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2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4
5 JOAN KATHRYN WENGER,

6 Appellant,

7 vs.

8 THE STATE OF NEVADA,

9 Respondent,
10 _____/

Electronically Filed
Feb 13 2023 04:15 PM
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 2021-CR-00114
Case No. 2021-CR-0014BD

11
12 RECORD ON APPEAL
13 VOLUME 1

14 COPIES OF ORIGINAL PLEADINGS
15 PAGES 1-153
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17
18

19 JOAN KATHRYN WENGER
20 #1250827
21 CGTH
22 3955 W. RUSSELL ROAD
23 LAS VEGAS, NEVADA 89118

24 OFFICE OF THE ATTORNEY GENERAL
25 100 NORTH CARSON STREET
26 CARSON CITY, NEVADA 89701-4717

27 THE STATE OF NEVADA
28 DOUGLAS COUNTY DISTRICT ATTORNEY
P.O. BOX 218
MINDEN, NEVADA 89423

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RECEIVED

ELECTRONICALLY RECEIVED 07/23/2021 06:50 PM Douglas County District Court Bobbie R. Williams/Clerk of Court

JUL 23 2021

ELECTRONICALLY FILED 07/23/2021 06:50 PM Douglas County District Court Bobbie R. Williams/Clerk of Court

Ca:

20-CR-1227

Douglas County
East Fork Justice Court

NO.

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP

2021 JUL 23 PM 3:26

EAST FORK JUSTICE COURT

COUNTY OF DOUGLAS, STATE OF NEVADA

BY

THE STATE OF NEVADA,

Plaintiff,

vs

ORDER AND COMMITMENT

JOAN KATHRYN WENGER

DOB: 10/20/1954

Defendant.

It appearing to me by the Unconditional Waiver of Preliminary Hearing that there is probable cause to believe that the offense(s) have been committed, to wit:

One count of, VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony

One count of, DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR, CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony

This matter is set before Department II on AUGUST 9, 2021 at 9:00 a.m. said Defendant will be appearing with his/her appointed attorney, BRIAN FILTER.

DATED this 22ND day of JULY, 2021

JUSTICE OF THE PEACE

FILED

Case No.: 20-CR-1227

RECEIVED

DA No.: 20-1769A

JUL 21 2021

Douglas County
East Fork Justice Court

2021 JUL 21 PM 2:09

EAST FORK JUSTICE COURT

BY: 

**IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
IN AND FOR THE COUNTY OF DOUGLAS, STATE OF NEVADA**


STATE OF NEVADA,
Plaintiff,

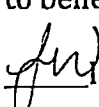
vs.

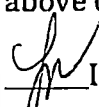
**UNCONDITIONAL WAIVER OF
PRELIMINARY HEARING**

JOAN KATHRYN WENGER,
Defendant.

I, JOAN KATHRYN WENGER, the DEFENDANT in the above-entitled action, understand that I am charged with the commission of the crime(s) as listed in the Complaint.

 It has been fully explained to me and I acknowledge that I have the right to a preliminary hearing on the crime(s) as listed in the complaint. At the Preliminary Hearing the State would be required to show, by admissible evidence, that there is probable cause to believe the crime(s) charged were committed and that I committed said crime(s).


 I do hereby unconditionally waive (give up) my right to a preliminary hearing on the above crime(s).

 I understand that by waiving my Preliminary Hearing, my case will be transferred to the Ninth Judicial District Court of the State of Nevada in and for the County of Douglas, for all further proceedings.

1 JW I have discussed this waiver with my attorney and fully understand the consequences
2 of waiving my Preliminary Hearing.

3 JW I believe that this unconditional waiver is in my best interest.
4

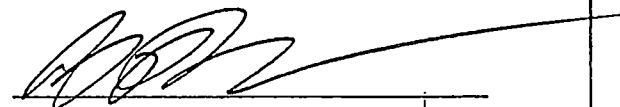
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6 DATED this 21 day of July 2021.

7
8 
9 JOAN KATHRYN WENGER
10 Defendant

11 I certify that we are the attorneys of record for the above-named Defendant and/or
12 am the attorney appearing on behalf of the defendant in the instant criminal matter; that I
13 have discussed with the defendant his right to a preliminary hearing; and, that I believe this
14 conditional waiver of the right to a preliminary hearing is voluntarily and intelligently
15 made.
16

17 DATED this 21 day of July 2021.
18

19 Filter Law, Chtd.
20 By:

21 
22 BRIAN G. FILTER, ESQ.
23 State Bar No. 6641
24 P.O. Box 2079
25 Minden, Nevada 89423
26 (775) 392-4774
27
28

Case No.: 20-CR-1227
DA No.: 20-1769A

FILED

NO

2021 JUL -7 AM 10:38

EAST FORK JUSTICE COURT

RECEIVED

JUL 07 2021

Douglas County
East Fork Justice Court

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP

IN AND FOR DOUGLAS COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

**ORDER TO CONTINUE
PRE-TRIAL CONFERENCE**

THE COURT, having received the stipulation of the parties, does hereby ORDER that the Pre-Trial Conference currently set for July 7, 2021, is vacated, and rescheduled to July 21, 2021, at 2:00 p.m.

DATED this 7th day of July 2021.

Cassandra G. Jones
Cassandra G. Jones, Judge

Case No.: 20-CR-1227
DA No.: 20-1769A

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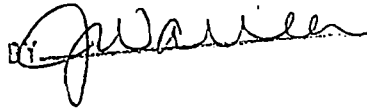
JUL 07 2021

Douglas County
East Fork Justice Court

NO

2021 JUL -7 AM 9:00

EAST FORK JUSTICE COURT

BY 

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
IN AND FOR DOUGLAS COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

STIPULATION TO CONTINUE

It is hereby stipulated and agreed to by the undersigned that the review hearing currently set for July 7, 2021, be vacated, and rescheduled to July 21st, 2021, at 2:00 p.m.

DATED this 6 day of July 2021.
Douglas Co. Dist. Atty's Ofc.

DATED this 7 day of July 2021.
Filter Law, Chtd.

By: 

A. J. Hames, Esq.
Deputy District Attorney
Attorneys for Plaintiff

By: 

Brian Filter, Esq.
Attorney for Defendant

RECEIVED

JUN 22 2021

Douglas County
East Fork Justice Court

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Case No.: 20-CR-1227
DA No.: 20-1769A

FILED

2021 JUN 22 PM 2:25

EAST FORK JUSTICE COURT

BY *Boe*

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
IN AND FOR DOUGLAS COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

**ORDER TO CONTINUE
PRE-TRIAL CONFERENCE**

THE COURT, having received the stipulation of the parties, does hereby ORDER that the Pre-Trial Conference currently set for June 23, 2021, is vacated, and rescheduled to July 7, 2021, at 2:00 p.m.

DATED this 22nd day of June 2021.

Cassandra G. Jones
Cassandra G. Jones, Judge

RECEIVED

JUN 22 2021

Douglas County
East Fork Justice CourtNo.: 20-CR-1227
No.: 20-1769A

NO.

2021 JUN 22 PM 2:25

EAST FORK JUSTICE COURT

BY

B.F.

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
IN AND FOR DOUGLAS COUNTY, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

STIPULATION TO CONTINUE

It is hereby stipulated and agreed to by the undersigned that the review hearing currently set for
June 23, 2021, be vacated, and rescheduled to July 7th, 2021, at 2:00 p.m.

DATED this 22 day of June 2021.
Douglas Co. Dist. Atty's Ofc.

DATED this 22 day of June 2021.
Filt, Law, Chtd.

By:

A. J. Hames, Esq.
Deputy District Attorney
Attorneys for Plaintiff

By:

Brian Filt, Esq.
Attorney for Defendant

REC

JUN 09 2021

Douglas County
East Fork Justice Court

EAST FORK JUSTICE COURT
DOUGLAS COUNTY, NEVADA

NO.

12:29 PM 2:24

EAST FORK JUSTICE COURT

Order for Bail or Own Recognizance Subject to Conditions:

Defendant: WENGER, Joan
Case #: 20 CR 1227

Bail Set: \$100 000 CASH

The Court enters this order for conditions of release in order to protect the health, safety and welfare of the community, and to ensure that the Defendant will appear at all times and places as ordered by this Court, and after considering the factors listed in NRS 174.484-178.4853.

IT IS HEREBY ORDERED that upon posting bail, Defendant shall be released with the following conditions:

- ☒ Department of Alternative Sentencing (DAS): Defendant shall be supervised by and comply with DAS. Defendant is responsible for all associated fees for all monitoring. Enrollment is to occur prior to release or departure from the courthouse.
- Additional DAS Monitoring: ☐ House Arrest ☐ GPS Ankle Monitor ☒ Transdermal Device
☐ Portable Breathalyzer ☐ Other: _____
- ☒ No Alcohol, Marijuana or Controlled Substance: Except in compliance with a lawful prescription.
- ☒ Search & Seizure: Defendant is to surrender to searches and seizures, including chemical testing, by any Peace Officer, at any time of the day or night. This may be with or without a warrant or probable cause, to determine compliance with this order.
- ☐ Substance Use Evaluation: The Defendant is to obtain a substance use evaluation, which must be provided to:
☐ The Court
☐ The Defense Counsel
- ☐ Intensive Outpatient Program (IOP): Defendant shall successfully complete IOP and provide proof to the Court at the next hearing. The costs of IOP are the defendant's responsibility.
- ☐ Residential Treatment Program: Defendant shall attend residential treatment for drugs/alcohol on an "out-count" basis and provide proof to the Court at the next hearing. The costs of the program are the defendant's responsibility.
- ☐ FASTT: Defendant is to comply with FASTT, and shall provide proof to the Court at the next hearing.
- ☐ MOST: Defendant is to comply with MOST, and shall provide proof to the Court at the next hearing.
- ☐ Counseling: Defendant shall attend sessions at least _____ times per week; and shall provide proof of attendance at the next hearing date. ☐ Individual Counseling ☐ Group Counseling ☐ 12-step Self-Help Meetings
- ☐ Stay Away From:
☐ Alcohol and Gaming Establishments within Douglas County, where these are the primary services offered.
☐ Business(s) within Douglas County: ☐ Wal-Mart ☐ Other: _____
☐ Person(s): _____
(Defendant shall have no contact or communication, directly or indirectly, through an intermediary or otherwise, in any form, including, but not limited to telephone, text, email or any other form of electronic communication or go within 100 yards of this person's residence or place of employment.)

Case No.: _____

☐ **No Firearms:** The Defendant is prohibited from owning, possessing or having under his or her custody or control any firearm. The Defendant is ordered to surrender any firearms within the Defendant's custody or control, within 24 hours of the date and time hereof to the Douglas County Sheriff's Office to be held pending further order of the Court.

☒ **Operation of Motor Vehicle:**

☒ Defendant shall not drive.

☐ Defendant shall not drive or operate a motor vehicle without a valid driver's license, registration and insurance.

☐ **Other:** _____

☐ **Court Appearances:** Defendant is ordered to appear in this Court on all future court dates, including but not limited to:

Next Court Date: 06/23/21 at 1:30 a.m. / p.m.

FURTHER ORDERED:

- Defendant shall violate no laws.
- Defendant shall waive all rights pertaining to extradition from any State to the State of Nevada and shall appear at all times as ordered by the Court.
- Defendant shall advise the Court of defendant's current address and phone number and shall inform the Court within 48 hours of any changes.

PURSUANT TO NRS 178.484(13) AND NRS 187.485(6), ANY LAW ENFORCEMENT OFFICER HAVING PROBABLE CAUSE TO BELIEVE THE NAMED DEFENDANT HAS VIOLATED A CONDITION OF THIS RELEASE IS ORDERED TO ARREST THE PERSON.

Dated this 7 day of June, 2021.

Justice of the Peace

In accordance with NRS 178.484, Defendant must sign this document before admission to bail or release under his or her own recognizance. Release is subject to the condition of no violation of laws.

By signing this agreement, I agree to appear at all times and places ordered by the court. I acknowledge I understand the conditions imposed by the court and set for in this order and agree to comply them. I also understand my failure to comply with these conditions may result in my immediate arrest and posted bail may be forfeited.

Joan Wong
Defendant's Signature

6/9/21
Date

Mailing Address

Phone Number

E-mail

Case No. 20-CR-1227

RECEIVED

JUN 09 2021

Douglas County
East Fork Justice Court

JUN 09 PM 2:24

EAST FORK JUSTICE COURT

EAST FORK TOWNSHIP -- COUNTY OF DOUGLAS, STATE OF NEVADA

STATE OF NEVADA,

**GROSS MISDEMEANOR & FELONY
ADMONISHMENT OF RIGHTS**

vs.

Joan Wenger

Defendant

YOU, AS A DEFENDANT, ARE INFORMED OF THE FOLLOWING RIGHTS AND PRIVILEGES GRANTED TO YOU UNDER THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF NEVADA:

1. You have the right to be represented by an attorney now and at every stage of these proceedings.
2. If you cannot afford an attorney, then an attorney will be appointed for you. *If you will be requesting an attorney, you must complete the separate "Financial Declaration" form.*
3. You have the right to remain silent. Anything you say may be used against you. If you have a trial, you do not have to testify on your own behalf unless you wish to do so.
4. You have the right to have a Preliminary Hearing within 15 days.
 - a. At a Preliminary Hearing, the State must present its evidence and the judge will review it to ensure that there is probable cause to believe that crime you are charged with occurred, and that you are likely the person who committed the crime.
 - b. At the conclusion of a Preliminary Hearing, if the judge finds probable cause to believe that crime you are charged with occurred, and that you are likely the person who committed the crime, then the judge will then transfer your case to the District Court for further action.
 - c. On the other hand, if at the conclusion of the Preliminary Hearing the judge finds that there is not probable cause to believe that crime you are charged with occurred, or that you are not likely the person who committed the crime, then the judge will dismiss the charge, and dismiss you from custody or other pre-trial release obligations.
 - d. You may waive your right to have a Preliminary Hearing within 15 days, which means that the Preliminary Hearing may be scheduled more than 15 days from now.
I waive my right to have a Preliminary Hearing within 15 days.
JW 6/2/21 (initial & date)
5. At trial, the State must prove its case beyond a reasonable doubt.

- 1 6. You have the right to confront and cross-examine witnesses who testify against you.
2 You have the right to present your own witnesses, and to compel their attendance
3 through a subpoena.
4 7. You have the right to a delay before entering a pleas to the charge(s) in this case.
5 8. If you plead guilty now, your matter will be transferred to the District Court for further
6 proceedings.
7 9. If you are not a U.S. Citizen, any criminal conviction may result in serious negative
8 immigration consequences including but not limited to: removal from the U.S.
9 through deportation; inability to reenter the U.S.; inability to gain U.S. citizenship or
10 legal residency; inability to renew and/or retain any legal residency status; and/or,
11 indeterminate term of confinement with the U.S. Federal government (i.e. I.C.E.)
12 based upon my conviction and immigration status
13 10. If you are convicted of a gross misdemeanor, you may be sentenced to 6 to 12
14 months in jail and/or a fine of \$2,000 or a combination thereof. If you are convicted
15 of a felony, you may be sentenced to a minimum of 1 year in prison and/or a fine of
16 \$5,000 or a combination thereof. Additionally, there may be additional administrative
17 assessment fees.

18 I have read my rights, or heard them explained by the judge, and fully understand them:

19 Joan Wenger
20 Signature

21 6/9/21
22 Date

23 JOAN WENGER
24 Print Name

25 Rev: June 2019

Case No.

-CR-

1227

Douglas County
East Fork Justice Court

2021 JUL -7 AM 8:46

EAST FORK TOWNSHIP -- COUNTY OF DOUGLAS, STATE OF NEVADA

STATE OF NEVADA,

GROSS MISDEMEANOR & FELONY
ADMONISHMENT OF RIGHTS

vs.

Joan Wenger
Defendant

YOU, AS A DEFENDANT, ARE INFORMED OF THE FOLLOWING RIGHTS AND PRIVILEGES GRANTED TO YOU UNDER THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF NEVADA:

1. You have the right to be represented by an attorney now and at every stage of these proceedings.
2. If you cannot afford an attorney, then an attorney will be appointed for you. *If you will be requesting an attorney, you must complete the separate "Financial Declaration" form.*
3. You have the right to remain silent. Anything you say may be used against you. If you have a trial, you do not have to testify on your own behalf unless you wish to do so.
4. You have the right to have a Preliminary Hearing within 15 days.
 - a. At a Preliminary Hearing, the State must present its evidence and the judge will review it to ensure that there is probable cause to believe that crime you are charged with occurred, and that you are likely the person who committed the crime.
 - b. At the conclusion of a Preliminary Hearing, if the judge finds probable cause to believe that crime you are charged with occurred, and that you are likely the person who committed the crime, then the judge will then transfer your case to the District Court for further action.
 - c. On the other hand, if at the conclusion of the Preliminary Hearing the judge finds that there is not probable cause to believe that crime you are charged with occurred, or that you are not likely the person who committed the crime, then the judge will dismiss the charge, and dismiss you from custody or other pre-trial release obligations.
 - d. You may waive your right to have a Preliminary Hearing within 15 days, which means that the Preliminary Hearing may be scheduled more than 15 days from now.
I waive my right to have a Preliminary Hearing within 15 days.
_____ (initial & date)
5. At trial, the State must prove its case beyond a reasonable doubt.

- 1 6. You have the right to confront and cross-examine witnesses who testify against you.
2 You have the right to present your own witnesses, and to compel their attendance
3 through a subpoena.
4 7. You have the right to a delay before entering a pleas to the charge(s) in this case.
5 8. If you plead guilty now, your matter will be transferred to the District Court for further
6 proceedings.
7 9. If you are not a U.S. Citizen, any criminal conviction may result in serious negative
8 immigration consequences including but not limited to: removal from the U.S.
9 through deportation; inability to reenter the U.S.; inability to gain U.S. citizenship or
10 legal residency; inability to renew and/or retain any legal residency status; and/or,
11 indeterminate term of confinement with the U.S. Federal government (i.e. I.C.E.)
12 based upon my conviction and immigration status
13 10. If you are convicted of a gross misdemeanor, you may be sentenced to 6 to 12
14 months in jail and/or a fine of \$2,000 or a combination thereof. If you are convicted
15 of a felony, you may be sentenced to a minimum of 1 year in prison and/or a fine of
16 \$5,000 or a combination thereof. Additionally, there may be additional administrative
17 assessment fees.

18 I have read my rights, or heard them explained by the judge, and fully understand them:

19 Joan Wenger
20 Signature

21 6/4/21
22 Date

23 Joan Wenger
24 Print Name

25 Rev: June 2019

RECEIVED

APR 29 2021

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Case No. 20-CR-1227
DA 0046506
NHP 200202163

FILED
2021 APR 29 AM 9:30
EAST FORK JUSTICE COURT

BY: [Signature]

IN THE JUSTICE COURT OF THE EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

**AMENDED
CRIMINAL COMPLAINT**

JOAN KATHRYN WENGER
10/20/1954,

Defendant.

A.J. Hames, Deputy District Attorney, County of Douglas, State of Nevada, on information and belief, being first duly sworn, makes complaint and charges Joan Kathryn Wenger with the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, committed as follows:

The defendant, Joan Kathryn Wenger, on or about February 28, 2020, and prior to the filing of this complaint, in the County of Douglas, State of Nevada,

COUNT ONE: VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony

willfully and unlawfully drove a vehicle on or off the highway while under the influence of intoxicating liquor; and/or while having a concentration of alcohol of 0.08 or more in her blood; and/or was found by measurement within 2 hours after driving a vehicle to have a concentration of alcohol of 0.08 or more in her blood; and proximately caused the death of another

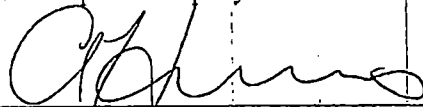
person while so driving, to-wit: Laura Staugaard, all of which occurred on U.S. Highway 395 in the area of Johnson Lane, in the County of Douglas, State of Nevada; and the defendant has previously been convicted of at least three violations of NRS 484C.110, 484C.120 or 484C.430, or a violation of law of any other jurisdiction that prohibits the same or similar conduct, as follows:

DATE OF OFFENSE DATE OF CONVICTION	COURT COUNTY, STATE
On or about August 17, 2009 On or about November 17, 2009	Tahoe Township Justice Court Douglas County, Nevada
On or about October 17, 2011 On or about June 7, 2012	Ely Municipal Court White Pine County, Nevada
On or about August 26, 2018 On or about October 30, 2018	Reno Township Justice Court Washoe County, Nevada

COUNT TWO: DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR, CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony

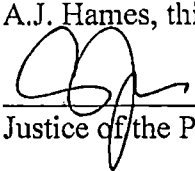
willfully and unlawfully drove a vehicle on or off the highway while under the influence of intoxicating liquor; and/or while having a concentration of alcohol of 0.08 or more in her blood; and/or was found by measurement within 2 hours after driving a vehicle to have a concentration of alcohol of 0.08 or more in her blood, and she performed an act or neglected a duty imposed by law, the act or neglect proximately causing substantial bodily harm to Thomas Staugaard, to wit: the defendant failed to decrease her vehicle's speed when approaching a vehicle being driven by Thomas Staugaard and did crash into Staugaard's vehicle, proximately causing it to roll and Mr. Staugaard to suffer substantial bodily harm, including but not limited to a C-5 spinal fracture, all of which occurred on U.S. Highway 395 in the area of Johnson Lane, in the County of Douglas, State of Nevada,

against the peace and dignity of the State of Nevada. Complainant prays the Defendant be dealt with according to law.


COMPLAINANT

SUBSCRIBED and SWORN to before me by

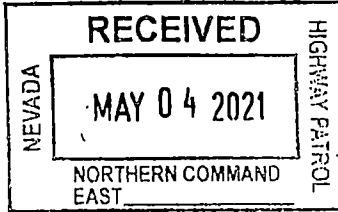
A.J. Hames, this 29 day of April, 2021.


Justice of the Peace

RECEIVED

APR 29 2021

Douglas County Justice Court



2021 APR 29 AM 9:30
EAST FORK JUSTICE COURT

BY: *[Signature]*

Case No. 20-CR-1227

DA 0046506

NHP 200202163

IN THE JUSTICE COURT OF THE EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

JOAN KATHRYN WENGER,

Defendant.

