated that since that day he had not seen, spoken with, or received any communication from Beth. Your complainant reports that, as of the day of this complaint, no one other than the defendant has reported any communication from Beth since December 25, 2016.

Joel stated that in and around December 2016, Beth did not have her own cell phone and that Joel communicated with Beth exclusively through the defendant’s cell phone. Buffalo County Sheriff’s Deputy Sheyann Wiczorek reports that she spoke with Joel on May 25, 2017. Joel stated that he called the defendant’s cell phone on February 22, 2017, after Beth had not called Joel on his birthday. Joel stated that the defendant told him that Beth went to the Twin Cities to visit a friend. Joel stated that he called the defendant’s cell phone again, approximately two to three weeks

later, and, during that call, the defendant told Joel that Beth moved to the Twin Cities with her boyfriend. Joel stated that he found that to be very unusual and felt as if Beth was going to move, she would have contacted Joel and told him.

Joel stated that Beth lived with the defendant for approximately three to four years. Joel stated that Beth and the defendant had dated years earlier, but that in December 2016 he believed they were just roommates. Joel stated that Beth did not use social media and last used Facebook in 2012 or 2013. Joel stated that Beth worked at Beth's Café in Nelson and also worked as a caregiver for the defendant, but that Beth never had any money, which he found odd for a person with two jobs.

Deputy Scholl reports that Witness 1 reported Beth missing on March 14, 2017. Deputy Scholl contacted Witness 1, who stated that Witness 1 had worked with Beth at Beth's Café in the Village of Nelson, Buffalo County, Wisconsin, until November 2016. Witness 1 stated that Beth never picked up her last paycheck. Witness 1 stated that prior to November 2016, Beth was always the first person to pick up a paycheck. Witness 1 also stated that the defendant was abusive to Beth.

Your complainant reviewed police reports from October 7, 2016, when Buffalo County Sheriff's Deputies were dispatched to S264 Castleburg Drive for a check welfare related to Beth not showing up for work at Beth's Café. Deputy Logan Olson reports that the defendant, whom he knew from past professional contacts, answered the door and stated that Beth was not feeling well. Deputy Olson contacted Beth, who was in bed with her face in the pillow. Deputy Olson reports that he observed that Beth had bruising on both eyes, left upper arm, upper left chest, lower part of her right side of her face, on her chin, and some abrasions on her right arm. Beth first stated that she had been in a motor vehicle crash, but when Deputy Olson remarked that her injuries were not

consistent with a car crash, she changed her story and claimed she had been jumped by some females in the Twin Cities. Deputy Olson reports that Beth was very vague about this story and did not give much detail. Deputy Olson reports that Beth was uncooperative as law enforcement tried to photograph her injuries. Beth was transported to the hospital and treated.

Buffalo County Sheriff's Detective Mike Osmond spoke with Witness 1 on January 28, 2020. Witness 1 stated that towards the end of 2016, Beth came into work with bruises all over her face. Witness 1 stated that their boss told Beth that it was obvious that the defendant had beaten her up and that she needed to leave. Witness 1 stated that Beth did not say anything and began crying. Witness 1 stated that Beth loved her son (Joel) very much and never would have left him.

Detective Osmond spoke with Beth's niece, Witness 2, on December 3, 2019. Witness 2 stated that she last spoke with Beth on Christmas 2016, when Beth was in the car with Joel and Joel's girlfriend. Witness 2 stated that in the summer of 2016, Beth told Witness 2 that Beth was considering moving closer to family. Witness 2 told Detective Osmond the phone number she had for Beth and he recognized it as the defendant's cell phone number. Witness 2 stated that she called that number in January 2017 and got no answer. Witness 2 stated that she called that number in February 2017, and the defendant answered. Witness 2 stated that she asked the defendant if he had seen Beth and the defendant became upset and stated, "Never call again" or he would ". . . come up and kill" her. Witness 2 stated that the conversation ended.

