

STATE OF MINNESOTA  
 COUNTY OF OLMDSTED

DISTRICT COURT  
 THIRD JUDICIAL DISTRICT

COURT FILE NO.: \_\_\_\_\_

PROSECUTOR FILE NO.: 09029726

State of Minnesota,

Plaintiff,

v.

Francis Allen Skinness DOB: 01/27/1946  
 2001 11th Avenue NE  
 Austin, MN 55912

Defendant.

Summons  Warrant

Order of Detention

Amended

Tab charge Previously Filed

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):

**Count 1**

**Criminal Sexual Conduct in the Second Degree (ICR 09029726)**

**In Violation Of: 609.343 subd. 1(a); 609.343 subd. 2(a)**

**Penalty: 25 years in prison, a \$35,000 fine, or both (MSG SL D)**

On or about September 1, 2008 and continuing through April 20, 2009, within the County of Olmsted, Francis Allen Skinness did wrongfully, unlawfully and feloniously engage in sexual contact with another person, to-wit: Victim #1, a child under 13 years of age and the said defendant being more than 36 months older than the child.

**Count 2**

**Criminal Sexual Conduct in the Second Degree (ICR 09039481)**

**In Violation Of: 609.343 subd. 1(a); 609.343 subd. 2(a)**

**Penalty: 25 years in prison, a \$35,000 fine, or both (MSG SL D)**

On or about September 1, 2008 and continuing through April 20, 2009, within the County of Olmsted, Francis Allen Skinness did wrongfully, unlawfully and feloniously engage in sexual contact with another person, to-wit: Victim #2, a child under 13 years of age and the said defendant being more than 36 months older than the child.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

Your complainant is a Detective employed by the Olmsted County Sheriff's Department. In that capacity, your complainant has reviewed the police reports relating to Francis Allen Skinness, the above-named defendant, and the allegations contained therein. Based upon that information, your complainant believes the following to be true and correct.

On April 21, 2009, the Olmsted County Sheriff's Office received an Intake Report from Olmsted County Community Services regarding a report of possible sexual abuse of a juvenile. On April 21, 2009, Intake Social Worker Leslie Crawley spoke to Julie Damman from Mayo Clinic who reported a patient of hers, a 9 year old female identified as Victim #1 told her about being sexually abused by her 3rd grade teacher, Francis Skinness.

Detective Rossman went to Bonner Elementary School and spoke to Principal, David Nystuen. Nystuen told Detective Rossman that on April 20, 2009, four girls from Skinness' 3rd grade class came to his office and told him about incidents with Skinness invading their space. Nystuen stated the girls told him about hugs that were too long, or too tight, the hot seat, standing behind them and feeling his privates against their backs. Nystuen stated that the girls also told him that on April 16, 2009, they gave Mr. Skinness a note that asked him to stop the touching. Detective Rossman seized the hot seat, which is a 4 legged stool about 24" high with a round seat that is 14" across.

Detective Rossman interviewed Victim #1, a 9 year old female, who stated that Mr. Skinness is her 3rd grade teacher at Bonner Elementary School in Stewartville. Victim #1 stated that the touching started in the fall of 2008. Victim #1 stated that Mr. Skinness touched her breasts and nipples with his hand under her shirt more than 20 times. Victim #1 stated that Mr. Skinness puts his hand down her shirt while he is hugging her from behind. Victim #1 stated that Mr. Skinness has a hot seat on which he makes the students sit on. Victim #1 stated that Mr. Skinness would sit on the stool and have the students sit between his legs and he pushes his body against the student. Victim #1 stated that Mr. Skinness would hug them and hold them close and she could feel his private parts against her back. Victim #1 stated that the girls would also take turns sitting on Mr. Skinness' lap. Victim #1 stated that Mr. Skinness would also put his lips on her ears and talk to her. Victim #1 stated that after they gave Mr. Skinness the note he touched them even more.