AMENDED WARRANT OF ARREST

D.O.B. 10/20/1954 W F
SS: 530-44-4379
Ht.: 5'01 Wt.: 120
Eyes: Green Hair: Blonde or Strawberry
LKA: 2500 Dickerson Road #126
Reno, NV 89503

STATE OF NEVADA)
COUNTY OF DOUGLAS) :ss

THE STATE OF NEVADA: To any sheriff, constable, marshal, policeman, or other peace officer in the State:

It appears from the Amended Criminal Complaint and corresponding Affidavit and attachments that there is probable cause to believe the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, triable within Douglas County, Nevada, have been committed by JOAN KATHRYN WENGER.

//
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WARRANT CLEARED
BOOKED
SERVED
RECALLED
VALIDATION
WRONG INFO
PULLED / CLEARED BY *[Signature]*
DATE 4/30/21
LOCATION 89445

Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

1 YOU ARE THEREFORE COMMANDED forthwith to arrest the above-named JOAN
2 KATHRYN WENGER, and bring her before me forthwith, at my office at East Fork Township
3 Justice Court, County of Douglas, State of Nevada, or in case of my absence or inability to act,
4 before the nearest and most accessible magistrate in this county.

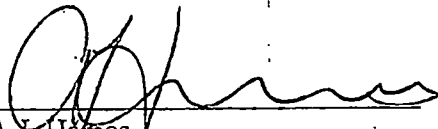
5 Witness my hand this 25 day of April, 2021

6 ☒ direct that this warrant may be served at any hour of the day or night on JOAN
7 KATHRYN WENGER.

8 
9 Cassandra G. Jones, Judge
East Fork Township Justice Court

10
11 Defendant may be admitted to bail in the amount of \$ 25,000⁰⁰

12
13 APPROVED FOR EXTRADITION: Nationwide

14
15 by: 
16 A.J. Haines
Deputy District Attorney

17 I HEREBY CERTIFY that I received the above warrant on the _____ day of
18 _____, 2021, and served the warrant by arresting the within named
19 defendant, JOAN KATHRYN WENGER, and bringing her into Court this _____ day of
20 _____, 2021.
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RECEIVED

DEC 15 2020

Douglas County
East Fork Justice Court

Douglas County District Attorney
Post Office Box 218
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807

RECEIVED
DEC 28 2020
NEVADA
HIGHWAY PATROL
NORTHERN COMMAND
EAST FORK

CERTIFIED COPY

FILED

20-CR-1227

2020 DEC 21 PM 1:38

EAST FORK JUSTICE COURT

BY *JLZ*

CASE NO. 20-CR-1227

DA 20-1769A

Nevada Highway Patrol 200202163

FELONY

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

WARRANT OF ARREST

vs.

JOAN KATHRYN WENGER,

Defendant.

D.O.B. 10/20/1954 W F
SS: XXX-XX-4379
Ht.: 5' 1" Wt.: 120
Eyes: Green Hair: Blond or Strawberry
LKA: 2500 Dickerson Road #126
Reno, NV 89503

STATE OF NEVADA)
COUNTY OF DOUGLAS) ss.

THE STATE OF NEVADA: To any sheriff, constable, marshal, policeman, or other peace officer in the State:

It appears from the Complaint and corresponding Affidavit and attachments that there is probable cause to believe the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, triable within Douglas County, Nevada, have been committed by JOAN KATHRYN WENGER.

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WARRANT CLEARED
BOOKED
SERVED
RECALLED
VALIDATION
WRONG INFO
PULLED / CLEARED BY
DATE
LOCATION
5/4/21 *JA 920*

Issued new warrant w/ date

1 YOU ARE THEREFORE COMMANDED forthwith to arrest the above-named
2 JOAN KATHRYN WENGER, and bring her before me forthwith, at my office at East Fork
3 Township Justice Court, County of Douglas, State of Nevada, or in case of my absence or
4 inability to act, before the nearest and most accessible magistrate in this county.

5 Witness my hand this 21 day of December, 2020

6 Cy I direct that this warrant may be served at any hour of the day or night on JOAN
7 KATHRYN WENGER.

8 I direct that this warrant may be served between 7:00 a.m. and 7:00 p.m. on JOAN
9 KATHRYN WENGER.

10 Cy
11 CASSANDRA G. JONES, Judge
East Fork Township Justice Court

12
13 Defendant may be admitted to bail in the amount of \$ 25,000.00

14
15 APPROVED FOR EXTRADITION: Nationwide

16
17 by: A.J. Hames

18 Deputy District Attorney

19
20 I HEREBY CERTIFY that I received the above warrant on the _____ day of December,
21 2020, and served the warrant by arresting the within named defendant, JOAN KATHRYN
22 WENGER, and bringing him into Court this _____ day of December, 2020.

23
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25
26 The Document to which this certificate
27 is attached is a full, true and correct
28 copy of the original on file and of record
in my office. 12-23-20

Date: Clerk of the East Fork Justice Court
County of Douglas, State of Nevada

(Seal)
By: [Signature]

Deputy Clerk

RECEIVED

APR 29 2021

Douglas County Justice Court

Case No. 20-CR-1227

DA 0046506

NHP 200202163

2021 APR 29 AM 9:38
EAST FORK JUSTICE COURT

BY: [Signature]

IN THE JUSTICE COURT OF THE EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,
Plaintiff,

v.

JOAN KATHRYN WENGER,
Defendant.

AMENDED WARRANT OF ARREST

D.O.B. 10/20/1954 W F

SS: 530-44-4379

Ht.: 5'01" Wt.: 120

Eyes: Green Hair: Blonde or Strawberry

LKA: 2500 Dickerson Road #126

Reno, NV 89503

STATE OF NEVADA)
COUNTY OF DOUGLAS)

THE STATE OF NEVADA: To any sheriff, constable, marshal, policeman, or other
peace officer in the State:

It appears from the Amended Criminal Complaint and corresponding Affidavit and
attachments that there is probable cause to believe the crimes of VEHICULAR HOMICIDE, a
violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A
VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR
CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B
felony, triable within Douglas County, Nevada, have been committed by JOAN KATHRYN
WENGER.

//

//


Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

1 YOU ARE THEREFORE COMMANDED forthwith to arrest the above-named JOAN
2 KATHRYN WENGER, and bring her before me forthwith, at my office at East Fork Township
3 Justice Court, County of Douglas, State of Nevada, or in case of my absence or inability to act,
4 before the nearest and most accessible magistrate in this county.

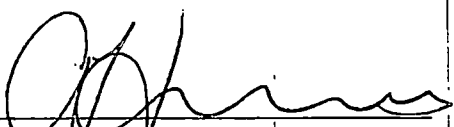
5 Witness my hand this 25 day of April, 2021

6 ☒ direct that this warrant may be served at any hour of the day or night on JOAN
7 KATHRYN WENGER.

8 
9 Cassandra G. Jones, Judge
East Fork Township Justice Court

10
11 Defendant may be admitted to bail in the amount of \$ 25,000⁰⁰

12
13 APPROVED FOR EXTRADITION: Nationwide

14
15 by: 
16 A.J. Hames
Deputy District Attorney

17 I HEREBY CERTIFY that I received the above warrant on the ____ day of
18 _____, 2021, and served the warrant by arresting the within named
19 defendant, JOAN KATHRYN WENGER, and bringing her into Court this ____ day of
20 _____, 2021.
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RECEIVED

APR 29 2021

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Case No. 20-CR-1227

DA 0046506

NHP 200202163

2021 APR 29 AM 9:30

EAST FORK JUSTICE COURT

BY:

BOE

IN THE JUSTICE COURT OF THE EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

JOAN KATHRYN WENGER,

Defendant.

**AFFIDAVIT IN SUPPORT
OF AMENDED ARREST WARRANT
NRS 171.106**

STATE OF NEVADA)
COUNTY OF DOUGLAS)

A.J. Hames, Deputy District Attorney, being first duly sworn, deposes and states under the penalty of perjury:

That he is a Deputy District Attorney with the Douglas County District Attorney's Office, and that during the course of his employment as such, he received and reviewed investigative reports submitted by the Nevada Highway Patrol of the Department of Public Safety indicating that the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, were committed on or about February 28, 2020, and it appears that such crimes are attributable to JOAN KATHRYN WENGER.

1 The investigative reports are attached hereto and incorporated herein by reference.

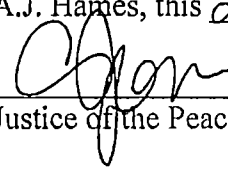
2 WHEREFORE, Affiant prays that an Amended Warrant of Arrest be issued upon an
3 Amended Criminal Complaint for the above-named individual and that the defendant be held
4 in custody or a reasonable bail be set in order to protect the health, safety and welfare of the
5 community and to assure her presence at any future hearings.

6 DATED this 29 day of April, 2021.

7
8 
9 AFFIANT

10 SUBSCRIBED and SWORN to before me by

11 A.J. Hames, this 29 day of April, 2021.

12 
13 Justice of the Peace/Notary Public
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Case Introduction

Initial Information

On 02-28-2020 at approximately 21:02, I was notified by NHP dispatch that an injury traffic crash had occurred on US395, south of Johnson Lane. It was reported that a vehicle had rolled over and bystanders were performing CPR. The information was relayed to NHP dispatch from the Douglas County dispatch center to notify Troopers that an injury crash had occurred in their patrol area.

WCC
Report

Response

When I arrived on the scene Douglas County Fire and Sheriff responders were on location and had closed US395 in both directions to establish a landing zone for Care Flight. As I approached the scene from the south, I witnessed a red Toyota Tacoma pickup resting on its wheels trapped in the cable barrier located in the center median. Paramedics were tending to the female driver who had self extricated. North of the red truck was a blue Toyota 4Runner utility, resting on its roof partially in the number 2 and right turn lane. Near the 4Runner was a deceased female that was covered in a sheet.

Deputies reported to me the deceased female was pronounced by medical staff and DCSO Coroner Wiggins, and was the front seat passenger of the blue 4Runner. The time of death was recorded as 21:05. Deputies also informed me the driver and single occupant of the red Tacoma had an open bottle of liquor in the vehicle and they suspected she was impaired.

Deputies were able to identify the driver of the 4Runner as Thomas Staugaard who is the registered owner who had self extricated and transported by ground ambulance to Renown Trauma center. I did not make contact with Staugaard at the crash scene. Thomas had informed deputies that he was transporting his mother home and that she was not wearing a seatbelt. His mother Laura Staugaard was ejected from the vehicle and sustained injuries incompatible with life.

Preliminary Analysis

Witnesses at the scene reported the driver of the red Tacoma was driving recklessly before the crash. A witness reported that the driver was speeding, and passing other vehicles in the right-hand shoulder just prior to striking the rear of the blue 4Runner.

A preliminary analysis of the scene indicated the driver of the red Toyota Tacoma was traveling north on US395 in the number two northbound lane, south of Johnson Lane in a reckless manner. A blue Toyota 4Runner was traveling north on US395 in the number two lane, in front of the Tacoma. The driver of the Tacoma caused the front of the pickup to strike the rear of the 4Runner. The Tacoma left the roadway to the left and entered the dirt median and struck the cable barrier. The 4Runner traveled in a northeast direction and the driver steered to the left and the 4Runner overturned. The right front passenger of the 4 Runner (Mrs. Staugaard) was ejected. The 4Runner came to a rest on its roof in the northbound travel lanes.



Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Involved Agencies

Law Enforcement

Douglas County Sheriff's Office
Case No. 20SO6637
1038 Buckeye Rd.
Minden, NV 89423
775-783-6466

Nevada Highway Patrol
Various districts
555 Wright Way
Carson City, NV 89711
775-687-5300

Fire / Emergency Medical Services

East Fork Fire Protection District
Call 20-716
1694 County Road
Minden, NV 89423
775-782-9040

Care Flight
Call 059287-20
450 Edison Way
Reno, NV 89502
775-858-5700

Other

Medical Examiner's Office
Case No. 2020-00914
990 East Ninth St
Reno, NV 89512
(775) 785-6114

Nevada Donor Network
Reference No. 2020-02156
1875 Plumas Street Suite 6
Reno, NV 89509
(775) 329-2374

FitzHenry's Funeral Home
1380 US395
Minden, Nevada 89423
(775) 782-1999

Nevada Highway Patrol Response

During the course of the on-scene and follow up investigations, the following personnel assisted with miscellaneous duties.

All times were taken from NHP's incident radio log. Personnel who held crucial roles in the investigation have provided supplemental reports. Many of the following personnel conducted non-investigative tasks, such as traffic control or scene management.

Trooper Justin Clifford #6385

Dispatch: 2103 hrs
Arrival: 2109 hrs
Clear: 0257 hrs

Trooper Max Davis #5303

Dispatch: 2122 hrs
Arrival: 2134 hrs
Clear: 0150 hrs

Sergeant John Dodge #4175

Dispatch: 2106 hrs
Arrival: 2124 hrs
Clear: 0036 hrs

Trooper Amanda Powell #6492

Dispatch: 2103 hrs
Arrival: 2119 hrs
Clear: 2259 hrs

Trooper Sal Navarro #6147

Dispatch: 2103 hrs
Arrival: 2133 hrs
Clear: 2259 hrs

Trooper Mitchell Graham #6507

Dispatch: 2141 hrs
Arrival: 2149 hrs
Clear: 0119 hrs



Investigative Tasks & Scene Documentation

When I arrived on the scene I was met by Douglas County Deputies who informed me they suspected the driver of the red Tacoma was impaired and that she would be transported via Care Flight to Renown. The driver of the 4Runner was being transported by ground to Renown and the front passenger was deceased after being ejected.

Multiple units from Douglas County Sheriff and Fire were on location and had closed US395 in both directions. I witnessed the driver of Tacoma sitting on the tailgate and was being prepared to be moved to a nearby ambulance. I ran back to my vehicle to gather equipment, before making contact with her. Deputies informed me there was an open container of liquor on the floorboard of the pickup truck.

The driver of the Tacoma was moved to the back of an East Fork ambulance and was being prepared for air medical transport. The driver identified herself as Wenger, Joan and she spoke with a slurred speech pattern. I witnessed her eyes to be bloodshot watery red and I identified a strong odor of an unknown alcoholic beverage.

Wenger told me that she was returning from Mammoth California when the crash occurred. I asked Wenger how much she had to drink and she told me three beers. I asked Wenger if she would submit to an evidentiary blood test at the hospital and she told me she would. I also asked her to submit to a PBT and prior to I attempted to administer a horizontal gaze nystagmus test (HGN).

Wenger was unable to follow the directions and I stopped the test. As Wenger attempted to submit to the PBT she was unable to provide a steady flow of air. On the third attempt, I was able to obtain a partial result of 0.291% BAC. Deputies were able to locate Wenger's driver license and the information matched to what was verbally relayed to me.

A records check was performed through NHP dispatch and it was found Wenger's driver license was suspended 01-24-2020 with no end date, for failure to maintain proof of financial responsibility. It was also determined that she had an outstanding warrant for failing to comply with the New River Township Justice Court. Wenger was later transported by Care Flight to the Renown Regional Medical Center in Reno.

I was unable to make contact with the driver of the 4Runner, due to him being transported to Renown. A Deputy told me that he might have been impaired and I updated dispatch and requested Troopers respond to the Hospital. I was informed by Trooper Graham that after he was interviewed at the hospital there were no signs of impairment.

Witness Comments

I made contact with David Alexander who had provided a written statement. He informed me that he witnessed the red Tacoma driving recklessly prior to crashing into the rear of the 4 Runner. A second witness to the crash Sherry Ramsey provided a written statement that was given to me by DCSO. I did not have contact with her on scene. Mr. Alexander reported the driver of the Tacoma was speeding up and slowing down along with making unsafe lane changes. Mrs. Ramsey described a similar driving pattern in her written statement.



Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Scene Actions

MIRT was requested to the scene to assist in the investigation and I was put in contact with Trooper Graham who was at the hospital in Reno. Trooper Graham was with D1 and I requested that he obtain a seizure order for her blood. I informed Trooper Graham of the facts and findings of the investigation and Judge Ryan Sullivan granted the order.

After Trooper Davis arrived on scene and I assisted him using a Leica TS-12 robotic total station to obtain measurements of the scene. Those measurements were provided to me and I later prepared a diagram of the crash.

I assisted the DCSO coroner and mortician move Mrs. Staugaard into a body bag so she could be transported to the medical examiner's office of Washoe County.

Silver State Towing was requested to the scene and I inventoried both vehicles. After the vehicles were ready for transport I escorted both tow trucks to the DPS evidence yard in Carson City. The vehicles were secured in the locked yard and booked into evidence.

Evidence Documentation

Using my personally owned Nikon D40x digital camera I took 160 (DSC186-345) photos and uploaded them to the digital drive. An additional 82 photos were taken by Trooper Davis and stored in the digital drive.

The open container of Black Velvet Whiskey that was located on the passenger floorboard of V1 was documented with digital photographs. Due to DPS evidence not permitted to store liquid, the bottle remained in the vehicle. The bottle was unsealed and it was not completely full.

Trooper Graham witnessed the evidentiary blood draw taken from D1 at 22:36 hours and the evidence submitted to the Washoe County Crime Lab for testing. Gemma Roberts, who is employed by Renown Medical Center obtained the evidence.

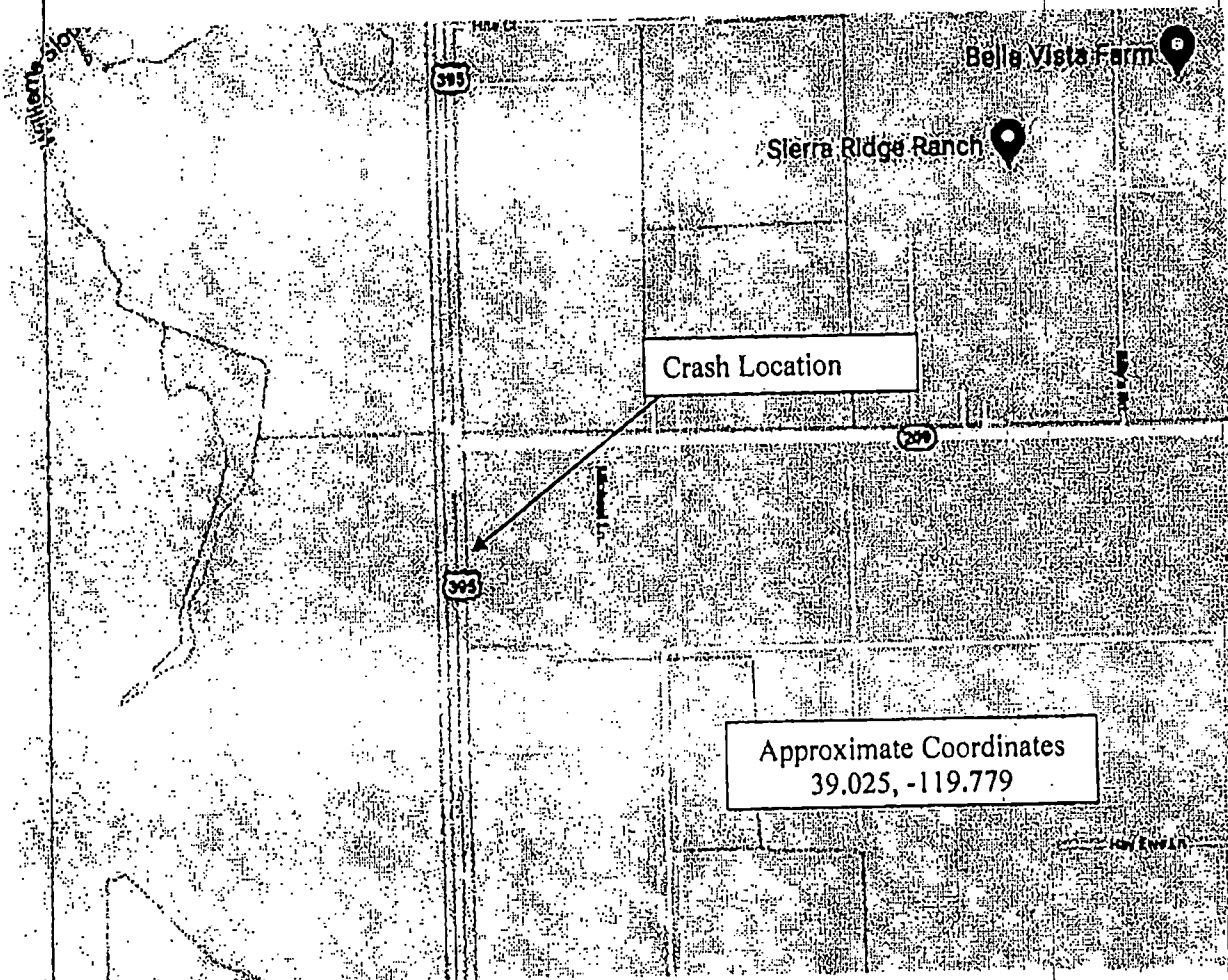
On 02-29-2020 at approximately 17:00, I met Terri Jay at the DPS evidence lot to access the vehicle to obtain some personal belongings. I identified Mrs. Terri with her NV driver license and she is the owner of the Toyota pickup. I asked her if she would consent to have the event data recorder accessed as part of the investigation, to which she agreed. She reviewed and signed the EDR consent form and Trooper Davis accessed the vehicle recorder on 03/03/2020.

sent
file



Scene Location & Environmental Details

The traffic crash took place on US395 approximately 561 feet south of Johnson Lane.



Roadway Description

US 395 enters Nevada in Topaz Lake as a two-lane highway and gradually makes its way to Carson Valley where it becomes the principal thoroughfare for the Gardnerville-Minden area. Upon entering the Carson Valley, US 395 becomes a four-lane highway through Gardnerville and Minden. Upon leaving Minden, the highway becomes a four-lane divided highway and turns due north towards Carson City.

In the area of the crash US395 the north and southbound lanes are divided by a cable barrier. The northbound lanes present with a solid yellow left edge line, a broken white lane line separating the two travel lanes, and a solid white right edge line. The roadway is paved asphalt and was dry at the time of the collision.



Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Lighting Conditions

The roadway was dark due to the crash happening at night and the roadway was not consistently lit by lights.

Speed Limit & Signage

The posted speed limit at the scene of the crash was 65 miles per hour.