Deputy Scholl and Deputy Jake Laehn spoke with the defendant on March 14, 2017, after receiving reports that Beth had been missing since Christmas 2016. The defendant stated that Beth was his roommate and caregiver at S264 Castleburg Drive until she moved out on February 1, 2017 to be with her boyfriend, "Kris," in the Twin Cities. Deputy Laehn asked the defendant why Beth's vehicle (1998 Cadillac DeVille, Minnesota license plate 373-KMN) was

still parked in front of the residence. The defendant replied that the vehicle was titled to Beth because the defendant does not have a valid driver's license, but that the car belonged to him. On March 15, 2017, Buffalo County Sheriff's Investigator Lee Engfer met with the defendant at S264 Castleburg Drive. Investigator Engfer reports that the defendant stated that in mid-January 2017, Beth left for Minneapolis with "Chris," last name unknown, age 60, white male, with glasses and gray hair, in a white Ford F150 pick-up truck. Investigator Engfer reports that later in their conversation, the defendant stated that he has never met "Chris." On March 27, 2017, the defendant emailed Investigator Engfer that it had come to him in the shower that Chris's last name is "Hanson" and that Joey Dosen knows where "Hanson" lives.

On March 30, 2017, Investigator Engfer spoke with Dosen. Dosen stated that the only Chris he knows lives approximately a mile from him in Minneapolis and drives a maroon-colored Suburban, not a white truck. Dosen stated that Dosen owned a white truck, but that it overheats if driven more than eight miles.

On February 4, 2020, Detective Osmond met with Christopher Hansen. Hansen stated that he knew the defendant from growing up in the same neighborhood as kids. Hansen stated that he only met Beth one time when the defendant and Beth came to Dosen's house in Minneapolis. Hansen stated that he drives a maroon Suburban and has never been to Nelson, Wisconsin. Detective Osmond met with Dosen later on February 4, 2020. Dosen stated that he, Hansen, the defendant, and Beth were all at his house partying around March or April of 2016. Dosen stated that he, the defendant, and Hansen were all smoking crack and drinking beer. Dosen said that Hansen and Beth went upstairs and had sex. Dosen stated that he has not seen the defendant or Beth since that day.

Detective Osmond reports that Dosen stated that in 2017 he received a call from law enforcement asking questions about Beth's disappearance. Dosen stated that he spoke to the defendant shortly after the call and was complaining to the defendant about getting Dosen involved with the case. Dosen stated that the defendant stated that Beth left his home with a male named "Ken," "Kenny," or "Mike," and that the male was driving a white truck.

Your complainant visited Hansen at his home in Minnesota on February 25, 2020. Your complainant asked Hansen if he knew why law enforcement was there and Hansen replied, "Because I lied to ya?" Hansen stated that he did not tell investigators everything the first time they met with him because he had been doing drugs the day he met Beth at Dosen's home. Hansen stated that he did not tell investigators about having sex with Beth that night because it was a "weird" thing. Hansen stated that he could not get an erection that day and the two called it quits. Hansen stated that the defendant, "pushed it" for Hansen to have sex with Beth. Hansen stated that he was embarrassed and ashamed to tell investigators the truth. Hansen stated that that was the only time he met Beth, and that he knows that was the last time he saw the defendant.

Your complainant reports that on April 30, 2018, a cadaver dog search was conducted in and around S264 Castleburg Drive. Officer Wade Gummin of the City of Madison Police Department, who is trained in the handling of cadaver dogs, and conducts searches for the nonprofit Canine Search Solutions, brought his K9 Talia to search the home and grounds. Officer Gummin reports that K9 Talia is trained to detect the odor of actively decomposing and decomposed human remains. Officer Gummin reports that human remains have been located in areas where K9 Talia has provided her trained final response that she detected the odor of human remains. Officer Gummin reports that burned human remains have been located in the area where

K9 Talia provided her trained final response during an arson investigation. K9 Talia received her human remains detection certification through the National Narcotics Dog Detection Association in June 2016 and September 2017.

Officer Gummin reports that K9 Talia did the following on April 30, 2018, at S264 Castleburg Drive:

- K9 Talia approached a couch/futon that was on the opposite wall where the master bedroom closet was located. K9 Talia slowed all forward motion, deeply sniffed the surface of the couch in a back and forth motion. K9 Talia then jumped onto the piece of furniture and continued to smell the area. K9 Talia then stopped all motion and looked directly at Officer Gummin. K9 Talia then provided her trained final response in the form of a sit that she detected the odor of decomposing human remains immediately after sniffing the couch/futon. This formal indication occurred at approx. 11:12 a.m.
- After that indication, the couch was moved, to allow K9 Talia access to the wall and floor area. K9 Talia again eagerly sniffed the floor and wall area behind the couch and again gave her trained final response in the form of a sit that she detected the odor of decomposing human remains.
- K9 Talia did not indicate that she had detected the odor of decomposing human remains anywhere else in the trailer. They exited the trailer at approx. 11:24 a.m.
- After exiting the trailer, K9 Talia was placed back on lead and given the command to sniff for the odor of decomposing human remains. Officer Gummin directed her to the front doors of the utility shed that was located on the same side of the trailer as the main entrance. Just prior to sniffing the shed, the lock was unsecured, and the doors were opened. K9 Talia eagerly moved forward smelling the air, ground, and contents of the shed. On the front right portion of the shed sat several full plastic garbage bags. K9 Talia slowed her movement and paused in this area. She repeatedly breathed deeply in the area where the garbage bags were stored. After methodically sniffing this area for several moments, K9 Talia turned around and made direct eye contact with Officer Gummin. K9 Talia then gave her trained final response in the form of a sit that she detected the odor of decomposing human remains.
- Officer Gummin observed that there were a couple of baseball bats in that corner of the shed along with the garbage bags. Law enforcement removed a bat and the garbage bags and placed them on the lawn away from the shed. Officer Gummin instructed K9 Talia to sniff these objects for the odor of actively decomposing and decomposed human remains. K9 Talia did not give a trained final response on these objects.

Officer Gummin reports that he took K9 Talia to the Buffalo County Sheriff's Office to sniff a vehicle parked there, a Cadillac DeVille with Minnesota plate 373-KMN. Officer Gummin reports that K9 Talia alerted to the scent of decomposing human remains in the farthest passenger side of the trunk and the back passenger seat of the vehicle.

Detective Osmond reports that he responded to a suicide by firearm in S264 Castleburg Drive on March 2, 2012. The deceased in that case was sitting at the table by the kitchen with his back to the south wall and later was in the west bedroom, not in any of the areas in which K9 Talia alerted.

Your complainant reports that on July 13, 2018, he met with Witness 3. Witness 3 stated that Witness 3 had been dating one of the defendant's relatives. Witness 3 stated that Witness 3 received an unexpected call from the defendant saying that he really needed to talk to Witness 3. Witness 3 stated that Witness 3 went to the defendant's trailer and the defendant came up to Witness 3 and was "bawling" and stated, "I didn't mean to hurt her." Witness 3 stated that the defendant hugged Witness 3 and told Witness 3 that he did not know what to do. Witness 3 stated that the defendant stated, "I killed her." Witness 3 stated that Witness 3 asked the defendant who he killed, and the defendant replied, "Beth." Witness 3 stated that the defendant stated, "I hit her too hard." Witness 3 stated that Witness 3 asked the defendant where Beth was at that point. Witness 3 stated that the defendant stated that Beth's body was in the trunk of Beth's Cadillac. Witness 3 stated that Witness 3 told the defendant that Witness 3 did not want anything to do with it and told the defendant that he should call some of his friends. Witness 3 stated that the defendant stated that he would have to get a hold of someone else to help him. Witness 3 recalled that it was "nicer out" when the defendant called Witness 3, but Witness 3 could not recall when it was.

Witness 3 stated that the defendant is not actually disabled and that it is a “big play.” Witness 3 stated that the defendant gets around perfectly well. Witness 3 described times that the defendant had attacked Witness 3 and others with a hammer. Witness 3 stated that the defendant would not have a problem moving Beth. Your complainant reports that Beth was 5’4” and 100 pounds.

Your complainant reports that he spoke with Witness 4 on August 23, 2018. Witness 4 stated that Witness 4 had lived in an apartment above the defendant in Wabasha, Minnesota. Witness 4 stated that the defendant was in a drunken rage and making a lot of noise, so Witness 4 went downstairs to see what was happening. Witness 4 stated that the defendant stated that the police were looking for him and he did not know why the police were looking for him, “because they are never going to find the bitch.” Witness 4 stated that the defendant told Witness 4 that the female was his caregiver and that the defendant also spoke about a check that was not cashed by the female and that the defendant was the last person with her.