Detective Rossman interviewed Victim #2, a 9 year old female, who is also in Skinness' 3rd grade class. Victim #2 stated that when she is on her exercise ball (used as a chair) Mr. Skinness stands behind her and she can feel his privates against her. Victim #2 stated that when she was sitting on the hot seat and Mr. Skinness leans over her, she could feel his privates against her lower back. Victim #2 stated that sometimes Mr. Skinness opens their shirts and goes down their shirts a bit and rubs a bit. Victim #2 stated that when he put his hand in her shirt he slightly touched her breasts and has done that on more than one occasion. Victim #2 stated that Mr. Skinness has also touched her ears with his mouth on more than one occasion.

Detective Rossman, Nelson, and Rikhus interviewed Mr. Skinness' entire 3rd grade class. Some of the students described contact by Skinness that made them feel uncomfortable. Other students stated that had not had any uncomfortable contact, but were aware of those who had. Detective Rossman also spoke to former students of Skinness' who stated they had also experience contact that made them uncomfortable, had not experienced any contact that made them feel uncomfortable, or knew of someone who did.

Detective Rossman interviewed Francis Skinness who denied the allegation and stated he did not remember doing the alleged acts, but if he did he did not intentionally do them. Skinness stated that Nystuen did talk to him about things that made the girls uncomfortable. Skinness stated he did receive a note from one of the girls and her feeling uncomfortable. Skinness stated that when they shared the hot seat he would sit on the stool and the student would sit in the space in front of him.

**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.**

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'S NAME:

COMPLAINANT'S SIGNATURE:

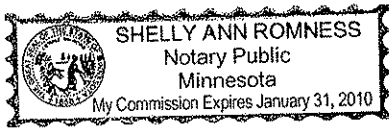
Det. Lee Rossman

*Scott C. Behrens Per Det. Rossman*

Subscribed and sworn to before the undersigned this 16<sup>th</sup> day of July, 2009

NAME/TITLE:

SIGNATURE:



*Shelly Romness*

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

Date: 7/16/09

PROSECUTING ATTORNEY'S SIGNATURE:

*Eric M. Woodford*

Name: Eric M. Woodford  
Criminal Division Lead Attorney  
Government Center  
151 SE 4th Street  
Rochester, MN 55904-3710  
(507) 328-7600  
Attorney Registration Number: 288950

**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 to 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 ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ before the above-named court at \_\_\_\_\_ to answer this complaint.

**WARRANT**

To the Sherriff of the aboved-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 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 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 above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail: \_\_\_\_\_

Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**JUDICIAL OFFICER:**

**SIGNATURE:**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_

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

**COUNTY OF OLMSTED  
STATE OF MINNESOTA**

**State of Minnesota**

*Plaintiff*

vs.

**Francis Allen Skinness**

*Defendant*

*Clerk's Signature or File Stamp:*

\_\_\_\_\_

**RETURN OF SERVICE**

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

*Signature of Authorized Service Agent:*

\_\_\_\_\_

## STATUTE AND OFFENSE GRID

Cnt	Statute Type	Offense Date	Statute Number & Description	Offense Level	MOC	GOC	Controlling Agencies	Control Number(s)
1	Charge  Penalty	09/01/2008 to 04/20/2009	609.343 subd. 1(a) Criminal Sexual Conduct in the Second Degree (ICR 09029726)  609.343 subd. 2(a) Criminal Sexual Conduct-2nd Degree-Penalty-Stat. Max.	F	L3051	N	MN0550000 Arresting	09029726
2	Charge  Penalty	09/01/2008 to 04/20/2009	609.343 subd. 1(a) Criminal Sexual Conduct in the Second Degree (ICR 09039481)  609.343 subd. 2(a) Criminal Sexual Conduct-2nd Degree-Penalty-Stat. Max.	F	L3051	N	MN0550000 Arresting	09029726

## DEFENDANT FACT SHEET

1. **Address:** 2001 11th Avenue NE  
Austin, MN 55912
2. **DOB:** 01/27/1946
3. **Other DOBs:**
4. **Race/Ethnicity:** Race:      Ethnicity:
5. **SID:**
6. **WID:**
7. **Alias Information:**
8. **Fingerprinted:** No
9. **Handgun Permit:** No
10. **Location of Violation:** City of Stewartville
11. **Drivers License #:**
12. **Accident Type:**
13. **License Plate #**
14. **Alcohol Concentration:**