Weather Details

A historical report from the Road Weather Information System (RWIS) indicates that around the time of the collision, there were no remarkable weather related factors that are considered to be contributory to the collision. Wind speed was between 4 and 5mph, with gusts up to 6mph. There was no precipitation. Below is a clipping from the RWIS report, which is attached in full. The weather I observed while at the scene is consistent with weather report.

Automatic Weather Station Readings									
Date	Wind Speed (mph)	Wind Dir	Bar Press (in)	Humidity (%)	Temp (°F)	Relative Humidity (%)	Dew Point (°F)	Precip (in)	Wind Dir (deg)
2020/02/28 08:00 pm	4	NE	30.4	NE	43.3	34	16.7	No	0
2020/02/28 08:15 pm	4.7	NE	30.3	NE	42.3	31	16.3	No	0
2020/02/28 08:30 pm	4.7	NE	30.3	NE	42.3	31	16.3	No	0
2020/02/28 08:45 pm	4.7	NE	30.3	NE	42.3	31	16.3	No	0
2020/02/28 09:00 pm	4	N	30.3	NE	39.7	39	17.1	No	0
2020/02/28 09:15 pm	4	N	30.3	NE	39.7	39	17.1	No	0
2020/02/28 09:30 pm	4	N	30.3	NE	39.7	39	17.1	No	0
2020/02/28 09:45 pm	4.5	NE	30.3	NE	45.3	31	16.7	No	0
2020/02/28 09:55 pm	4.3	NE	30.3	NE	45.3	31	16.7	No	0
2020/02/28 10:05 pm	4.3	NE	30.3	NE	45.3	31	16.7	No	0

This data was extracted from the RWIS weather station designator D2017, which is located approximately 1.7 miles south of the collision area.



Driver #1: Joan "Joanie" Wenger

Identification & Driver Establishment

Wenger was identified via a Nevada driver license that was given to me by a DCSO Deputy. Wenger did identify herself by name and date of birth and the information matched the license.

The following facts and circumstances established Wenger as the driver of the Tacoma:

1. Wenger was found in the front cab of the pickup by witnesses after the crash.
2. The owner of the pickup Terri Jay told me she let Wenger borrow the vehicle to travel to California.
3. Wenger admitted to operating the truck and was traveling home. Wenger had injuries consistent with being in a traffic crash.

Driving History

Wenger has a suspended Nevada Class C driver license, expiring 10/20/2027. Suspension date 01/24/2020

DUI Offenses

- o 08-17-09 Plead Guilty DUI Tahoe Justice Court, Disposition 11-17-09
- o 10-17-11 Found Guilty DUI 2nd Ely Municipal Court, Disposition 6-5-12
- o 08-26-18 Plead Guilty DUI 2nd Reno Justice Court, Disposition 10-30-18 Case number RCR2018-098226

Traffic Offense

6 speeding violations from 1989 to present.

2 hazardous moving violations from 2005-2008

Driver License

26 different withdrawals of her driver license between 2000 and 2020.

Pre-Collision History

Attempted to contact Wenger at her last known address and her provided phone number, but was unsuccessful.



Nevada Department of
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Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Sobriety

Based on my contact with Wenger in the back of the ambulance I suspected alcohol impairment. Wenger spoke with a slurred speech pattern and there was a strong odor of an unknown alcoholic beverage coming from her person. I witnessed her eyes to be bloodshot and watery, Wenger admitted to drinking and was operating the red Tacoma pickup.

I attempted to administer the HGN test, but she was unable to follow the directions. Paramedics were actively treating her and preparing for air medical transport. As not to delay her medical care I asked her to submit to a PBT, to which she agreed. She had difficulty providing a breath sample and I was able to obtain a partial breath sample of 0.291%BAC. I left the back of the ambulance and she was later transported to the emergency room.

Trooper Graham facilitated the evidentiary blood draw at the hospital after obtaining a seizure order for it. The evidence was submitted to the Washoe County Crime Lab for testing and the result was processed on 3-13-2020.

The result was 0.308% BAC and the forensic report is attached in the warrant request packet.

Based on the toxicology results in combination of Wenger being in physical control of a motor vehicle, driving recklessly, causing a traffic crash that resulted in another person's death, she was unable to operate a motor vehicle safely. Wenger also caused substantial bodily harm to Mr. Staugaard who suffered a broken neck (C-5). This is a violation of NRS 484C.430 and 484B.653.

Restraints & Safety Devices

Upon inspection of the Tacoma it was found the front airbag deployed and there was blood on it. Wenger was not wearing a seatbelt and I was able to determine that after finding the driver seatbelt was fully retracted and locked. Trooper Davis confirmed that her seatbelt was not in use from the CDR report.

Injuries

Wenger was discharged from Renown at approximately 00:09 with minor injuries and Trooper Graham arrested her after the warrant was confirmed. Trooper Graham transported Wenger to the Washoe County Jail and released her to deputies.



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Northern Command West
Level 1 Fatal Collision Investigation Report

Vehicle #1: 2007 Toyota Tacoma

The Tacoma was recovered from the scene by Silver State Towing and was transported to the DPS evidence yard in Carson City, Nevada and held for evidentiary retention.

Safety Recalls

A recall check by VIN conducted through CarFax indicates that the Tacoma did not have any active recall or repairs pending.

Vehicle Damage Analysis

On Tuesday, March 3rd, Trooper Davis conducted a damage analysis on the Tacoma at the DPS evidence yard. He took additional photographs of the vehicle from various angles. He inspected all four tires and wheels.

A verification of this vehicle's VIN and the license plate was confirmed before the damage assessment. Both the VIN and license plate were identical to the information obtained from this vehicle at the scene.

This vehicle's overall condition was consistent with that observed and recorded at the scene.

The Tacoma sustained heavy front end damage, indicative of causing a rear-end collision. The majority of the frontal damage is was created when the pickup collided with the 4Runner.

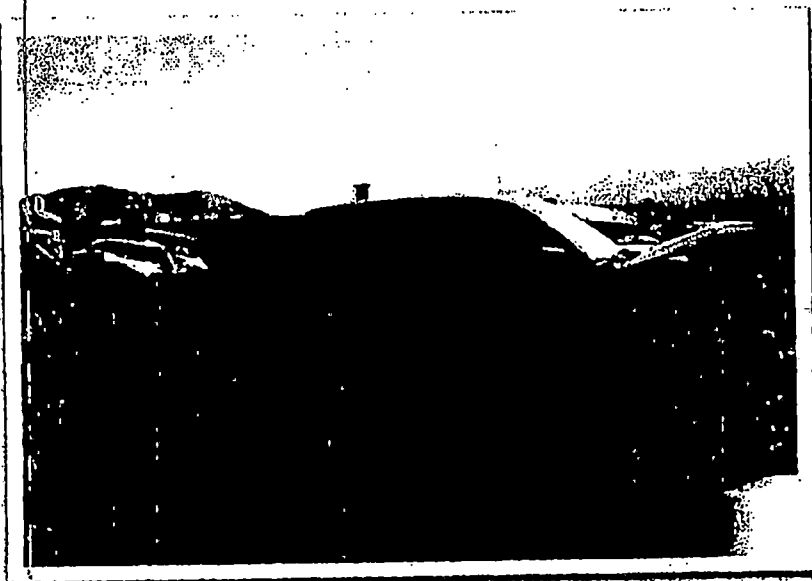


The rest of the notable damage can be seen across the driver and passenger side of the vehicle. This damage was caused by impact with the cable barrier.



Nevada Department of
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Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report



Tire Information

Tire information gathered by Trooper Davis via audio dictation (evidence.com)

All four mounted tires are General Grabber A/T (all-terrain), size LT245/75/R16.

Left Front:

DOT P5111UU

38 PSI

Tread – Inner 6/32, Middle 4/32, Outer 3/32

Left Rear:

DOT P5111UU

41 PSI

Tread – Inner 5/32, Middle <1/32, Outer 4/32

Right Front:

DOT P5111UU

39 PSI

Tread – Inner 5/32, Middle 1/32, Outer less than 1/32

Right Rear:

DOT P5111UU

0 PSI flat with side wall puncture

Tread – Inner 3/32, Middle <1/32, Outer 4/32



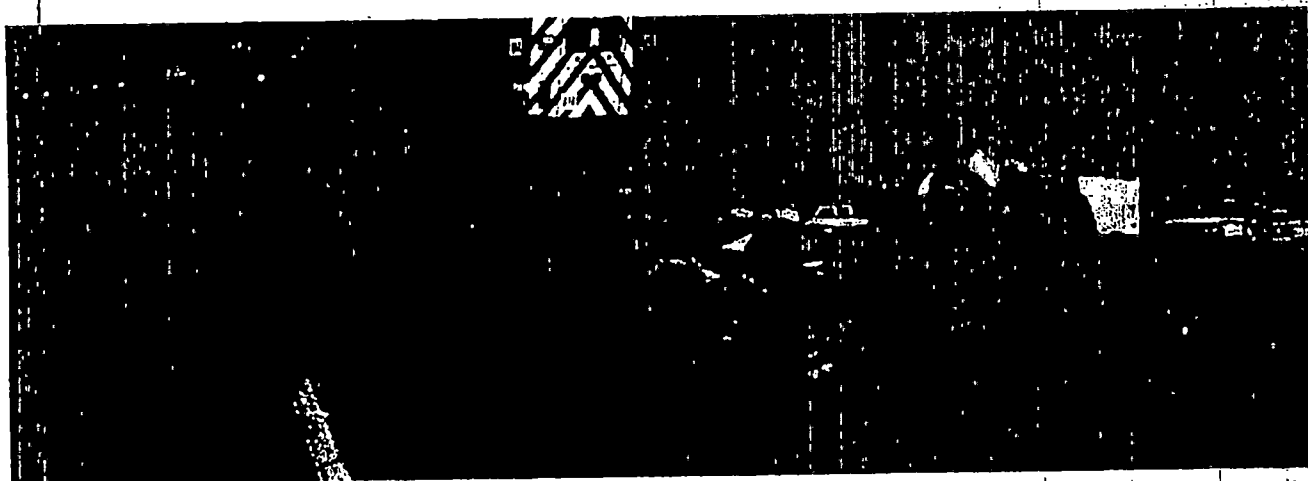
Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Front



Driver Side

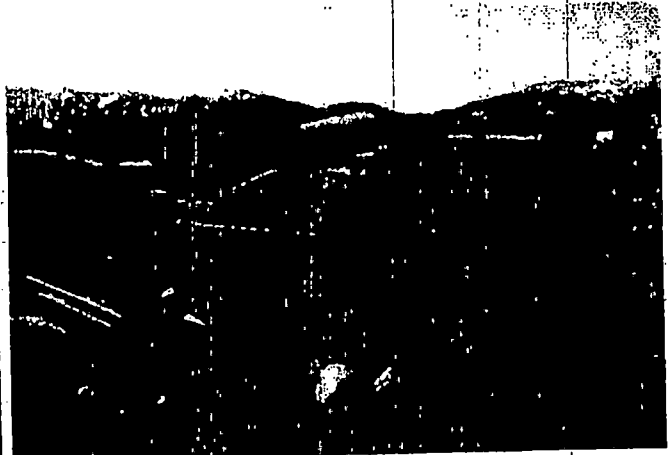
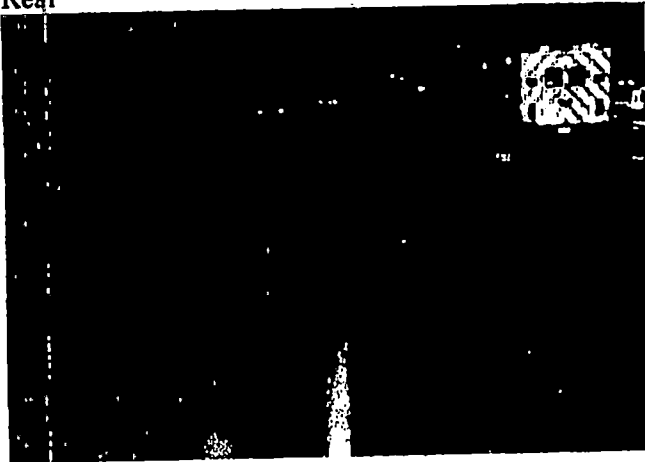




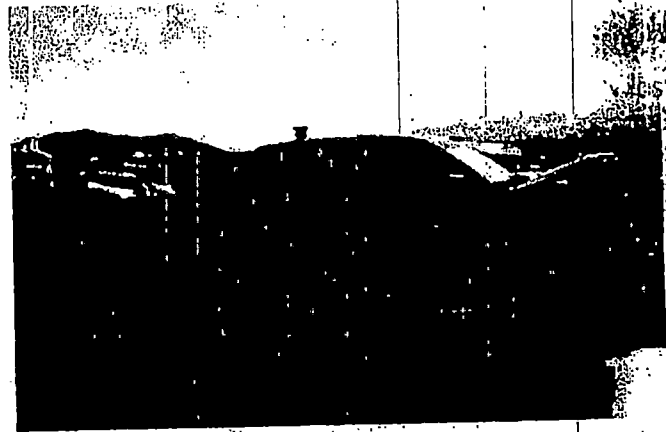
Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Rear



Passenger Side





Driver #2: Thomas Staugaard

Identification & Driver Establishment

Staugaard was identified via a Nevada driver license by a DCSO Deputy. Staugaard is the registered owner of the 4Runner. I did not make contact with Staugaard at the scene due to him being transported by ground ambulance.

The following facts and circumstances established Staugaard as the driver of the 4Runner:

1. Staugaard admitted to me that he was the driver of the 4Runner.
2. Staugaard had injuries consistent with a traffic crash including a broken neck.

Driving History

Staugaard has a valid Nevada Class B driver license, expiring 04/07/2027.

Staugaard has 2 violations

- 04/07/2015 Unknown violation, Reno Municipal Court
- 06/28/2010 Unsafe lane change, Reno Municipal Court

Staugaard has not been found to be at fault in a Nevada traffic crash.

Staugaard has never had his driver license withdrawn.

Injuries

Staugaard was transported by ground ambulance to Renown Medical Center and was interviewed by Reno Troopers. Staugaard was released the next day and was diagnosed with a C-5 spinal fracture (broken neck). Staugaard wore a hard collar for 2 months and he was unable to work for an extended time.

Restraints & Safety Devices

Staugaard was wearing his seatbelt at the time of the crash and the airbags of the 4Runner did not deploy. I was able to confirm the usage of the seatbelt because on inspection of the vehicle the driver restraint was slacked out.

Sobriety

It was reported on scene by DCSO that there was a suspicion of impairment of DUI, but he was not evaluated for it on scene. It was relayed to me by Trooper Graham Staugaard there were no signs of impairment.



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Highway Patrol

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Level 1 Fatal Collision Investigation Report

Pre-Collision History

On 8/6/2020 at 14:00, I went to Staugaard's home to conduct a 24-hour interview. I was invited into the home and the interview occurred at the kitchen table and Staugaard was aware it was being recorded. Staugaard informed me that he went to bed sometime between 10 and 11 pm on 02-27-20 and woke up around 9:00 am.

Staugaard started his day off working on paperwork associated with his business and completed four different vehicle tows in the Reno area. He drove home at 18:00 and went for a car ride with a friend in Dayton helping her get familiar with a standard transmission vehicle. After helping her for 30 minutes or so he left his home in his blue 4Runner and drove to Carson City to pick up his mother Laura Staugaard at the Southgate apartments.

Thomas drove his mother to the Carson Valley Inn for dinner at the café and afterwards he drove home. Thomas was going to drive Laura to his home in Dayton so she could stay the night. While Thomas was driving in the number two northbound lane of US395 he said he checked his mirrors and saw headlights approaching his vehicle.

He noticed the vehicle was traveling at a high rate of speed in the number 2 lane and he suspected that it was not going to slow down. Thomas used the accelerator of his vehicle to try to lessen the impact and he was struck. Thomas said his mother, who was not wearing a seatbelt grab his right arm. Just after the impact, he had a loss of consciousness. When he woke up in the vehicle he noticed his mother was not in the 4Runner.

Thomas was able to crawl out of the back of the SUV and he found his mother face down on the pavement. He and bystanders rolled her over to check for signs of life. Thomas noticed that his mother was dead and there was nothing he could do so he walked over to the pickup. He witnessed the driver in the truck and she was trying to get out, but couldn't due to the damage.

Thomas walked back over to his vehicle and was met by first responders. Mr. Staugaard requested to be contacted by the Douglas County DA's office when an arrest warrant is issued for Wenger.



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Level 1 Fatal Collision Investigation Report

Vehicle #2 Passenger: Laura Staugaard

Identification

Laura Staugaard was identified by her son, Thomas Staugaard and by DCSO Coroner Wiggins.

Restraints and Safety Devices

Laura Staugaard was not wearing a seatbelt and that was confirmed by her son and by finding the front passenger seatbelt fully retracted and locked. The airbags in the 4Runner did not deploy. By not wearing her seatbelt this was a contributing factor to her being ejected from the vehicle.

Injuries

The Washoe County Medical Examiner Dr. Callahan conducted an autopsy on 03-02-2020 at 10:00 AM. Dr. Callahan determined the cause of death to be multiple blunt force injuries from a traffic crash. The full report from the medical examiner is available on request.

03/02/20
10:00 AM

03/02/20
10:00 AM



Nevada Department of
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Level 1 Fatal Collision Investigation Report

Vehicle #2: 1995 Toyota 4Runner

The 4Runner was recovered from the scene by Silver State Towing and was transported to the DPS evidence yard in Carson City, NV and held for evidentiary retention.

Safety Recalls

A recall check by VIN conducted on CarFax indicates that the 4Runner did not have any active recall or repairs pending.

YES
Repair

Vehicle Damage Analysis

On Tuesday, March 3rd, 2020, Trooper Davis conducted a damage analysis on the 4Runner at the DPS evidence yard. He took additional photographs of the vehicle from various angles and inspected all four tires and wheels.

A verification of this vehicle's VIN and the license plate was confirmed before the damage assessment. Both the VIN and license plate were identical to the information obtained from this vehicle at the scene.

This vehicle's overall condition was consistent with that observed and recorded at the scene.



The 4Runner sustained heavy rear end damage, indicative of a rear end collision. The majority of the damage is believed to have been caused by the collision with the Toyota Tacoma.

The rest of the notable damage can be seen across the hood and to the roof of the vehicle. The damage is consistent with a vehicle that has rolled over multiple times.



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Northern Command West
Level 1 Fatal Collision Investigation Report

Tire Information

Tire information gathered by Trooper Davis via audio dictation (evidence.com)

All four mounted tires are Prime Well PS850 all season tire, size P235/75r15.

Left Front:

DOT Y9KPCJ5X

24 PSI

Tread – Inner 6/32, Middle 4/32, Outer 5/32

Left Rear:

DOT Y9KPCJ5X

0 PSI flat

Tread – Inner 4/32, Middle 4/32, Outer 4/32

Repair

Right Front:

DOT Y9KPCJ5X

0 PSI flat

Tread – Inner 6/32, Middle 3/32, 5/32

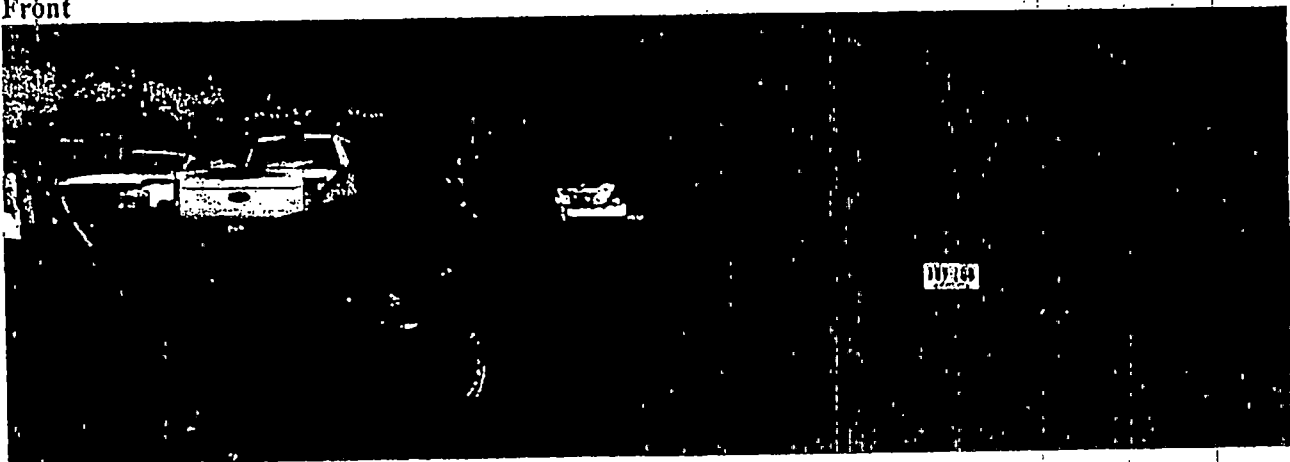
Right Rear:

DOT Y9KPCJ5X

0 PSI and detached from vehicle

Tread – Inner 5/32, Middle 4/32, Outer 4/32

Front





Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

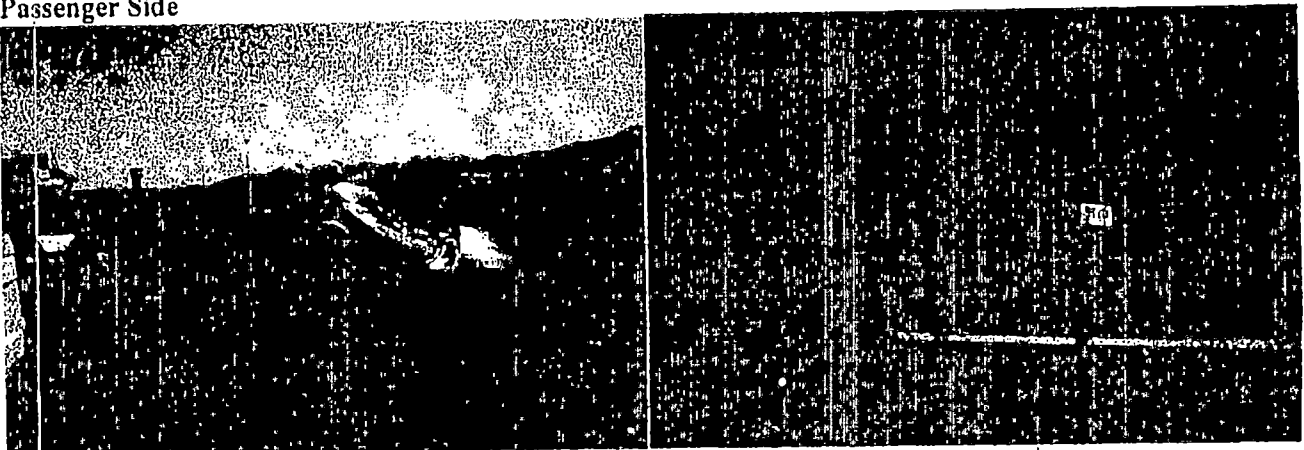
Rear



Driver Side



Passenger Side





Nevada Department of
Public Safety
Highway Patrol

Northern Command West
Level 1 Fatal Collision Investigation Report

Witnesses

David Charles Alexander

Mr. Alexander was identified as a witness to this collision and events prior to. Mr. Alexander prepared a written statement. In the statement Mr. Alexander witnessed a red pickup truck pass him at approximately 80mph and made an unsafe lane change in front of his vehicle. The truck then approached another vehicle ahead and slowed down and attempted to pass in the shoulder. Mr. Alexander passed both vehicles after moving to the number one lane and later witnessed the pickup truck speed up to approximately 80mph and was "swerving all over the road". The red truck later struck the rear of another vehicle causing it to overturn.