Your complainant reports that Social Security Administrator District Manager Ryan Kulinski reports that Beth’s Social Security Number has not been used since 2016. Beth has not filed a tax return since 2016. Detective Osmond reviewed Beth’s driver’s license history on the TIME system, records kept in the ordinary course of business, and observed that after Beth’s Wisconsin driver’s license expired on April 25, 2019, it has not been renewed in any state in the country. Deputy Wieczorek reports that on March 16, 2017, she spoke with Sara Walstrom of the Nelson Post Office, who stated that Beth never filled out a change of address form.

Your complainant obtained all of Beth’s employment records from the Lori Knapp Company on December 11, 2019. The records, kept in the ordinary course of business, showed that Beth’s last timesheet for taking care of the defendant was submitted on January 1, 2017, with

a signature that looked completely different from any of her previous timesheets. The records showed that Beth began employment as the defendant's caretaker in May 2015. On December 21, 2015, Beth changed her banking information for her direct deposit. The last date of service on Beth's January 1, 2017 timesheet was December 29, 2016. Your complainant reviewed Beth's credit reports as of April 24, 2020, and observed that her last listed address was S264 Castleburg Drive in Nelson, Wisconsin.

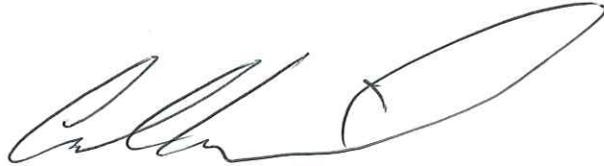
Your complainant reports that Beth's bank, 1st National Bank, is now First State Bank of Wabasha. Your complainant has reviewed records from the bank, kept in the ordinary course of business, and observed that there were debit card transactions in January 2017, a time during which no one had seen Beth. Your complainant obtained the receipt from a January 20, 2017 transaction at Paul Busch Auto Center in Wabasha, Minnesota. The charge was to Beth's debit card, and the receipt, kept in the ordinary course of business, was signed by the defendant. Detective Osmond obtained the receipt from a January 20, 2017 transaction at Hardware Hank's in Wabasha. The charge was to Beth's debit card, and the receipt, kept in the ordinary course of business, was signed by the defendant. The items purchased included a sledgehammer, 42-gallon Gorilla trash bags, and Formula 409 cleaner. Your complainant reviewed the defendant's signature on Buffalo County Jail rules from various dates and the signatures appeared similar to the signatures on the receipts and on Beth's final timesheet to Lori Knapp. The last transaction in Beth's bank account was an automatic Xcel Energy payment on February 2, 2017.

Your complainant reports that Beth's information and familial DNA have been entered into NamUS, the National Missing and Unidentified Persons System, and, as of the filing of this complaint, her body has not been located.

Your complainant is a Special Agent with the Wisconsin Division of Criminal Investigation, who bases his knowledge of this complaint on:

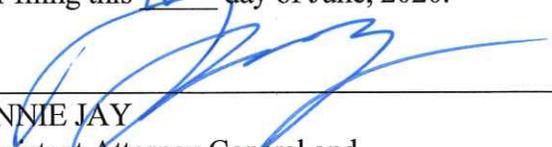
- the official law enforcement agency reports of the Buffalo County Sheriff's Office, the Wisconsin Division of Criminal Investigation, and the Federal Bureau of Investigation; which reports were prepared in the normal course of law enforcement duties;
- statements by citizen informant(s), who are eyewitnesses to the facts they relate;
- statements by the defendant, which were made contrary to his penal interests;
- the official records of the Circuit Court for Buffalo County, the Department of Transportation, the FBI Triple I Teletype, and the Wisconsin Circuit Court Automated Program; which records are maintained in the normal course of business duties.

Dated this 10 day of June, 2020.



SPECIAL AGENT ADAM L. FREDERICK
Complainant

Subscribed and sworn to before me and approved
for filing this 10th day of June, 2020.



ANNIE JAY
Assistant Attorney General and
Special Prosecutor for Buffalo County
State Bar No. 1056404
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707
(608) 266-7447

I find that probable cause (exists) ^{JAB} (~~does not exist~~) that the crime was committed by the defendant
 in order that he be (held to answer thereto) ^{JAB} (~~released forthwith~~).

Dated this 10th day of JUNE, 2020.

BY THE COURT:

Joseph A. Boh
 (Judge) (~~Court Commissioner~~) _{JAB}