Sherry A Ramsey

Mrs. Ramsey was identified as a witness to the crash and the events prior to. Mrs. Ramsey witnessed the red truck traveling at a high rate of speed and making unsafe lane changes. From behind the crash scene, she witnessed a cloud of dust and smoke. She made contact with the ejected passenger and realized she was deceased. Mrs. Ramsey made contact with the red truck and witnessed a woman inside moving from the driver seat to the passenger to try and exit the vehicle.

On 08-20-20 at approximately 17:00, I spoke with Mrs. Ramsey on the telephone and asked her to talk to me about what she remembered from the evening of the crash. She reported that she remembered the red Tacoma pickup to be speeding up and slowing down. The driver attempted to pass a commercial vehicle in the paved shoulder, but later passed on the left.

The driver then speeded up and struck the rear of the 4Runner as it made a lane change from the number one to the number two travel lane. Mrs. Ramsey made contact with the driver of the pickup and she was the sole occupant and was trying to self extricate. Mrs. Ramsey told her to stay in the vehicle and she described her as an older woman with gray hair. She witnessed bystanders help her get out of the vehicle and she sat down on the tailgate of the truck and waited for first responders to arrive.



Technical Analysis

This section of the report was written by Trooper Max Davis

Crash Data Retrieval (CDR) - Tacoma

With written consent from Terri Jay, the owner of the Tacoma, I accessed the vehicle's event data recorder (EDR) using BOSCH crash data retrieval equipment and software. The EDR records telemetric data from the vehicle in event of a collision and stores such data inside the vehicle's airbag control module (ACM), in the form of "event" records.

The CDR report for the Tacoma indicates that the ACM has two event records stored within, and they are named, respectively, "Most Recent Frontal/Rear Event" and "1st Prior Frontal/Rear Event". The event record summary indicates a time between these two events of 5,120 msec or greater, which is an indication that the 1st Prior Event was recorded during an unrelated incident. The 1st Prior Event's longitudinal crash pulse graph indicates a maximum longitudinal delta-v (change in velocity) of -2.3mph. This figure does not correspond with the amount of damage inflicted upon the front end of the Tacoma.

The Most Recent Event system status page indicates that at the time the event was recorded, the driver's buckle switch reported as "unbuckled", indicating that the driver's seatbelt latch plate was not secured into the latch, thus not triggering the positive seatbelt engagement status. While not completely conclusive, this indicates a probability that Wenger was not wearing her seatbelt at the time of the collision.

Crash Data Retrieval (CDR) - 4Runner

This particular 4Runner model year is not supported by NHP's CDR equipment. Therefore, the 4Runner's event recording system, if equipped, was not accessed.

Vehicle Speed

The Tacoma's CDR report does not provide pre-impact speeds, but it does provide a maximum delta-v (change in velocity) that the vehicle underwent during the collision. According to the report, the Tacoma's maximum longitudinal delta-v was -15.1 mph (22.15 fps). With an assumed impact speed of the 4Runner applied to a formula derived from the core principle of conservation of momentum, an estimated impact speed for the Tacoma can be established.

The basic concept is to apply the maximum delta-v of the Tacoma, as reported by the CDR report (measured with an internal accelerometer housed in the vehicle's ACM) and use formulas to determine the closing speed of the two vehicles. In other words, it is possible to determine how fast the Tacoma was approaching the 4Runner prior to the impact (closing speed). When a closing speed estimate is obtained, if the speed of the 4Runner is known, or assumed, then an estimated impact speed of the Tacoma can be determined.



Closing Speed Formula

To determine a closing speed estimate, the following formula issued:

$$V_c = \frac{\Delta V_1 \times (W_1 + W_2)}{W_2 \times (1 + e)}$$

Where

$$\Delta V_1 = \text{Delta-V for Tacoma} = 15.1 \text{ mph (from CDR report)} \\ \times 1.467 = 22.15 \text{ fps (feet per second)}$$

$$W_1 = \text{Weight of Tacoma}$$

$$W_2 = \text{Weight of 4Runner}$$

$$e = \text{Restitution value}$$

Vehicle Weights

Vehicle curb weights were obtained from Expert AutoStats v5.6.1.

Estimated total weights were calculated using approximate cargo and occupants weights.

Tacoma

4100 lbs curb weight
+ 125 lbs (weight of driver, from DMV record)
+ 200 lbs (estimated cargo weight)
= 4375 lbs

4Runner

4094 lbs curb weight
+ 235 lbs (weight of driver, from DMV record)
+ 294 lbs (weight of passenger, from ME report)
+ 50 lbs (estimated cargo weight)
= 4673 lbs

Restitution Value

Restitution is the ratio of rebound velocity to impact velocity, or the amount of energy that is returned to the collision system. In this case, a low restitution value is assumed, based on the permanent deformities of each vehicle. Restitution values in collisions with significant damage are typically 0.1 or less. A value of 0.1 will be used.

Formula with Variables Inserted

$$V_c = \frac{22.15 \times (4375 + 4673)}{4673 \times (1 + 0.1)} = \frac{200413.2}{5140.3} = 38.98 \text{ fps} = 26 \text{ mph}$$

Conclusion

The Tacoma was traveling an estimated **26mph** faster than the **4Runner** when the collision occurred.

Example: If the 4Runner was traveling the speed limit of 65mph, then the Tacoma was traveling 91mph when the collision occurred.



Case Conclusion

Collision Sequence

V1 and V2 were traveling northbound on US395 in the #2 travel lane, approaching Johnson Lane. V1 was south of, and traveling at a higher rate of speed than V2. As V1 approached V2, D1 failed to decrease V1's speed. V1's front struck V2's rear. V1 was redirected northwest from the area of impact, into the inside dirt median. V1 struck the median cable barrier and was redirected north. V1 came to a rest in the center median, still in contact with the cable barrier, on its wheels facing north-northwest. V2 was redirected northeast from the area of impact. D2 steered left. V2's wheels furrowed into the asphalt, causing V2 to overturn. V2's right front passenger was ejected. V2 came to a rest primarily in the #2 northbound travel lane, on its roof, facing southwest.

Cause Analysis

Environmental Factors

There were no known environmental factors that attributed to the cause of the collision.

Mechanical Factors

There were no known mechanical factors that attributed to the cause of the collision.

Human Factors

This traffic crash occurred because Joan Wenger was recklessly operating a vehicle and allowed the front of it to strike the rear of another vehicle. Wenger who was under the influence of alcohol at the time of the crash was impaired and unable to operate a motor vehicle safely. This wanton disregard for traffic safety and impairment, resulted in the death of Laura Staugaard and significant injury to Thomas Staugaard.

Wenger has documented pattern of driving under the influence of alcohol and she committed vehicular homicide. She plead guilty to DUI 1st in November 2009, found guilty of DUI 2nd in June 2012, and plead guilty to DUI 2nd October 2018. The court judgements from the three different courts are attached.

Thomas Staugaard's actions did not contribute to the cause of the collision.

Laura Staugaard's actions did not contribute to the cause of the collision, but not wearing her seatbelt was a contributing factor to her being ejected from the 4Runner.

**Douglas County
East Fork Justice Court**

CASE NO. 20-CR-1227

DA 20-1769A

Nevada Highway Patrol 200202163

FILED
NO. 20-CR-1227
2020 DEC 21 PM 1:38
EAST FORK JUSTICE COURT
BY: [Signature]

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

WARRANT OF ARREST

VS.

JOAN KATHRYN WENGER.

Defendant.

D.O.B. 10/20/1954 | W F

SS: XXX-XX-4379

Ht.: 5' 1" Wt.: 120

Eyes: Green Hair: Blond or Strawberry

LKA: 2500 Dickerson Road #126
Reno, NV 89503

STATE OF NEVADA)
COUNTY OF DOUGLAS) : ss.

THE STATE OF NEVADA: To any sheriff, constable, marshal, policeman, or other
peace officer in the State:

It appears from the Complaint and corresponding Affidavit and attachments that there is probable cause to believe the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, triable within Douglas County, Nevada, have been committed by JOAN KATHRYN WENGER.

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11

11

Douglas County District Attorney
Post Office Box 218.
Minden, Nevada 89423
(775) 782-9800 Fax (775) 782-9807


624

1 YOU ARE THEREFORE COMMANDED forthwith to arrest the above-named
2 JOAN KATHRYN WENGER, and bring her before me forthwith, at my office at East Fork
3 Township Justice Court, County of Douglas, State of Nevada, or in case of my absence or
4 inability to act, before the nearest and most accessible magistrate in this county.

5 Witness my hand this 21 day of December, 2020

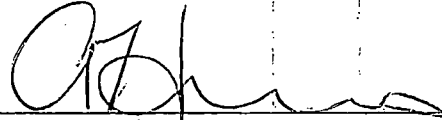
6 clj I direct that this warrant may be served at any hour of the day or night on JOAN
7 KATHRYN WENGER.

8 I direct that this warrant may be served between 7:00 a.m. and 7:00 p.m. on JOAN
9 KATHRYN WENGER.

10 
11 CASSANDRA G. JONES, Judge
East Fork Township Justice Court

12
13 Defendant may be admitted to bail in the amount of \$ 25,000.00

14
15 APPROVED FOR EXTRADITION: Nationwide

16
17 by: 
18 A.J. Hamès
Deputy District Attorney

19
20 I HEREBY CERTIFY that I received the above warrant on the _____ day of December,
21 2020, and served the warrant by arresting the within named defendant, JOAN KATHRYN
22 WENGER, and bringing him into Court this _____ day of December, 2020.
23
24
25
26
27
28

RECEIVED

DEC 15 2020

Douglas County
East Fork Justice Court

CASE NO. 20-CR-1227

DA 20-1769A

Nevada Highway Patrol 200202163

2020 DEC 15 PM 3:26

EAST FORK JUSTICE COURT

BY JONE

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

JOAN KATHRYN WENGER,
DOB: 10/20/1954

Defendant.

CRIMINAL COMPLAINT

A.J. Hames, Deputy District Attorney, County of Douglas, State of Nevada, on information and belief, being first duly sworn, makes complaint and charges Joan Kathryn Wenger with the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, committed as follows:

The defendant, Joan Kathryn Wenger, on or about February 28, 2020, and prior to the filing of this complaint, in the County of Douglas, State of Nevada,

COUNT ONE: VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony

willfully and unlawfully drove a vehicle on or off the highway while under the influence of intoxicating liquor; and/or while having a concentration of alcohol of 0.08 or more in her blood; and/or was found by measurement within 2 hours after driving a vehicle to have a concentration of alcohol of 0.08 or more in her blood; and proximately caused the death of another person while so driving, to-wit: Laura Staugaard, all of which occurred on

1 U.S. Highway 395 in the area of Johnson Lane, in the County of Douglas,
2 State of Nevada; and the defendant has previously been convicted of at
3 least three violations of NRS 484C.110, 484C.120 or 484C.430, or a
4 violation of law of any other jurisdiction that prohibits the same or similar
5 conduct, as follows:

6 DATE OF OFFENSE
7 DATE OF CONVICTION

COURT
COUNTY, STATE

8 On or about August 17, 2009
9 On or about November 17, 2009

Tahoe Township Justice Court
Douglas County, Nevada

10 On or about October 17, 2011
11 On or about June 7, 2012

Ely Municipal Court
White Pine County, Nevada

12 On or about August 26, 2018
13 On or about October 30, 2018

Reno Township Justice Court
Washoe County, Nevada

14 **COUNT TWO: DRIVING A VEHICLE WHILE UNDER THE**
15 **INFLUENCE OF AN INTOXICATING**
16 **LIQUOR, CAUSING SUBSTANTIAL**
17 **BODILY HARM, a violation of NRS**
18 **484C.430(1), a category B felony**

19 willfully and unlawfully drove a vehicle on or off the highway while under
20 the influence of intoxicating liquor; and/or while having a concentration of
21 alcohol of 0.08 or more in her blood; and/or was found by measurement
22 within 2 hours after driving a vehicle to have a concentration of alcohol of
23 0.08 or more in her blood, and she performed an act or neglected a duty
24 imposed by law, the act or neglect proximately causing substantial bodily
25 harm to Thomas Staugaard, to wit: the defendant failed to decrease her
26 vehicle's speed when approaching a vehicle being driven by Thomas
27 Staugaard and did crash into Staugaard's vehicle, proximately causing it to
28 roll and Mr. Staugaard to suffer substantial bodily harm, including but not
limited to a C-5 spinal fracture, all of which occurred on U.S. Highway 395
in the area of Johnson Lane, in the County of Douglas, State of Nevada,

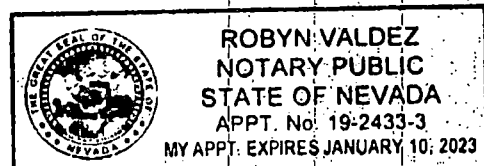
against the peace and dignity of the State of Nevada. Complainant prays the Defendant be dealt
with according to law.


COMPLAINANT

SUBSCRIBED and SWORN to before me by

A.J. Hames, this 15 day of December, 2020.


Justice of the Peace/Notary Public



67

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DEC 15 2020

Douglas County
East Fork Justice Court

CASE NO. 20-CR-1227
DA 20-1769A
Nevada Highway Patrol 200202163

20-CR-1227

2020 DEC 15 PM 3:26

EAST FORK JUSTICE COURT

BY: *Paula*

IN THE JUSTICE COURT OF EAST FORK TOWNSHIP
COUNTY OF DOUGLAS, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant

**AFFIDAVIT IN SUPPORT
OF ARREST WARRANT**
NRS 171.106

STATE OF NEVADA)
: ss.
COUNTY OF DOUGLAS)

A.J. Hames, Deputy District Attorney, being first duly sworn, deposes and states under the penalty of perjury:

That he is a Deputy District Attorney with the Douglas County District Attorney's Office, and that during the course of his employment as such, he received and reviewed investigative reports submitted by the indicating that the crimes of VEHICULAR HOMICIDE, a violation of NRS 484C.130(1) and 484C.440(1), a category A felony; and DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF AN INTOXICATING LIQUOR CAUSING SUBSTANTIAL BODILY HARM, a violation of NRS 484C.430(1), a category B felony, were committed on or about February 28, 2020, and it appears that such crimes are attributable to JOAN KATHRYN WENGER.

The investigative reports are attached hereto and incorporated herein by reference.

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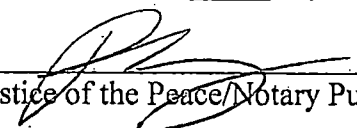
1 WHEREFORE, Affiant prays that a Warrant of Arrest be issued upon a Criminal
2 Complaint for the above-named individual and that the defendant be held in custody or a
3 reasonable bail be set in order to protect the health, safety and welfare of the community and to
4 assure her presence at any future hearings.

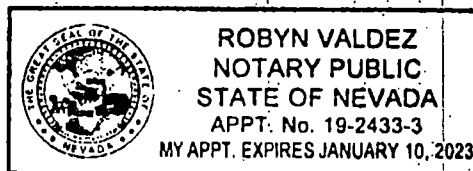
5 DATED this 14 day of December, 2020.

6
7 
8 AFFIANT

9 SUBSCRIBED and SWORN to before me by

10 A.J. Hames, this 15 day of December, 2020.

11
12 
13 Justice of the Peace/Notary Public





Case Introduction

Initial Information

On 02-28-2020 at approximately 21:02, I was notified by NHP dispatch that an injury traffic crash had occurred on US395, south of Johnson Lane. It was reported that a vehicle had rolled over and bystanders were performing CPR. The information was relayed to NHP dispatch from the Douglas County dispatch center to notify Troopers that an injury crash had occurred in their patrol area.

Response

When I arrived on the scene Douglas County Fire and Sheriff responders were on location and had closed US395 in both directions to establish a landing zone for Care Flight. As I approached the scene from the south, I witnessed a red Toyota Tacoma pickup resting on its wheels trapped in the cable barrier located in the center median. Paramedics were tending to the female driver who had self extricated. North of the red truck was a blue Toyota 4Runner utility, resting on its roof partially in the number 2 and right turn lane. Near the 4Runner was a deceased female that was covered in a sheet.

Deputies reported to me the deceased female was pronounced by medical staff and DCSO Coroner Wiggins, and was the front seat passenger of the blue 4Runner. The time of death was recorded as 21:05. Deputies also informed me the driver and single occupant of the red Tacoma had an open bottle of liquor in the vehicle and they suspected she was impaired.

Deputies were able to identify the driver of the 4Runner as Thomas Staugaard who is the registered owner, who had self extricated and transported by ground ambulance to Renown Trauma center. I did not make contact with Staugaard at the crash scene. Thomas had informed deputies that he was transporting his mother home and that she was not wearing a seatbelt. His mother Laura Staugaard was ejected from the vehicle and sustained injuries incompatible with life.

Preliminary Analysis

Witnesses at the scene reported the driver of the red Tacoma was driving recklessly before the crash. A witness reported that the driver was speeding, and passing other vehicles in the right-hand shoulder just prior to striking the rear of the blue 4Runner.

A preliminary analysis of the scene indicated the driver of the red Toyota Tacoma was traveling north on US395 in the number two northbound lane, south of Johnson Lane in a reckless manner. A blue Toyota 4Runner was traveling north on US395 in the number two lane, in front of the Tacoma. The driver of the Tacoma caused the front of the pickup to strike the rear of the 4Runner. The Tacoma left the roadway to the left and entered the dirt median and struck the cable barrier. The 4Runner traveled in a northeast direction and the driver steered to the left and the 4Runner overturned. The right front passenger of the 4 Runner (Mrs. Staugaard) was ejected. The 4Runner came to a rest on its roof in the northbound travel lanes.



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Involved Agencies

Law Enforcement

Douglas County Sheriff's Office

Case No. 20SO6637
1038 Buckeye Rd.
Minden, NV 89423
775-783-6466

Nevada Highway Patrol

Various districts
555 Wright Way
Carson City, NV 89711
775-687-5300

Fire / Emergency Medical Services

East Fork Fire Protection District

Call 20-716
1694 County Road
Minden, NV 89423
775-782-9040

Care Flight

Call 059287-20
450 Edison Way
Reno, NV 89502
775-858-5700

Other

Medical Examiner's Office

Case No. 2020-00914
990 East Ninth St
Reno, NV 89512
(775) 785-6114

Nevada Donor Network

Reference No. 2020-02156
1875 Plumas Street Suite 6
Reno, NV 89509
(775) 329-2374

FitzHenry's Funeral Home

1380 US395
Minden, Nevada 89423
(775) 782-1999

Nevada Highway Patrol Response

During the course of the on-scene and follow up investigations, the following personnel assisted with miscellaneous duties.

All times were taken from NHP's incident radio log. Personnel who held crucial roles in the investigation have provided supplemental reports. Many of the following personnel conducted non-investigative tasks, such as traffic control or scene management.

Trooper Justin Clifford #6385

Dispatch: 2103 hrs
Arrival: 2109 hrs
Clear: 0257 hrs

Trooper Max Davis #5303

Dispatch: 2122 hrs
Arrival: 2134 hrs
Clear: 0150 hrs

Sergeant John Dodge #4175

Dispatch: 2106 hrs
Arrival: 2124 hrs
Clear: 0036 hrs

Trooper Amanda Powell #6492

Dispatch: 2103 hrs
Arrival: 2119 hrs
Clear: 2259 hrs

Trooper Sal Navarro #6147

Dispatch: 2103 hrs
Arrival: 2133 hrs
Clear: 2259 hrs

Trooper Mitchell Graham #6507

Dispatch: 2141 hrs
Arrival: 2149 hrs
Clear: 0119 hrs



Investigative Tasks & Scene Documentation

When I arrived on the scene I was met by Douglas County Deputies who informed me they suspected the driver of the red Tacoma was impaired and that she would be transported via Care Flight to Renown. The driver of the 4Runner was being transported by ground to Renown and the front passenger was deceased after being ejected.

Multiple units from Douglas County Sheriff and Fire were on location and had closed US395 in both directions. I witnessed the driver of Tacoma sitting on the tailgate and was being prepared to be moved to a nearby ambulance. I ran back to my vehicle to gather equipment, before making contact with her. Deputies informed me there was an open container of liquor on the floorboard of the pickup truck.

The driver of the Tacoma was moved to the back of an East Fork ambulance and was being prepared for air medical transport. The driver identified herself as Wenger, Joan and she spoke with a slurred speech pattern. I witnessed her eyes to be bloodshot watery red and I identified a strong odor of an unknown alcoholic beverage.

Wenger told me that she was returning from Mammoth California when the crash occurred. I asked Wenger how much she had to drink and she told me three beers. I asked Wenger if she would submit to an evidentiary blood test at the hospital and she told me she would. I also asked her to submit to a PBT and prior to I attempted to administer a horizontal gaze nystagmus test (HGN).

Wenger was unable to follow the directions and I stopped the test. As Wenger attempted to submit to the PBT she was unable to provide a steady flow of air. On the third attempt, I was able to obtain a partial result of 0.291% BAC. Deputies were able to locate Wenger's driver license and the information matched to what was verbally relayed to me.

A records check was performed through NHP dispatch and it was found Wenger's driver license was suspended 01-24-2020 with no end date, for failure to maintain proof of financial responsibility. It was also determined that she had an outstanding warrant for failing to comply with the New River Township Justice Court. Wenger was later transported by Care Flight to the Renown Regional Medical Center in Reno.

I was unable to make contact with the driver of the 4Runner, due to him being transported to Renown. A Deputy told me that he might have been impaired and I updated dispatch and requested Troopers respond to the Hospital. I was informed by Trooper Graham that after he was interviewed at the hospital there were no signs of impairment.

Witness Comments

I made contact with David Alexander who had provided a written statement. He informed me that he witnessed the red Tacoma driving recklessly prior to crashing into the rear of the 4 Runner. A second witness to the crash Sherry Ramsey provided a written statement that was given to me by DCSO. I did not have contact with her on scene. Mr. Alexander reported the driver of the Tacoma was speeding up and slowing down along with making unsafe lane changes. Mrs. Ramsey described a similar driving pattern in her written statement.



Scene Actions

MIRT was requested to the scene to assist in the investigation and I was put in contact with Trooper Graham who was at the hospital in Reno. Trooper Graham was with D1 and I requested that he obtain a seizure order for her blood. I informed Trooper Graham of the facts and findings of the investigation and Judge Ryan Sullivan granted the order.

After Trooper Davis arrived on scene and I assisted him using a Leica TS-12 robotic total station to obtain measurements of the scene. Those measurements were provided to me and I later prepared a diagram of the crash.

I assisted the DCSO coroner and mortician move Mrs. Staugaard into a body bag so she could be transported to the medical examiner's office of Washoe County.

Silver State Towing was requested to the scene and I inventoried both vehicles. After the vehicles were ready for transport I escorted both tow trucks to the DPS evidence yard in Carson City. The vehicles were secured in the locked yard and booked into evidence.

Evidence Documentation

Using my personally owned Nikon D40x digital camera I took 160 (DSC186-345) photos and uploaded them to the digital drive. An additional 82 photos were taken by Trooper Davis and stored in the digital drive.

The open container of Black Velvet Whiskey that was located on the passenger floorboard of V1 was documented with digital photographs. Due to DPS evidence not permitted to store liquid, the bottle remained in the vehicle. The bottle was unsealed and it was not completely full.

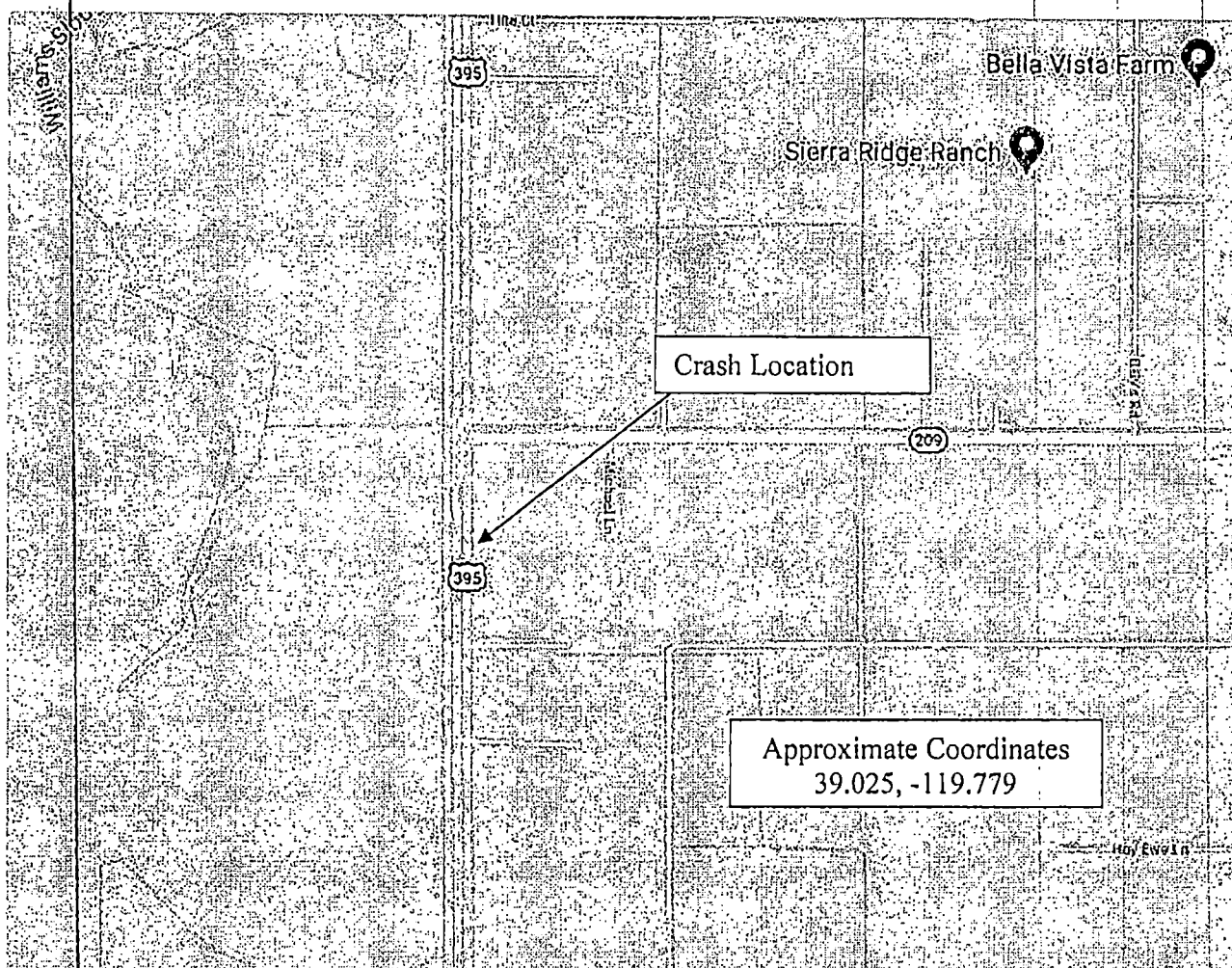
Trooper Graham witnessed the evidentiary blood draw taken from D1 at 22:36 hours and the evidence submitted to the Washoe County Crime Lab for testing. Gemma Roberts, who is employed by Renown Medical Center obtained the evidence.

On 02-29-2020 at approximately 17:00, I met Terri Jay at the DPS evidence lot to access the vehicle to obtain some personal belongings. I identified Mrs. Terri with her NV driver license and she is the owner of the Toyota pickup. I asked her if she would consent to have the event data recorder accessed as part of the investigation, to which she agreed. She reviewed and signed the EDR consent form and Trooper Davis accessed the vehicle recorder on 03/03/2020.



Scene Location & Environmental Details

The traffic crash took place on US395 approximately 561 feet south of Johnson Lane.



Roadway Description

US 395 enters Nevada in Topaz Lake as a two-lane highway and gradually makes its way to Carson Valley where it becomes the principal thoroughfare for the Gardnerville–Minden area. Upon entering the Carson Valley, US 395 becomes a four-lane highway through Gardnerville and Minden. Upon leaving Minden, the highway becomes a four-lane divided highway and turns due north towards Carson City.

In the area of the crash US395 the north and southbound lanes are divided by a cable barrier. The northbound lanes present with a solid yellow left edge line, a broken white lane line separating the two travel lanes, and a solid white right edge line. The roadway is paved asphalt and was dry at the time of the collision.



Lighting Conditions

The roadway was dark due to the crash happening at night and the roadway was not consistently lit by lights.

Speed Limit & Signage

The posted speed limit at the scene of the crash was 65 miles per hour.

Weather Details

A historical report from the Road Weather Information System (RWIS) indicates that around the time of the collision, there were no remarkable weather related factors that are considered to be contributory to the collision. Wind speed was between 4 and 5mph, with gusts up to 6mph. There was no precipitation. Below is a clipping from the RWIS report, which is attached in full. The weather I observed while at the scene is consistent with weather report.

Atmospheric Readings										
Date	Wind Speed (mph)	Wind Dir	Cloud Amount (%)	Cloud Dir	Visibility (miles)	Air Temp (°F)	Relative Humidity (%)	Dew Point (°F)	Road Cond	Road Temp (°F)
2020/02/28 09:40 pm	4	NE	5.5	NE	45.3	34	15.7	16.3	No	0
2020/02/28 09:35 pm	4.7	NE	6.3	NE	42.3	35	16.3	16.3	No	0
2020/02/28 09:30 pm	4.7	NE	6.3	NE	42.3	35	16.3	16.3	No	0
2020/02/28 09:25 pm	4.7	NNE	6.3	NE	42.3	35	16.3	16.3	No	0
2020/02/28 09:20 pm	4	N	6.3	NNE	39.7	35	17.1	16.3	No	0
2020/02/28 09:15 pm	4	N	6.3	NNE	39.7	35	17.1	16.3	No	0
2020/02/28 09:10 pm	4	N	6.3	NNE	39.7	35	17.1	16.3	No	0
2020/02/28 09:05 pm	4.5	NNE	6.5	NE	45.3	31	16.7	16.3	No	0
2020/02/28 09:00 pm	4.3	NNE	6.5	NE	45.3	31	16.7	16.3	No	0
2020/02/28 08:55 pm	4.5	NNE	6.5	NE	45.3	31	16.7	16.3	No	0

This data was extracted from the RWIS weather station designator D2017, which is located approximately 1.7 miles south of the collision area.



Driver #1: Joan "Joanie" Wenger

Identification & Driver Establishment

Wenger was identified via a Nevada driver license that was given to me by a DCSO Deputy. Wenger did identify herself by name and date of birth and the information matched the license.

The following facts and circumstances established Wenger as the driver of the Tacoma:

1. Wenger was found in the front cab of the pickup by witnesses after the crash.
2. The owner of the pickup Terri Jay told me she let Wenger borrow the vehicle to travel to California.
3. Wenger admitted to operating the truck and was traveling home. Wenger had injuries consistent with being in a traffic crash.

Driving History

Wenger has a suspended Nevada Class C driver license, expiring 10/20/2027. Suspension date 01/24/2020

DUI Offenses:

- o 08-17-09 Plead Guilty DUI Tahoe Justice Court, Disposition 11-17-09
- o 10-17-11 Found Guilty DUI 2nd Ely Municipal Court, Disposition 6-5-12
- o 08-26-18 Plead Guilty DUI 2nd Reno Justice Court, Disposition 10-30-18 Case number RCR2018-098226

Traffic Offense

- 6 speeding violations from 1989 to present.
- 2 hazardous moving violations from 2005-2008

Driver License

- 26 different withdrawals of her driver license between 2000 and 2020.

Pre-Collision History

Attempted to contact Wenger at her last known address and her provided phone number, but was unsuccessful.



Sobriety

Based on my contact with Wenger in the back of the ambulance I suspected alcohol impairment. Wenger spoke with a slurred speech pattern and there was a strong odor of an unknown alcoholic beverage coming from her person. I witnessed her eyes to be bloodshot and watery, Wenger admitted to drinking and was operating the red Tacoma pickup.

I attempted to administer the HGN test, but she was unable to follow the directions. Paramedics were actively treating her and preparing for air medical transport. As not to delay her medical care I asked her to submit to a PBT, to which she agreed. She had difficulty providing a breath sample and I was able to obtain a partial breath sample of 0.291%BAC. I left the back of the ambulance and she was later transported to the emergency room.

Trooper Graham facilitated the evidentiary blood draw at the hospital after obtaining a seizure order for it. The evidence was submitted to the Washoe County Crime Lab for testing and the result was processed on 3-13-2020.

The result was 0.308% BAC and the forensic report is attached in the warrant request packet.

Based on the toxicology results in combination of Wenger being in physical control of a motor vehicle, driving recklessly, causing a traffic crash that resulted in another person's death, she was unable to operate a motor vehicle safely. Wenger also caused substantial bodily harm to Mr. Staugaard who suffered a broken neck (C-5). This is a violation of NRS 484C.430 and 484B.653.

Restraints & Safety Devices

Upon inspection of the Tacoma it was found the front airbag deployed and there was blood on it. Wenger was not wearing a seatbelt and I was able to determine that after finding the driver seatbelt was fully retracted and locked. Trooper Davis confirmed that her seatbelt was not in use from the CDR report.

Injuries

Wenger was discharged from Renown at approximately 00:09 with minor injuries and Trooper Graham arrested her after the warrant was confirmed. Trooper Graham transported Wenger to the Washoe County Jail and released her to deputies.



Vehicle #1: 2007 Toyota Tacoma

The Tacoma was recovered from the scene by Silver State Towing and was transported to the DPS evidence yard in Carson City, Nevada and held for evidentiary retention.

Safety Recalls

A recall check by VIN conducted through CarFax indicates that the Tacoma did not have any active recall or repairs pending.

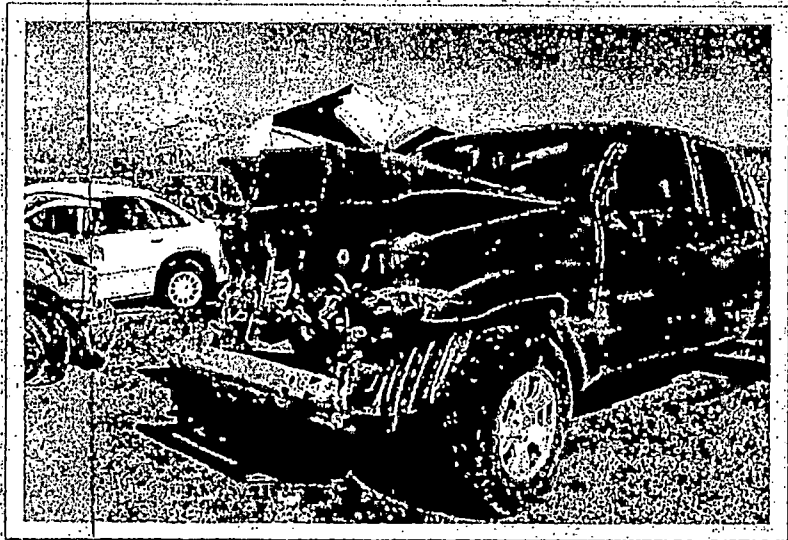
Vehicle Damage Analysis

On Tuesday, March 3rd, Trooper Davis conducted a damage analysis on the Tacoma at the DPS evidence yard. He took additional photographs of the vehicle from various angles. He inspected all four tires and wheels.

A verification of this vehicle's VIN and the license plate was confirmed before the damage assessment. Both the VIN and license plate were identical to the information obtained from this vehicle at the scene.

This vehicle's overall condition was consistent with that observed and recorded at the scene.

The Tacoma sustained heavy front end damage, indicative of causing a rear-end collision. The majority of the frontal damage is was created when the pickup collided with the 4Runner.

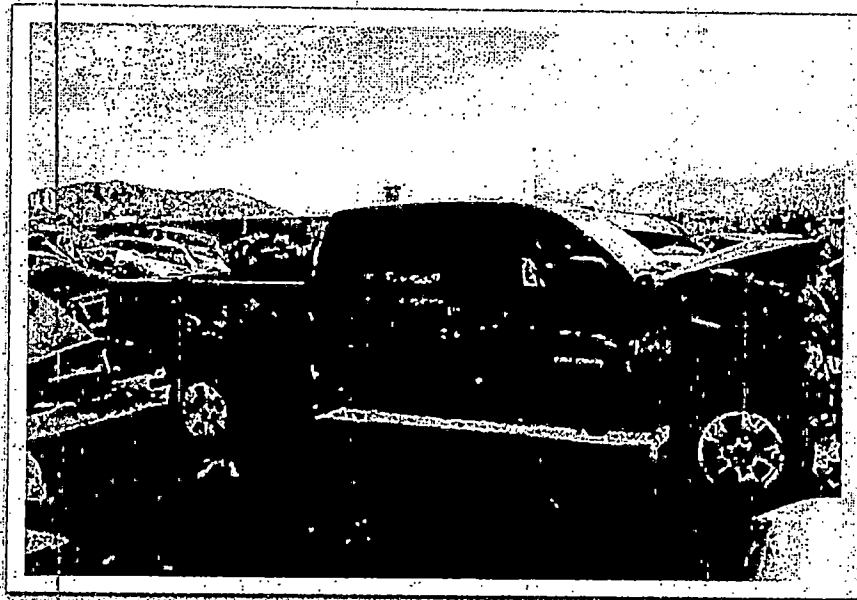


The rest of the notable damage can be seen across the driver and passenger side of the vehicle. This damage was caused by impact with the cable barrier.



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Tire Information

Tire information gathered by Trooper Davis via audio dictation (evidence.com)

All four mounted tires are General Grabber A/T (all-terrain), size LT245/75/R16.

Left Front:

DOT P5111UU

38 PSI

Tread – Inner 6/32, Middle 4/32, Outer 3/32

Left Rear:

DOT P5111UU

41 PSI

Tread – Inner 5/32, Middle <1/32, Outer 4/32

Right Front:

DOT P5111UU

39 PSI

Tread – Inner 5/32, Middle 1/32, Outer less than 1/32

Right Rear:

DOT P5111UU

0 PSI flat with side wall puncture

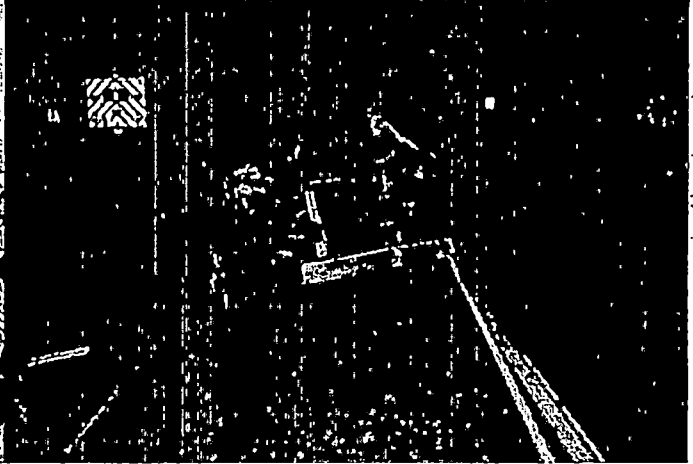
Tread – Inner 3/32, Middle <1/32, Outer 4/32



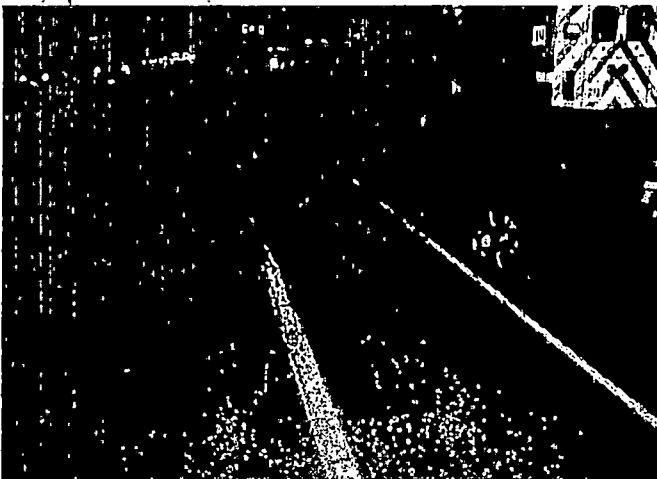
Nevada Department of
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Front



Driver Side

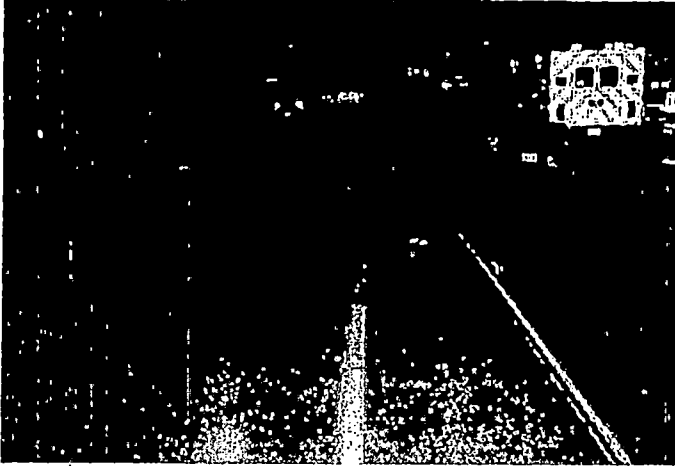




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Rear



Passenger Side





Driver #2: Thomas Staugaard

Identification & Driver Establishment

Staugaard was identified via a Nevada driver license by a DCSO Deputy. Staugaard is the registered owner of the 4Runner. I did not make contact with Staugaard at the scene due to him being transported by ground ambulance.

The following facts and circumstances established Staugaard as the driver of the 4Runner:

1. Staugaard admitted to me that he was the driver of the 4Runner.
2. Staugaard had injuries consistent with a traffic crash including a broken neck.

Driving History

Staugaard has a valid Nevada Class B driver license, expiring 04/07/2027.

Staugaard has 2 violations

- 04/07/2015 Unknown violation, Reno Municipal Court
- 06/28/2010 Unsafe lane change, Reno Municipal Court

Staugaard has not been found to be at fault in a Nevada traffic crash.

Staugaard has never had his driver license withdrawn.

Injuries

Staugaard was transported by ground ambulance to Renown Medical Center and was interviewed by Reno Troopers. Staugaard was released the next day and was diagnosed with a C-5 spinal fracture (broken neck). Staugaard wore a hard collar for 2 months and he was unable to work for an extended time.

Restraints & Safety Devices

Staugaard was wearing his seatbelt at the time of the crash and the airbags of the 4Runner did not deploy. I was able to confirm the usage of the seatbelt because on inspection of the vehicle the driver restraint was slacked out.

Sobriety

It was reported on scene by DCSO that there was a suspicion of impairment of DUI, but he was not evaluated for it on scene. It was relayed to me by Trooper Graham Staugaard there were no signs of impairment.



Pre-Collision History

On 8/6/2020 at 14:00, I went to Staugaard's home to conduct a 24-hour interview. I was invited into the home and the interview occurred at the kitchen table and Staugaard was aware it was being recorded. Staugaard informed me that he went to bed sometime between 10 and 11 pm on 02-27-20 and woke up around 9:00 am.

Staugaard started his day off working on paperwork associated with his business and completed four different vehicle tows in the Reno area. He drove home at 18:00 and went for a car ride with a friend in Dayton helping her get familiar with a standard transmission vehicle. After helping her for 30 minutes or so he left his home in his blue 4Runner and drove to Carson City to pick up his mother Laura Staugaard at the Southgate apartments.

Thomas drove his mother to the Carson Valley Inn for dinner at the café and afterwards he drove home. Thomas was going to drive Laura to his home in Dayton so she could stay the night. While Thomas was driving in the number two northbound lane of US395 he said he checked his mirrors and saw headlights approaching his vehicle.

He noticed the vehicle was traveling at a high rate of speed in the number 2 lane and he suspected that it was not going to slow down. Thomas used the accelerator of his vehicle to try to lessen the impact and he was struck. Thomas said his mother, who was not wearing a seatbelt grab his right arm. Just after the impact, he had a loss of consciousness. When he woke up in the vehicle he noticed his mother was not in the 4Runner.

Thomas was able to crawl out of the back of the SUV and he found his mother face down on the pavement. He and bystanders rolled her over to check for signs of life. Thomas noticed that his mother was dead and there was nothing he could do so he walked over to the pickup. He witnessed the driver in the truck and she was trying to get out, but couldn't due to the damage.

Thomas walked back over to his vehicle and was met by first responders. Mr. Staugaard requested to be contacted by the Douglas County DA's office when an arrest warrant is issued for Wenger.



Vehicle #2 Passenger: Laura Staugaard

Identification

Laura Staugaard was identified by her son, Thomas Staugaard and by DCSO Coroner Wiggins.

Restraints and Safety Devices

Laura Staugaard was not wearing a seatbelt and that was confirmed by her son and by finding the front passenger seatbelt fully retracted and locked. The airbags in the 4Runner did not deploy. By not wearing her seatbelt this was a contributing factor to her being ejected from the vehicle.

Injuries

The Washoe County Medical Examiner Dr. Callahan conducted an autopsy on 03-02-2020 at 10:00 AM. Dr. Callahan determined the cause of death to be multiple blunt force injuries from a traffic crash. The full report from the medical examiner is available on request.



Vehicle #2: 1995 Toyota 4Runner

The 4Runner was recovered from the scene by Silver State Towing and was transported to the DPS evidence yard in Carson City, NV and held for evidentiary retention.

Safety Recalls

A recall check by VIN conducted on CarFax indicates that the 4Runner did not have any active recall or repairs pending.

Vehicle Damage Analysis

On Tuesday, March 3rd, 2020, Trooper Davis conducted a damage analysis on the 4Runner at the DPS evidence yard. He took additional photographs of the vehicle from various angles and inspected all four tires and wheels.

A verification of this vehicle's VIN and the license plate was confirmed before the damage assessment. Both the VIN and license plate were identical to the information obtained from this vehicle at the scene.

This vehicle's overall condition was consistent with that observed and recorded at the scene.



The 4Runner sustained heavy rear end damage, indicative of a rear end collision. The majority of the damage is believed to have been caused by the collision with the Toyota Tacoma.

The rest of the notable damage can be seen across the hood and to the roof of the vehicle. The damage is consistent with a vehicle that has rolled over multiple times.



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Tire Information

Tire information gathered by Trooper Davis via audio dictation (evidence.com)

All four mounted tires are Prime Well PS850 all season tire, size P235/75r15.

Left Front:

DOT Y9KPCJ5X

24 PSI

Tread – Inner 6/32, Middle 4/32, Outer 5/32

Left Rear:

DOT Y9KPCJ5X

0 PSI flat

Tread – Inner 4/32, Middle 4/32, Outer 4/32

Right Front:

DOT Y9KPCJ5X

0 PSI flat

Tread – Inner 6/32, Middle 3/32, 5/32

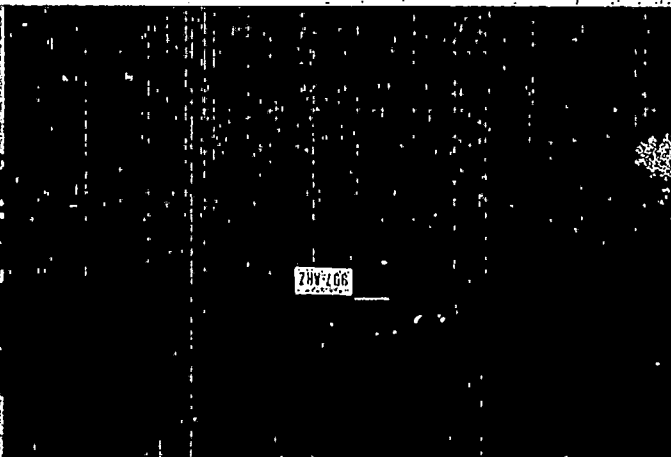
Right Rear:

DOT Y9KPCJ5X

0 PSI and detached from vehicle

Tread – Inner 5/32, Middle 4/32, Outer 4/32

Front

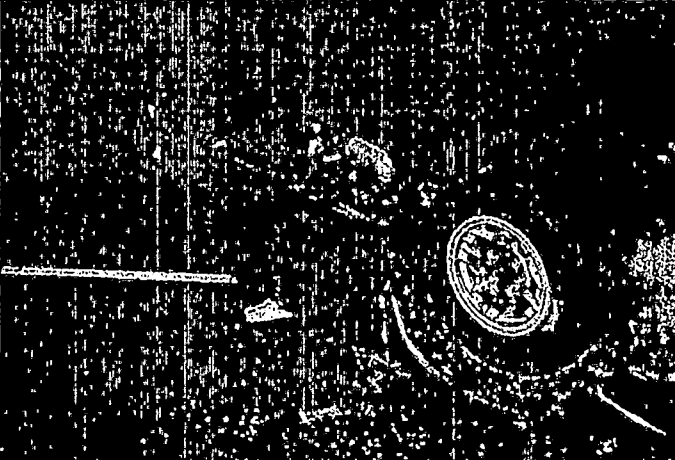




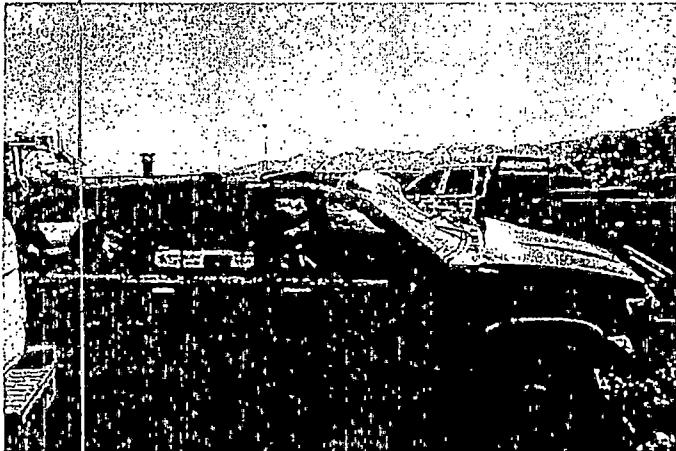
Rear



Driver Side



Passenger Side





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Witnesses

David Charles Alexander

Mr. Alexander was identified as a witness to this collision and events prior to. Mr. Alexander prepared a written statement. In the statement Mr. Alexander witnessed a red pickup truck pass him at approximately 80mph and made an unsafe lane change in front of his vehicle. The truck then approached another vehicle ahead and slowed down and attempted to pass in the shoulder. Mr. Alexander passed both vehicles after moving to the number one lane and later witnessed the pickup truck speed up to approximately 80mph and was "swerving all over the road". The red truck later struck the rear of another vehicle causing it to overturn.

Sherry A Ramsey

Mrs. Ramsey was identified as a witness to the crash and the events prior to. Mrs. Ramsey witnessed the red truck traveling at a high rate of speed and making unsafe lane changes. From behind the crash scene, she witnessed a cloud of dust and smoke. She made contact with the ejected passenger and realized she was deceased. Mrs. Ramsey made contact with the red truck and witnessed a woman inside moving from the driver seat to the passenger to try and exit the vehicle.

On 08-20-20 at approximately 17:00, I spoke with Mrs. Ramsey on the telephone and asked her to talk to me about what she remembered from the evening of the crash. She reported that she remembered the red Tacoma pickup to be speeding up and slowing down. The driver attempted to pass a commercial vehicle in the paved shoulder, but later passed on the left.

The driver then speeded up and struck the rear of the 4Runner as it made a lane change from the number one to the number two travel lane. Mrs. Ramsey made contact with the driver of the pickup and she was the sole occupant and was trying to self extricate. Mrs. Ramsey told her to stay in the vehicle and she described her as an older woman with gray hair. She witnessed bystanders help her get out of the vehicle and she sat down on the tailgate of the truck and waited for first responders to arrive.



Technical Analysis

This section of the report was written by Trooper Max Davis

Crash Data Retrieval (CDR) - Tacoma

With written consent from Terri Jay, the owner of the Tacoma, I accessed the vehicle's event data recorder (EDR) using BOSCH crash data retrieval equipment and software. The EDR records telemetric data from the vehicle in event of a collision and stores such data inside the vehicle's airbag control module (ACM), in the form of "event" records.

The CDR report for the Tacoma indicates that the ACM has two event records stored within, and they are named, respectively, "Most Recent Frontal/Rear Event" and "1st Prior Frontal/Rear Event". The event record summary indicates a time between these two events of 5,120 msec or greater, which is an indication that the 1st Prior Event was recorded during an unrelated incident. The 1st Prior Event's longitudinal crash pulse graph indicates a maximum longitudinal delta-v (change in velocity) of -2.3mph. This figure does not correspond with the amount of damage inflicted upon the front end of the Tacoma.

The Most Recent Event system status page indicates that at the time the event was recorded, the driver's buckle switch reported as "unbuckled", indicating that the driver's seatbelt latch plate was not secured into the latch, thus not triggering the positive seatbelt engagement status. While not completely conclusive, this indicates a probability that Wenger was not wearing her seatbelt at the time of the collision.

Crash Data Retrieval (CDR) - 4Runner

This particular 4Runner model year is not supported by NHP's CDR equipment. Therefore, the 4Runner's event recording system, if equipped, was not accessed.

Vehicle Speed

The Tacoma's CDR report does not provide pre-impact speeds, but it does provide a maximum delta-v (change in velocity) that the vehicle underwent during the collision. According to the report, the Tacoma's maximum longitudinal delta-v was -15.1 mph (22.15 fps). With an assumed impact speed of the 4Runner applied to a formula derived from the core principle of conservation of momentum, an estimated impact speed for the Tacoma can be established.

The basic concept is to apply the maximum delta-v of the Tacoma, as reported by the CDR report (measured with an internal accelerometer housed in the vehicle's ACM) and use formulas to determine the closing speed of the two vehicles. In other words, it is possible to determine how fast the Tacoma was approaching the 4Runner prior to the impact (closing speed). When a closing speed estimate is obtained, if the speed of the 4Runner is known, or assumed, then an estimated impact speed of the Tacoma can be determined.



Closing Speed Formula

To determine a closing speed estimate, the following formula issued:

$$V_c = \frac{\Delta V_1 \times (W_1 + W_2)}{W_2 \times (1 + e)}$$

Where

$$\Delta V_1 = \text{Delta-V for Tacoma} = 15.1 \text{ mph (from CDR report)}$$

$$\times 1.467 = 22.15 \text{ fps (feet per second)}$$

$$W_1 \quad | \quad = \quad \text{Weight of Tacoma}$$

$$W_2 = \text{Weight of 4Runner}$$

$$e = \text{Restitution value}$$

Vehicle Weights

Vehicle curb weights were obtained from Expert AutoStats v5.6.1.

Estimated total weights were calculated using approximate cargo and occupants weights.

Tacoma

4100 lbs curb weight

+ 125 lbs (weight of driver, from DMV record)

+ 200 lbs (estimated cargo weight)

$$= 437.5 \text{ lbs}$$

4Runner

4094 lbs curb weight

+ 235 lbs (weight of driver, from DMV record)

+ 294 lbs (weight of passenger, from ME report)

+ 50 lbs (estimated cargo weight)

= 4673 lbs

Restitution Value

Restitution is the ratio of rebound velocity to impact velocity, or the amount of energy that is returned to the collision system. In this case, a low restitution value is assumed, based on the permanent deformities of each vehicle. Restitution values in collisions with significant damage are typically 0.1 or less. A value of 0.1 will be used.

Formula with Variables Inserted

$$V_C = \frac{22.15 \times (4375 + 4673)}{4673 \times (1 + 0.1)} = \frac{200413.2}{5140.3} = 38.98 \text{ fps} = 26 \text{ mph}$$

Conclusion

The Tacoma was traveling an estimated **26mph** faster than the **4Runner** when the collision occurred.

Example: If the 4Runner was traveling the speed limit of 65mph, then the Tacoma was traveling 91mph when the collision occurred.



Case Conclusion

Collision Sequence

V1 and V2 were traveling northbound on US395 in the #2 travel lane, approaching Johnson Lane. V1 was south of, and traveling at a higher rate of speed than V2. As V1 approached V2, D1 failed to decrease V1's speed. V1's front struck V2's rear. V1 was redirected northwest from the area of impact, into the inside dirt median. V1 struck the median cable barrier and was redirected north. V1 came to a rest in the center median, still in contact with the cable barrier, on its wheels facing north-northwest. V2 was redirected northeast from the area of impact. D2 steered left. V2's wheels furrowed into the asphalt, causing V2 to overturn. V2's right front passenger was ejected. V2 came to a rest primarily in the #2 northbound travel lane, on its roof, facing southwest.

Cause Analysis

Environmental Factors

There were no known environmental factors that attributed to the cause of the collision.

Mechanical Factors

There were no known mechanical factors that attributed to the cause of the collision.

Human Factors

This traffic crash occurred because Joan Wenger was recklessly operating a vehicle and allowed the front of it to strike the rear of another vehicle. Wenger who was under the influence of alcohol at the time of the crash was impaired and unable to operate a motor vehicle safely. This wanton disregard for traffic safety and impairment, resulted in the death of Laura Staugaard and significant injury to Thomas Staugaard.

Wenger has documented pattern of driving under the influence of alcohol and she committed vehicular homicide. She plead guilty to DUI 1st in November 2009, found guilty of DUI 2nd in June 2012, and plead guilty to DUI 2nd October 2018. The court judgements from the three different courts are attached.

Thomas Staugaard's actions did not contribute to the cause of the collision.

Laura Staugaard's actions did not contribute to the cause of the collision, but not wearing her seatbelt was a contributing factor to her being ejected from the 4Runner.

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JUL 29 2021

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2021 JUL 29 AM 11:23

1 Case No. 2021-CR-00114

Douglas County
District Court Clerk

2 Dept. No. II

BOBBIE R. WILLIAMS
CLERK

3 DA 0046506

BY C. W. Adams DEPUTY

4 This document does not contain personal information of any person

5
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS

8
9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

INFORMATION

12 JOAN KATHRYN WENGER,

13 Defendant.
14

15 A.J. Hames, Deputy District Attorney, within and for the County of Douglas, State of
16 Nevada, in the name and by the authority of the State of Nevada, informs the Court that Joan
17 Kathryn Wenger has committed the crime of VEHICULAR HOMICIDE, a violation of NRS
18 484C.130(1) and NRS 484C.440(1), a category A felony.

19 The defendant, on or about February 28, 2020, and before the filing of this Information,
20 at and within the County of Douglas, State of Nevada,

21 **COUNT ONE: VEHICULAR HOMICIDE, a violation of NRS 484C.130(1)**
22 **and NRS 484C.440(1), a category A felony**

23 willfully and unlawfully drove a vehicle on or off the highway while
24 under the influence of intoxicating liquor; and/or while having a
25 concentration of alcohol of 0.08 or more in her blood; and/or was found
26 by measurement within 2 hours after driving a vehicle to have a
27 concentration of alcohol of 0.08 or more in her blood; and proximately
28 caused the death of another person while so driving, to-wit: Laura
Staugaard, all of which occurred on U.S. Highway 395 in the area of
Johnson Lane, in the County of Douglas, State of Nevada;

it is further alleged that the defendant has previously been convicted of at
least three violations of NRS 484C.110, 484C.120 or 484C.430, or a

Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

violation of law of any other jurisdiction that prohibits the same or similar conduct, as follows:

DATE OF OFFENSE
DATE OF CONVICTION

COURT
COUNTY, STATE

On or about August 16, 2009
On or about November 17, 2009

Tahoe Township Justice Court
Douglas County, Nevada

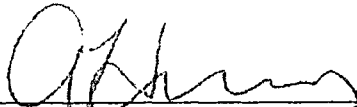
On or about October 17, 2011
On or about June 7, 2012

Ely Municipal Court
White Pine County, Nevada

On or about August 26, 2018
On or about October 30, 2018

Reno Township Justice Court
Washoe County, Nevada

against the peace and dignity of the State of Nevada. Complainant prays the Defendant be dealt with according to law.


A.J. Hames
Deputy District Attorney

1 The following are the names of such witnesses as are known to me at the time of filing
2 the within Information:

3		
4	David Charles Alexander	3289 Penrod Lane #11 Gardnerville, NV 89410
5		
6	Sherry A Ramsey	5777 Crooked Stick Way Sparks, NV 89436
7		
8	Kayla Rose Mercer	110 Shoreline Circle #423 San Ramon, CA 94582
9		
10	Cynthia Nunez	7235 Provence Circle Reno, NV 89523
11		
12	Brandi Nicole Bailey	6900 Sharlands Avenue #713 Reno, NV 89523
13		
14	Terri Jay	1412 Downs Drive Minden, NV 89423
15		
16	Thomas John Staugaard	115 Northpointe Circle Dayton, NV 89403
17		
18	Deputy Justin Clifford	Lyon County Sheriff's Office 911 Harvey Way #1 Yerington, NV 89447
19		
20	Trooper Max Davis	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
21		
22	Trooper Sal Navarro	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
23		
24	Trooper Amanda Powell	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
25		
26	Trooper Mitchell Graham	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
27		
28		

Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

1	Sergeant John Dodge	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
2		
3	Sergeant Josh Koski	Nevada Highway Patrol 555 Wright Way Carson City, NV 89711
4		
5	Phlebotomist Gemma Roberts	Renown Medical Center 1155 Mill Street Reno, NV 89502
6		
7		
8	Doctor Katherine Callahan	Washoe County Regional Medical Examiner's Office 990 East Ninth Street Reno, NV 89512
9		
10		
11	Investigator Danae Pirtle	Washoe County Regional Medical Examiner's Office 990 East Ninth Street Reno, NV 89512
12		
13		
14	Forensic Toxicologist Donna Papsun	NMS Labs 200 Welsh Road Horsham, PA 19044
15		
16	Criminalist Nadia Castellanos	Washoe County Sheriff's Office Forensic Science Division 911 Parr Blvd. Reno, NV 89512
17		
18		
19	Deputy Christopher Wiggins	Douglas County Sheriff's Office 1038 Buckeye Road Minden, NV 89423
20		
21		
22	Deputy Mark Dickens	Douglas County Sheriff's Office 1038 Buckeye Road Minden, NV 89423
23		
24	Sergeant Rick Koontz	Douglas County Sheriff's Office 1038 Buckeye Road Minden, NV 89423
25		
26	Deputy Conner Michitarian	Douglas County Sheriff's Office 1038 Buckeye Road Minden, NV 89423
27		
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Captain Ron Michitarian

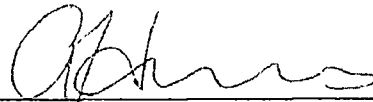
Douglas County Sheriff's Office
1038 Buckeye Road
Minden, NV 89423

Sergeant Ron Miller

Douglas County Sheriff's Office
1038 Buckeye Road
Minden, NV 89423

Deputy Richard Rodriguez

Douglas County Sheriff's Office
1038 Buckeye Road
Minden, NV 89423



A.J. Hames
Deputy District Attorney

Douglas County District Attorney
1038 Buckeye Road
Minden, NV 89423
(775) 782-9800 Fax (775) 782-9807

Case No. 2021-CR-00114

Dept. No. II

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,

Plaintiff,

vs.

ORDER APPOINTING COUNSEL

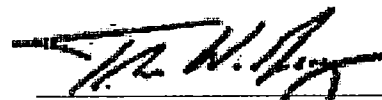
JOAN KATHRYN WENGER,

Defendant.

The Defendant, Joan Kathryn Wenger, having requested the appointment of an attorney to represent her and having represented to the Court that she is without means of employing an attorney and indicating therein the facts concerning her financial status, and Good Cause Appearing, Therefore,

IT IS HEREBY ORDERED that Brian Filter, Esq., be appointed to represent the Defendant in all further proceedings herein.

Dated this 9th day of August, 2021.


Thomas W. Gregory
DISTRICT JUDGE

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Case No. 2021-CR-00114

AUG 09 2021

2021 AUG -9 PM 2:27

Dept. No. II

Douglas County
District Court Clerk

BOLE F. R. WILLIAMS
CLERK

BY *[Signature]* DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,
Plaintiff,

vs.

ORDER SETTING HEARING

JOAN KATHRYN WENGER,
Defendant.

The above-entitled matter is set for:

(XX) Continued Arraignment Hearing

TO COMMENCE on Monday, August 16, 2021 at the hour of 9:00 a.m.

DATED this 9th day of August, 2021.

[Signature]
THOMAS W. GREGORY
DISTRICT JUDGE

Copies served by hand delivery on August 9th, 2021, addressed to: Douglas County District Attorney's Office; Brian G. Filter, Esq.; Douglas County Jail; Division of Parole and Probation.

[Signature]
Erin C. Plante

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Case No. 2021-CR-00114

AUG 09 2021

Dept. No. II

2021 AUG -9 AM 11:34

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Douglas County
District Court Clerk

BOLISE R. WILLIAMS
CLERK

BY C. W. Allen DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

STATE OF NEVADA,

Plaintiff,

vs.

Joan Kathryn Wenger

Defendant

ORDER CONCERNING BAIL

Based on the motion of defendant's counsel, and good cause appearing, it is here by ordered that
the defendant be released

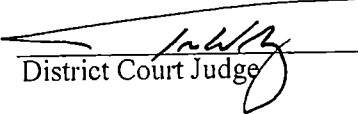
- ☐ On his/her own recognizance.
- ☒ Bail as previously ordered.
- ☐ Bail set at: _____ Bondable/Cash Only (Circle One).
- ☐ No Bail.
- ☐ Defendant ordered to attend residential treatment for drugs/alcohol on an "outcount" basis.
- ☐ During the defendant's release from custody, he/she is subject to the terms set forth by the Department of Alternative Sentencing and the following additional conditions:
- ☐ The defendant shall, at his/her own expense, be supervised by the Douglas County Department of Alternative Sentencing.
- ☐ Supervision will include house arrest under the normal terms of residential confinement.

ORDER CONCERNING BAIL - 1

- ☐ The defendant shall not possess or consume any alcohol or intoxicants of any nature.
- ☐ The defendant's person, vehicle and residence shall be subject to search and seizure, at any time of the day or night, by any peace or probation officer without the requirement of a warrant or probable cause for the presence of alcohol, drugs _____.
- ☐ The defendant shall submit to chemical testing to determine the presence of alcohol and/or drugs at any time upon the request of a peace or probation officer, the Department of Alternative Sentencing or employee of the Division of Parole and Probation.
- ☐ The defendant shall not drive a motor vehicle.
- ☐ The defendant shall not drive unless properly licensed, registered and insured.
- ☐ The defendant shall violate no laws.
- ☐ The defendant shall not possess any firearms or other dangerous weapons.
- ☐ The defendant shall have no contact, directly or indirectly, with the victim or the witnesses, except through counsel, until further Order of the Court.
- ☐ The defendant shall cooperate with the Department of Alternative Sentencing and the Division of Parole and Probation, including attending any scheduled meetings.
- ☐ The defendant shall participate in counseling _____.
- ☒ The defendant is ordered to appear in this Court on 8/16/21 @ 9:00 ~~am~~ pm and all future court dates.
- ☐ Other: _____

PURSUANT TO NRS 178.484(13) AND NRS 178.4851(6) ANY LAW ENFORCEMENT OFFICER HAVING PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT HAS VIOLATED THESE CONDITIONS OF RELEASE IS ORDERED TO ARREST THE DEFENDANT.

Dated this 9th day of August, 2021.


District Court Judge

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Case No. 2021-CR-00114

AUG 16 2021

2021 AUG 16 AM 11:26

Dept. No. II

Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
CLERK

BY: *[Signature]* DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,

Plaintiff,

vs.

ORDER SETTING HEARING

JOAN KATHRYN WENGER,

Defendant.

The above-entitled matter is set for:

(XX) Continued Arraignment Hearing

TO COMMENCE on Monday, August 23, 2021 at the hour of 9:00 a.m.

DATED this 16th day of August, 2021.

[Signature]
THOMAS W. GREGORY
DISTRICT JUDGE

Copies served by hand delivery on August 16th, 2021, addressed
to: Douglas County District Attorney's Office; Brian G. Filter,
Esq.; Douglas County Jail; Division of Parole and Probation.

[Signature]
Erin C. Plante

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AUG 20 2021

Douglas County
District Court Clerk

FILED

2021 AUG 20 AM 10:32

BOBBIE R. WILLIAMS
CLERK

BY *C. Walsh* DEPUTY

1 Case No. 2021-CR-00114

2 Dept No. II

3 DA 0046506

4 This document does not contain personal information of any person

5
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

8
9 THE STATE OF NEVADA,

10 Plaintiff,

11 v.

12 **GUILTY PLEA AGREEMENT**

13 JOAN KATHRYN WENGER,

14 Defendant.

15 I hereby agree to plead guilty to: VEHICULAR HOMICIDE, a violation of NRS
16 484C.130(1) and NRS 484C.440(1), a category A felony, as more fully alleged in the
17 Information which I have read and reviewed with my attorney.

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows: In exchange for my plea of guilty to VEHICULAR HOMICIDE, a violation of NRS
20 484C.130(1) and NRS 484C.440(1), a category A felony, the State has agreed to pursue no
21 additional charges comprised of the facts set forth in Nevada Highway Patrol case number
22 200202163. Further, with regard to sentencing, the parties have agreed to mutually recommend
23 that I be sentenced to serve a definite term of 25 years in prison, with eligibility for parole
24 beginning when a minimum of 10 years has been served.

25 I understand that, at the time of sentencing, the State may present arguments, facts,
26 and/or witnesses in support of the plea agreement. I understand that the State also reserves the
27 right at sentencing to provide the court with relevant information that may not be in the court's
28

1 possession; to call victims to make a victim impact statement; to question my character
2 witnesses; to comment on the circumstances of the crime and my criminal history; and to
3 correct factual misstatements made by me or my character witnesses.

4 CONSEQUENCES OF THE PLEA

5 I understand that, by pleading guilty, I admit the facts which support all the elements of
6 the offense to which I now plead as more fully alleged in the Information, a copy of which I
7 have received and the contents of which I have reviewed with my attorney. I admit that the
8 State possesses sufficient evidence which would result in my conviction.

9 I understand that, as a consequence of my plea of guilty, I may be imprisoned in the
10 state prison for either: (a) life with the possibility of parole, with eligibility for parole beginning
11 when a minimum of 10 years has been served; or (b) a definite term of 25 years, with eligibility
12 for parole beginning when a minimum of 10 years has been served. I understand that the law
13 also requires me to pay an administrative assessment fee.

14 I understand that, if appropriate, I will be ordered to make restitution to the victims of
15 the offense to which I am pleading guilty and to the victims of any related offenses which are
16 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
17 reimburse the State of Nevada for expenses related to my extradition, if any.

18 I understand that I will be ordered to attend in person, at my own expense, a live
19 meeting of a panel of persons who have been injured or had members of their families or close
20 friends injured or killed by a person who was driving or in actual physical control of a vehicle
21 while under the influence of intoxicating liquor or a controlled substance.

22 I understand that, before my sentencing, I must be evaluated by a certified or licensed
23 alcohol and drug abuse counselor, psychologist or physician to determine whether I am an
24 abuser of alcohol or other drugs and whether I can be treated successfully for such condition,
25 and that the results of said evaluation will be forwarded to the Nevada Department of
26 Corrections.

27 I understand that, by pleading guilty, the Department of Motor Vehicles may revoke or
28 suspend my driver's license, driving privileges, and/or the registration of my vehicle(s). I

1 understand that I will be ordered to install in any motor vehicle I own or operate, at my own
2 expense, a breath ignition interlock device as defined in NRS 484C.450, for a period of not less
3 than 12 months, as a condition of obtaining a restricted license or having my driving privileges
4 reinstated

5 I understand that I am not eligible for probation for the offense to which I am pleading
6 guilty. I understand that, except as otherwise provided by statute, the question of whether I
7 receive probation is in the discretion of the sentencing judge.

8 I understand that, except as otherwise provided by statute, if more than one sentence of
9 imprisonment is imposed, the sentencing judge has the discretion to order the sentences to be
10 served concurrently or consecutively. My attorney has explained the terms concurrent and
11 consecutive and I understand their meaning as it relates to sentencing.

12 I understand that this plea and resulting conviction may have adverse effects upon my
13 residency in this country if I am not a United States citizen.

14 I understand and agree that the State, at its discretion, is entitled to either withdraw from
15 this agreement and proceed with the prosecution of the original offenses or be free to argue for
16 an appropriate sentence at the time of the sentencing hearing if I: (1) fail to appear at any
17 scheduled court proceeding in this matter; (2) am arrested for a violation of law in any
18 jurisdiction prior to my sentencing hearing; (3) violate any of my bail conditions; (4) fail to
19 cooperate fully with the Division of Parole and Probation in the preparation of the presentence
20 investigation report in this case if said report is ordered by the court; or (5) fail to comply with
21 any other condition stated herein. I understand and agree that the occurrence of any of these
22 acts constitutes a material breach of my guilty plea agreement with the State. I further agree to
23 waive any right I may have to remand this matter to Justice Court should this agreement be set
24 aside for any reason.

25 I understand that information regarding offenses not filed, dismissed offenses or
26 offenses to be dismissed pursuant to this agreement may be considered by the judge at
27 sentencing.

28 //

1 I have not been promised or guaranteed any particular sentence by anyone. I know that
2 my sentence is to be determined by the court within the limits prescribed by statute. I
3 understand that if my attorney, the State of Nevada, or both recommend any specific
4 punishment to the court, the court is not obligated to accept the recommendation.

5 I understand that the Division of Parole and Probation of the Department of Public
6 Safety may or will prepare a report for the sentencing judge before sentencing. This report will
7 include matters relevant to the issue of sentencing, including my criminal history. I understand
8 that this report may contain hearsay information regarding my criminal history and the facts
9 and circumstances related to the offense. My attorney and I will each have the opportunity to
10 comment on the information contained in the report at the time of sentencing.

11 WAIVER OF RIGHTS

12 By entering my plea of guilty, I understand that I have waived the following rights and
13 privileges:

14 1. The constitutional privilege against self-incrimination, including the right to refuse
15 to testify at trial, in which event the prosecution would not be allowed to comment to the jury
16 about my refusal to testify.

17 2. The constitutional right to a speedy and public trial by an impartial jury, free of
18 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
19 assistance of an attorney, either appointed or retained. At trial, the State would bear the burden
20 of proving beyond a reasonable doubt each element of the offense charged.

21 3. The constitutional right to confront and cross-examine any witnesses who would
22 testify against me.

23 4. The constitutional right to subpoena witnesses to testify on my behalf.

24 5. The constitutional right to testify in my own defense.

25 6. The right to appeal the conviction, with the assistance of an attorney, either
26 appointed or retained, unless the appeal is based upon reasonable constitutional, jurisdictional
27 or other grounds that challenge the legality of the proceedings and except as otherwise provided
28 in subsection 3 of NRS 174.035.

VOLUNTARINESS OF PLEA

I have discussed the elements of all the original offenses against me with my attorney and I understand the nature of these offenses against me.

I understand that the State would have to prove each element of the offenses against me at trial.

I have discussed with my attorney any possible defenses and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights and waiver of rights have been thoroughly explained to me by my attorney.


I believe that pleading guilty and accepting this plea bargain is in my best interest and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

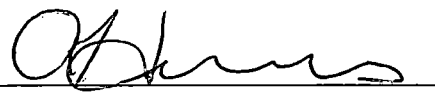
I am not now under the influence of intoxicating liquor, a controlled substance or other drug which would in any manner impair my ability to comprehend or understand this agreement or the proceedings surrounding my entry of this plea.

My attorney has answered all my questions regarding this guilty plea agreement and its consequences to my satisfaction, and I am satisfied with the services provided by my attorney.

Dated this 20 day of August, 2021.


Joan Kathryn Wenger
Defendant

Agreed to this 29 day of July, 2021.


A.J. Hames
Deputy District Attorney

CERTIFICATE OF COUNSEL

I, the undersigned, as the attorney for the defendant named herein and as an officer of the court hereby certify:

1. I have fully explained to the defendant the allegations contained in the charges to which guilty or guilty but mentally ill pleas are being entered.

2. I have advised the defendant of the penalties for each charge and the restitution that the defendant may be ordered to pay.

3. All pleas of guilty or guilty but mentally ill offered by the defendant pursuant to this agreement are consistent with all the facts known to me and are made with my advice to the defendant and are in the best interest of the defendant.

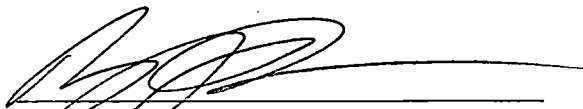
4. To the best of my knowledge and belief, the defendant:

a. Is competent and understands the charges and the consequences of pleading guilty or guilty but mentally ill as provided in this agreement.

b. Executed this agreement and will enter all guilty or guilty but mentally ill pleas pursuant hereto voluntarily.

c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time of the execution of this agreement.

Dated this 20 day of August, 2021.


Brian G. Filter
Attorney for Defendant

Case No. 2021-CR-00114

Dept. No. II

This document does not contain personal information of any person.

FILED

2021 AUG 23 PM 4:57

BOBBIE R. WILLIAMS
CLERK
BY Wahm DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

STATE OF NEVADA,

Plaintiff,

vs.

Joan Kathryn Wenger

Defendant

ORDER CONCERNING BAIL

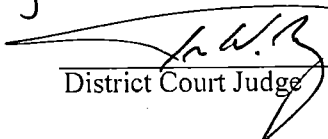
Based on the motion of defendant's counsel, and good cause appearing, it is here by ordered that the defendant be released

- ☐ On his/her own recognizance.
- ☐ Bail as previously ordered.
- ☐ Bail set at: _____ Bondable/Cash Only (Circle One).
- ☒ No Bail.
- ☐ Defendant ordered to attend residential treatment for drugs/alcohol on an "outcount" basis.
- ☐ During the defendant's release from custody, he/she is subject to the terms set forth by the Department of Alternative Sentencing and the following additional conditions:
- ☐ The defendant shall, at his/her own expense, be supervised by the Douglas County Department of Alternative Sentencing.
- ☐ Supervision will include house arrest under the normal terms of residential confinement.

- ☐ The defendant shall not possess or consume any alcohol or intoxicants of any nature.
- ☐ The defendant's person, vehicle and residence shall be subject to search and seizure, at any time of the day or night, by any peace or probation officer without the requirement of a warrant or probable cause for the presence of alcohol, drugs _____.
- ☐ The defendant shall submit to chemical testing to determine the presence of alcohol and/or drugs at any time upon the request of a peace or probation officer, the Department of Alternative Sentencing or employee of the Division of Parole and Probation.
- ☐ The defendant shall not drive a motor vehicle.
- ☐ The defendant shall not drive unless properly licensed, registered and insured.
- ☐ The defendant shall violate no laws.
- ☐ The defendant shall not possess any firearms or other dangerous weapons.
- ☐ The defendant shall have no contact, directly or indirectly, with the victim or the witnesses, except through counsel, until further Order of the Court.
- ☐ The defendant shall cooperate with the Department of Alternative Sentencing and the Division of Parole and Probation, including attending any scheduled meetings.
- ☐ The defendant shall participate in counseling _____
- _____
- ☐ The defendant is ordered to appear in this Court on _____ @ _____ am/pm and all future court dates.
- ☐ Other: _____

PURSUANT TO NRS 178.484(13) AND NRS 178.4851(6) ANY LAW ENFORCEMENT OFFICER HAVING PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT HAS VIOLATED THESE CONDITIONS OF RELEASE IS ORDERED TO ARREST THE DEFENDANT.

Dated this 23rd day of August, 2021.


District Court Judge

FILED

Case No. 2021-CR-00114

Dept. No. II

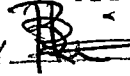
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2021 AUG 24 PM 12:51

AUG 24 2021

Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
CLERK

BY  DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,

Plaintiff,

vs.

ORDER SETTING HEARING

JOAN KATHRYN WENGER,

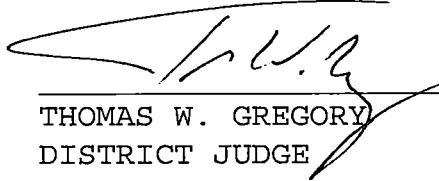
Defendant.

The above-entitled matter is set for:

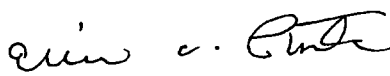
(XX) Sentencing Hearing

TO COMMENCE on Monday, October 18, 2021 at the hour of 9:00 a.m.

DATED this 24th day of August, 2021.


THOMAS W. GREGORY
DISTRICT JUDGE

Copies served by hand delivery on August 24th, 2021, addressed
to: Douglas County District Attorney's Office; Brian G. Filter,
Esq.; Douglas County Jail; Division of Parole and Probation.


Erin C. Plante

RECEIVED

AUG 26 2021

FILED
ORIGINAL
2021 AUG 26 AM 9:24

CASE NO. 2021-CR-00114 Douglas County
District Court Clerk

DEPT. NO. 2

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

BOBBIE R. WILLIAMS
CLERK
BY [Signature] DEPUTY

BEFORE THE HONORABLE DISTRICT COURT JUDGE, THOMAS GREGORY

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

TRANSCRIPT OF PROCEEDINGS

CONTINUED ARRAIGNMENT

MONDAY, AUGUST 9, 2021

APPEARANCES:

For the State:

ERIK LEVIN
Deputy District Attorney
Minden, Nevada

For the Defendant:

BRIAN FILTER
Attorney at Law
Minden, Nevada

Reported By:

Kathy Jackson CSR
Nevada CCR #402
California CCR #10465

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MONDAY, AUGUST 9, 2021, MINDEN, NEVADA

-oOo-

THE COURT: Next case is the State of Nevada versus Joan Kathryn Wenger, Case Number 21CR114. Show the appearance of Erik Levin on behalf of the State. Brian Filter is appearing on behalf of the defendant.

Good morning, Mr. Filter.

MR. FILTER: Good morning, Your Honor.

THE COURT: Are you Joan Kathryn Wenger?

THE DEFENDANT: I am, Your Honor.

THE COURT: Good morning, Ms. Wenger.

THE DEFENDANT: Good morning, sir.

THE COURT: Ms. Wenger is appearing before the Court for the first time. She is in lawful custody.

Mr. Filter, were you appointed by the justice court?

MR. FILTER: I was, Your Honor. Yes.

THE COURT: Is that due to the inability of Ms. Wenger to afford counsel of her choice?

MR. FILTER: That's my understanding, yes, Your Honor.

THE COURT: Ms. Wenger, does that continue to be your financial circumstance?

THE DEFENDANT: Yes, Your Honor.

1 THE COURT: And are you asking the Court to
2 appoint Mr. Filter to represent you?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: That request is granted.

5 We are here today for an arraignment. Court is
6 in receipt of an information filed on July 29th, 2021.

7 Mr. Filter, have you received a copy?

8 MR. FILTER: Your Honor, I have received that.
9 However, it's going to be our request, Your Honor, to
10 continue sentencing for one -- excuse me, the arraignment for
11 one week. I met with Ms. Wenger Thursday and Friday, and we
12 spent actually quite a bit of time together but she continues
13 to have some questions and things that she wants to talk to
14 me about and isn't quite ready to execute the agreement.
15 I've spoken with the State. It's my understanding they do
16 not object to the continuance. So that would be our request.

17 THE COURT: Ms. Wenger, could you use some
18 additional time with Mr. Filter to make decisions in this
19 case?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: All right. Mr. Levin, any objection?

22 MR. LEVIN: No.

23 THE COURT: Good cause appearing, the arraignment
24 in this case is continued for one week. We'll come back on

1 August 16th, 2021. That will be at 9:00 o'clock in the
2 morning. The defendant is ordered to be here at that time
3 and date.

4 Mr. Filter, would you like to be heard regarding
5 Ms. Wenger's custody status?

6 MR. FILTER: Not at this time, Your Honor.

7 THE COURT: Mr. Levin, would you like to be heard
8 regarding bail or --

9 MR. LEVIN: No, Your Honor.

10 THE COURT: -- any other conditions, okay.

11 Bail will continue as previously ordered by the
12 justice court and any conditions ordered by the justice
13 court. The Court does add a condition. In the event the
14 defendant does bail out she is ordered to make all future
15 court dates in this case and that includes the arraignment,
16 the continued arraignment now scheduled for August 16th, 2021
17 at 9:00 o'clock in the morning.

18 Mr. Filter, anything else for today?

19 MR. FILTER: Not at this time, Your Honor.

20 THE COURT: Mr. Levin, anything else?

21 MR. LEVIN: No, Your Honor.

22 THE COURT: All right. Ms. Wenger, we'll see you
23 back next week.

24 THE DEFENDANT: Thank you.
MR. FILTER: Thank you, Your Honor.

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STATE OF NEVADA,)
) ss.
CARSON CITY.)

I, KATHY JACKSON, Nevada Certified Court Reporter
Number 402, do hereby certify:

That I was present in the District Court in Minden, in
and for the State of Nevada, on Monday, August 9, 2021, for
the purpose of reporting in verbatim stenotype notes the
within-entitled Continued Arraignment;

That the foregoing transcript, consisting of pages 1
through 5, is a full, true and correct transcription of said
Continued Arraignment.

Dated at Carson City, Nevada, this 25th day
of August, 2021.

/s/ Kathy Jackson
KATHY JACKSON, CCR
Nevada CCR #402

1 CAPITOL REPORTERS
2 628 E. John Street #3
3 Carson City, Nevada 89706
4 775-882-5322

5 THE NINTH JUDICIAL DISTRICT COURT
6 IN AND FOR THE COUNTY OF DOUGLAS

7 STATE OF NEVADA, Case No. 2021-CR-00114
8 Plaintiff, Dept. No. 2
9 v.
10 JOAN KATHRYN WENGER,
11 Defendant.

12 **AFFIRMATION**
13 Pursuant to NRS 239B.030

14 The Undersigned does hereby affirm that the following
15 document **DOES NOT** contain the social security number of any
16 person: (List of document(s) attached below)

17 1) Continued Arraignment -- 8/9/21

18 -or-

19 The undersigned does hereby affirm that the document
20 named below **DOES** contain the social security number of a
21 person as required by state or federal law or for the
22 administration of a public program or for an application for
23 a federal or state grant: (List of document(s) attached
24 containing social security number information below)

1) _____
2) _____

20 (Your signature) Kathy Jackson Kathy Jackson (Date) 8/25/21
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RECEIVED

AUG 30 2021

ORIGINAL

CASE NO. 2021-CR-00114 Douglas County
District Court Clerk

2021 AUG 30 PM 3:55

DEPT. NO. 2

BOBBIE R. WILLIAMS

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

BY [Signature] DEPUTY

BEFORE THE HONORABLE DISTRICT COURT JUDGE, THOMAS GREGORY

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

TRANSCRIPT OF PROCEEDINGS

CONTINUED SENTENCING

MONDAY, AUGUST 16, 2021

APPEARANCES:

For the State:

A.J. HAMES
Deputy District Attorney
Minden, Nevada

For the Defendant:

BRIAN FILTER
Attorney at Law
Minden, Nevada

Reported By:

Kathy Jackson CSR
Nevada CCR #402
California CCR #10465

1 MONDAY, AUGUST 16, 2021, MINDEN, NEVADA

2 -oOo-

3 THE COURT: The next case is the State of Nevada
4 versus Joan Wenger, Case Number 21CR114. Show the appearance
5 of A.J. Hames on behalf of the State. Brian Filter is
6 appearing on behalf of the defendant.

7 Good morning, Mr. Filter.

8 MR. FILTER: Good morning, Your Honor.

9 THE COURT: I also show the appearance of the
10 defendant, Joan Kathryn Wenger. Good morning, Ms. Wenger.

11 THE DEFENDANT: Good morning, Your Honor.

12 THE COURT: We are here today for a continued
13 arraignment. The Court is in receipt of an information filed
14 on July 29th, 2021.

15 Mr. Filter, have you received a copy?

16 MR. FILTER: Your Honor, I have received a copy.
17 However, I'm going to ask the Court to indulge us and set
18 this out for one more week, the reason for that being is
19 Ms. Wenger had a dental procedure on Wednesday. She has been
20 and at least as of yesterday continued to be taking narcotic
21 analgesics. Speaking with her I did not feel that she was
22 able -- we met for quite a while yesterday, didn't feel like
23 she was able really to follow along and was concerned about
24 her ability to follow along in court this morning. So we

1 would ask the Court to give us that indulgence for one more
2 week.

3 THE COURT: Mr. Hames, any objection?

4 MR. HAMES: No, Your Honor. I think it's
5 important that Ms. Wenger is fully aware of what's happening.
6 I wouldn't want there to be any question as to her mental
7 state at the time she enters her plea and so I think that
8 would be fine.

9 THE COURT: Mr. Filter, will one week be
10 sufficient?

11 MR. FILTER: We believe so, Your Honor. It's --
12 she's going to see the nurse again today to be re-evaluated
13 but we believe that one week will be sufficient.

14 THE COURT: We are going to continue this matter
15 then good cause appearing until August 23rd, 2021, at
16 9:00 o'clock in the morning. The defendant is ordered to be
17 here at that time and date.

18 Ms. Wenger, it is important that you have your
19 full mental faculty before you enter any plea in this case
20 and so the request to continue is appropriate. We'll see you
21 back next Monday and see how things are going at that time,
22 all right.

23 THE DEFENDANT: Thank you, Your Honor.

24 THE COURT: Mr. Filter, anything further?

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MR. FILTER: No, Your Honor. Thank you.

THE COURT: Mr. Hames, anything further?

MR. HAMES: No, Your Honor.

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STATE OF NEVADA,)
) ss.
CARSON CITY.)

I, KATHY JACKSON, Nevada Certified Court Reporter
Number 402, do hereby certify:

That I was present in the District Court in Minden, in
and for the State of Nevada, on Monday, August 16, 2021, for
the purpose of reporting in verbatim stenotype notes the
within-entitled Continued Sentencing Hearing;

That the foregoing transcript, consisting of pages 1
through 5, is a full, true and correct transcription of said
Continued Sentencing Hearing.

Dated at Carson City, Nevada, this 28th day
of August, 2021.

/s/ Kathy Jackson
KATHY JACKSON, CCR
Nevada CCR #402

1 CAPITOL REPORTERS
628 E. John Street #3
2 Carson City, Nevada 89706
775-882-5322
3

4 THE NINTH JUDICIAL DISTRICT COURT
5 IN AND FOR THE COUNTY OF DOUGLAS

6 STATE OF NEVADA, Case No. 2021-CR-00114
Plaintiff,
7 v. Dept. No. 2
8 JOAN KATHRYN WENGER,
Defendant.
9

10 **AFFIRMATION**
Pursuant to NRS 239B.030

11 The Undersigned does hereby affirm that the following
12 document **DOES NOT** contain the social security number of any
person: (List of document(s) attached below)

13 1) Continued Sentencing -- 8/16/21

14 **-or-**

15 The undersigned does hereby affirm that the document
16 named below **DOES** contain the social security number of a
17 person as required by state or federal law or for the
administration of a public program or for an application for
a federal or state grant: (List of document(s) attached
containing social security number information below)

18 1) _____

19 2) _____

20 (Your signature) Kathy Jackson Kathy Jackson (Date) 8/28/21
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SEP - 2 2021

FILED
2021 SEP -2 PM 2:56

CASE NO. 2021-CR-00114

Douglas County
District Court Clerk

DEPT. NO. 2

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS
BEFORE THE HONORABLE DISTRICT COURT JUDGE, THOMAS GREGORY

BOBBIE R. WILLIAMS

DEPUTY

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER,

Defendant.

TRANSCRIPT OF PROCEEDINGS

ARRAIGNMENT

MONDAY, AUGUST 23, 2021

APPEARANCES:

For the State:

A.J. HAMES
Deputy District Attorney
Minden, Nevada

For the Defendant:

BRIAN FILTER
Attorney at Law
Minden, Nevada

Reported By:

Kathy Jackson CSR
Nevada CCR #402
California CCR #10465

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MONDAY, AUGUST 23, 2021, MINDEN, NEVADA

-oOo-

THE COURT: First case this morning is the State of Nevada versus Joan Kathryn Wenger, Case Number 21CR114. Show the appearance of A.J. Hames on behalf of the State.

Good morning, Mr. Hames.

MR. HAMES: Good morning, Your Honor.

THE COURT: Brian Filter is appearing on behalf of the defendant. Good morning, Mr. Filter.

MR. FILTER: Good morning, Your Honor.

THE COURT: And the defendant, Kathryn or Joan Kathryn Wenger, is appearing before the Court in lawful custody. Good morning, Ms. Wenger.

THE DEFENDANT: Good morning, Your Honor.

THE COURT: We're here today for a continued arraignment. The Court is in receipt of an information filed on June 29th, 2021. Mr. Filter, have you received a copy?

MR. FILTER: Your Honor, I have received a copy of that. I reviewed it with my client. Her name is spelled correctly at or about line 12. She's familiar with the contents, would waive the reading. It's her intention to enter a guilty plea pursuant to the guilty plea agreement on file with the Court.

THE COURT: Mr. Wenger, is that correct?

1 THE DEFENDANT: Yes, Your Honor.

2 THE COURT: All right. And, Ms. Wenger, we
3 continued this matter a couple of times to give you
4 sufficient time to consider the case and discuss the matter
5 with Mr. Filter. Have you had sufficient time to do that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: All right. Ms. Wenger, do you have a
8 copy of the information in front of you?

9 THE DEFENDANT: Yes, I do.

10 THE COURT: In that document it is formally
11 alleged that you have committed the criminal offense of
12 vehicular homicide, a category A felony. To that offense how
13 do you plead?

14 THE DEFENDANT: Guilty.

15 THE COURT: Please raise your right hand. Face
16 the court clerk to be sworn.

17 (Whereupon, the defendant was duly sworn.)

18 THE COURT: Thank you. Please be seated.
19 Ms. Wenger, how old are you?

20 THE DEFENDANT: 66.

21 THE COURT: What is your level of formal
22 education?

23 THE DEFENDANT: Bachelor's.

24 THE COURT: Do you read, write and understand the

1 English language?

2 THE DEFENDANT: Yes.

3 THE COURT: Are you a citizen of the United
4 States?

5 THE DEFENDANT: Yes.

6 THE COURT: As you appear here today are you
7 under the influence of any alcohol, controlled substances or
8 prescription medication?

9 THE DEFENDANT: No.

10 THE COURT: Do you understand you do not have to
11 plead guilty?

12 THE DEFENDANT: Yes.

13 THE COURT: Instead you could enter a plea of not
14 guilty thereby preserving all of your constitutional rights.
15 Do you understand that?

16 THE DEFENDANT: Yes.

17 THE COURT: Do you understand if you were to
18 enter a plea of not guilty you would be entitled to have a
19 speedy public jury trial. That means a trial within about
20 60 days of today's date, and at that trial Mr. Filter would
21 be here with you to assist you. Do you understand?

22 THE DEFENDANT: Yes.

23 THE COURT: Do you understand if you plead guilty
24 today you would be waiving or giving up your right to have a

1 trial in this case?

2 THE DEFENDANT: Yes.

3 THE COURT: Do you waive your right to have a
4 trial?

5 THE DEFENDANT: Yes.

6 THE COURT: By pleading guilty and waiving your
7 right to have a trial you would also be waiving or giving up
8 other important constitutional rights. If we were to have a
9 trial in this case you would have a constitutional right to
10 remain silent, meaning that nobody could compel you to take
11 the witness stand and testify. Do you understand?

12 THE DEFENDANT: Yes.

13 THE COURT: And if you were to decide to remain
14 silent at trial nobody, including the Court, could penalize
15 you in any way for that decision. Do you understand?

16 THE DEFENDANT: Yes.

17 THE COURT: Do you understand if you plead guilty
18 you would be waiving or giving up your right to remain
19 silent?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you waive your right to remain
22 silent?

23 THE DEFENDANT: Yes.

24 THE COURT: If we were to have a trial in this

1 case you would have a decision to make, whether to remain
2 silent, as we've discussed, or whether you instead desire to
3 take the witness stand to testify. In other words whether or
4 not you testify would be a decision for you to make at the
5 time of trial. Do you understand?

6 THE DEFENDANT: Yes.

7 THE COURT: Do you understand if you plead guilty
8 you would be giving up your right to testify in your own
9 defense at trial?

10 THE DEFENDANT: Yes.

11 THE COURT: Do you waive that right?

12 THE DEFENDANT: Yes.

13 THE COURT: If we were to have a trial in this
14 case you would enjoy the right of confrontation. That means
15 that you through Mr. Filter would have an opportunity to ask
16 questions or otherwise cross-examine witnesses. Do you
17 understand your right of confrontation?

18 THE DEFENDANT: Yes.

19 THE COURT: Do you understand you waive that
20 right by entering a guilty plea?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you waive your right of
23 confrontation?

24 THE DEFENDANT: Yes.

1 THE COURT: Also at the time of trial you would
2 have a right to compel the attendance of witnesses. That
3 means that if there were witnesses that you and Mr. Filter
4 thought were important to your case he would cause a subpoena
5 to be issued compelling those folks to come in and testify.
6 Do you understand your right to compel the attendance of
7 witnesses?

8 THE DEFENDANT: Yes.

9 THE COURT: Do you understand you waive that
10 right by entering a guilty plea?

11 THE DEFENDANT: Yes.

12 THE COURT: Do you waive your right to compel the
13 attendance of witnesses?

14 THE DEFENDANT: Yes.

15 THE COURT: If we were to have a trial in this
16 case you would have an opportunity to present the Court and
17 the jury with any legal defenses that you might have in this
18 case. Do you understand?

19 THE DEFENDANT: Yes.

20 THE COURT: Do you understand if you plead guilty
21 you would be waiving or giving up all of your rights?

22 THE DEFENDANT: Yes.

23 THE COURT: All right. And all of your defenses?

24 THE DEFENDANT: Yes.

1 THE COURT: Do you waive your defenses?

2 THE DEFENDANT: Yes.

3 THE COURT: By entering a guilty plea you greatly
4 reduce those issues from which you can file an appeal. Do
5 you understand?

6 THE DEFENDANT: Yes.

7 THE COURT: Have you discussed each of these
8 rights with Mr. Filter?

9 THE DEFENDANT: Yes.

10 THE COURT: Are you satisfied with his
11 representation of you?

12 THE DEFENDANT: Yes.

13 THE COURT: Do you have any questions for myself
14 or Mr. Filter regarding your constitutional rights?

15 THE DEFENDANT: No.

16 THE COURT: Do you waive each of the rights we've
17 discussed?

18 THE DEFENDANT: Yes.

19 THE COURT: The Court is in receipt of a document
20 entitled guilty plea agreement. Do you have a copy of that
21 document in front of you?

22 THE DEFENDANT: Yes.

23 THE COURT: If you could start by turning to page
24 five of that agreement, at about line 22 and a half there is

1 a signature line with your name printed underneath it. Is
2 that your signature that appears on the line?

3 THE DEFENDANT: Yes.

4 THE COURT: Did you place that signature there
5 only after you had an opportunity to read the guilty plea
6 agreement?

7 THE DEFENDANT: Yes.

8 THE COURT: Did you discuss the guilty plea
9 agreement with Mr. Filter?

10 THE DEFENDANT: Yes.

11 THE COURT: Do you understand the terms of the
12 guilty plea agreement?

13 THE DEFENDANT: Yes.

14 THE COURT: Has anybody made any other promises
15 or inducements to get you to enter a plea today other than
16 those that are contained in the guilty plea agreement?

17 THE DEFENDANT: No.

18 THE COURT: Does the guilty plea agreement
19 accurately reflect the agreement you are entering into with
20 the State of Nevada?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you agree to be bound by the terms
23 of the guilty plea agreement?

24 THE DEFENDANT: Yes.

1 THE COURT: What is your understanding of the
2 maximum penalty for this offense?

3 THE DEFENDANT: Life.

4 THE COURT: All right. That is correct. The
5 maximum prison sentence is life with parole eligibility when
6 ten years have been served. Do you understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: Do you understand the only other
9 alternative to that that the Court could impose would be a
10 definite term of 25 years in prison with minimum parole
11 eligibility beginning when ten years have been served.

12 MR. FILTER: Your Honor, if I could have a
13 moment.

14 THE COURT: Yes.

15 THE DEFENDANT: Yes.

16 THE COURT: Has anybody made any promises to you
17 regarding what your sentence will be in this case?

18 THE DEFENDANT: No.

19 THE COURT: Do you understand that what sentence
20 you'll receive is entirely up to the Court?

21 THE DEFENDANT: Yes.

22 THE COURT: Do you understand you are not
23 eligible for probation for this offense?

24 THE DEFENDANT: Yes.

1 THE COURT: So at the time of sentencing the
2 Court could if the Court deemed it appropriate sentence you
3 to serve a period of life imprisonment with minimum parole
4 eligibility beginning when ten years has been served or the
5 Court could impose a definite term of 25 years in prison with
6 minimum parole eligibility beginning when ten years have been
7 served. Do you understand that?

8 THE DEFENDANT: Yes.

9 THE COURT: So in other words at the time of
10 sentencing those are the two options that are available to
11 the Court. Do you understand?

12 THE DEFENDANT: Yes.

13 THE COURT: And while the Court will listen to
14 any recommendations made, the Court could go the direction of
15 life with the possibility of parole in ten years. Do you
16 understand that?

17 THE DEFENDANT: Yes.

18 THE COURT: Knowing that do you still desire to
19 plead guilty?

20 THE DEFENDANT: Yes.

21 THE COURT: Do you understand that you need to
22 get an evaluation prior to being sentenced in this case?

23 THE DEFENDANT: Yes.

24 THE COURT: All right. And also do you

1 understand that upon pleading guilty the department of motor
2 vehicles may revoke or suspend your driver's license or
3 driving privileges and/or the registration of your vehicle?

4 THE DEFENDANT: Yes.

5 THE COURT: Do you understand you can be ordered
6 to make restitution in this case if any is requested?

7 THE DEFENDANT: Yes.

8 THE COURT: And that would be made part of your
9 sentence. Do you understand that?

10 THE DEFENDANT: Yes.

11 THE COURT: If you were to enter a plea of not
12 guilty and we were to set this matter for trial, at that
13 trial you would be presumed to be innocent, and the State
14 would have the burden of proving the elements of the offense
15 beyond a reasonable doubt. Do you understand?

16 THE DEFENDANT: Yes.

17 THE COURT: The elements of the offense appear in
18 the information. Do you have a copy of that front of you?

19 THE DEFENDANT: Yes.

20 THE COURT: Do you understand if you plead guilty
21 you would be giving up your right to make the State attempt
22 to prove this case at trial?

23 THE DEFENDANT: Yes.

24 THE COURT: Do you waive that right?

1 THE DEFENDANT: Yes.

2 THE COURT: Okay. So, again, the elements of the
3 offense are stated in the information. Specifically that you
4 on or about February 28th, 2020, here in Douglas County,
5 Nevada, did willfully and unlawfully drive a vehicle on or
6 off the highway while under the influence of intoxicating
7 liquor and/or while having a concentration of alcohol of 0.08
8 or more in your blood and/or you were found by measurement
9 within two hours after driving a vehicle to have a
10 concentration of alcohol of 0.08 or more in your blood and
11 approximately caused the death of another person while also
12 driving, specifically Laura Staugaard, S-t-a-u-g-a-a-r-d, all
13 of which occurred on U.S. Highway 395 in the area of Johnson
14 Lane in the County of Douglas, State of Nevada.

15 Ms. Wenger, do you understand what the State
16 would have to prove at the time of trial in this case?

17 THE DEFENDANT: Yes.

18 THE COURT: Do you believe if we were to have a
19 trial in this case that the State would have sufficient
20 evidence to prove those elements beyond a reasonable doubt?

21 THE DEFENDANT: Yes.

22 THE COURT: Did you commit the offense as stated
23 in the information?

24 THE DEFENDANT: Yes.

1 THE COURT: The information further alleges that
2 you have previously been convicted of at least three
3 violations of NRS 484C.110, 484C.120 or 484C.30 or a
4 violation of law of any other jurisdiction that prohibits the
5 same or similar conduct.

6 And, Ms. Wenger, do you still have a copy of the
7 information in front of you?

8 THE DEFENDANT: Yes.

9 THE COURT: If you could turn to page two of that
10 information the State has alleged three different prior
11 convictions. The first one is for an offense that occurred
12 on or about August 16th, 2009, with the date of conviction on
13 or about November 17th, 2009 in Tahoe Township Justice Court,
14 Douglas County, Nevada. Did you, in fact, receive that
15 conviction?

16 THE DEFENDANT: Yes.

17 THE COURT: The second one is date of offense
18 October 17th, 2011. Date of conviction June 7th, 2012 in Ely
19 Municipal Court in White Pine County, Nevada. Did you, in
20 fact, suffer that conviction?

21 THE DEFENDANT: Yes.

22 THE COURT: And the third is an offense occurring
23 on or about August 26th, 2018. The date of conviction on or
24 about October 30th, 2018 in Reno Township Justice Court in

1 Washoe County, Nevada. Did you, in fact, suffer that
2 conviction?

3 THE DEFENDANT: Yes.

4 THE COURT: Ms. Wenger, I read verbatim to you
5 the elements of the offense as stated in the information. I
6 did not read the entire information to you. Do you wish for
7 me to read the entire information to you or do you waive a
8 formal reading of the information?

9 THE DEFENDANT: I waive.

10 THE COURT: Okay. Thank you.

11 Mr. Filter, are there any other areas you would
12 ask me to canvass Ms. Wenger on?

13 MR. FILTER: Your Honor, she has a question for
14 me. Your Honor, if I could have just a moment.

15 THE COURT: Yes. Take your time.

16 MR. FILTER: Thank you, Your Honor. She just had
17 a question.

18 THE COURT: Okay. Ms. Wenger, do you have any
19 questions for the Court?

20 THE DEFENDANT: Not right -- no.

21 THE COURT: Okay. I welcome you to ask them if
22 you have them of either myself or Mr. Filter. Do you have
23 any?

24 THE DEFENDANT: No.

1 THE COURT: Mr. Filter, are there any other areas
2 you would ask me to canvass your client on?

3 MR. FILTER: No, Your Honor.

4 THE COURT: Mr. Hames, any other areas of
5 inquiry?

6 MR. HAMES: No, Your Honor.

7 THE COURT: Ms. Wenger, have you understood
8 everything we discussed here today?

9 THE DEFENDANT: Yes.

10 THE COURT: Is it your intention to maintain your
11 plea of guilty or would you prefer to enter a plea of not
12 guilty thereby preserving your rights?

13 THE DEFENDANT: Guilty.

14 THE COURT: The Court makes a finding that
15 Ms. Wenger has entered a guilty plea. She's done so freely
16 and voluntarily with the assistance of counsel. She
17 understands her constitutional rights, and she's waived those
18 rights in order to enter the plea.

19 The Court finds that there is a sufficient
20 factual basis for the plea and the plea is accepted by the
21 Court.

22 Mr. Hames, the Court has yet to receive any of
23 the prior convictions. Do you wish to lodge those today or
24 at the time of sentencing?

1 MR. HAMES: I could lodge those today, Your
2 Honor.

3 THE COURT: Have they been provided to
4 Mr. Filter?

5 MR. HAMES: Yes, they have, Your Honor.

6 THE COURT: We will have those marked as State's
7 exhibit -- are there three?

8 MR. HAMES: There are three exhibits.

9 THE COURT: Okay.

10 MR. HAMES: Two of which are paper-clipped, and
11 there's a series of documents but they are all one exhibit.

12 THE COURT: Would you assist the clerk to get
13 them how you would like them marked. Okay. Those will be
14 marked as State's exhibits first in order. All right. There
15 have been three exhibits marked.

16 Mr. Filter, have you had a chance to review those
17 exhibits?

18 MR. FILTER: I've been previously provided copies
19 and I don't have any objection to them.

20 THE COURT: All right. Thank you. Exhibit
21 Number 1 is a certified copy of a prior conviction in the
22 municipal court of the City of Ely, County of White Pine,
23 State of Nevada. It reflects a judgment of conviction for
24 driving under the influence, a second offense. The date of

1 offense and date -- the date of conviction are as appearing
2 in the information. The defendant was represented by
3 counsel. The defendant was canvassed on her constitutional
4 rights, entered a plea of no contest. The judgment was
5 entered. The Court finds that State's Exhibit Number 1 is
6 admissible for the purpose of enhancement and it is admitted.

7 Exhibit 2 is a certified copy, the judgment of
8 conviction out of Reno Municipal Court in Washoe County,
9 Nevada reflecting a conviction for driving under the
10 influence, a second offense. The date of offense and date of
11 conviction are as indicated in the information. The
12 defendant was represented by counsel after being canvassed on
13 her constitutional rights, entered a plea of guilty.
14 Exhibit 2 reflects a valid judgment of conviction, admissible
15 for sentencing enhancement and it is admitted.

16 Exhibit Number 3 is a certified copy of judgment
17 of conviction out of Tahoe Township Justice Court in Douglas
18 County, Nevada reflecting a conviction for driving under the
19 influence of alcohol. The date of offense and date of
20 conviction are as stated in the information. The defendant
21 was represented by counsel, having been canvassed on her
22 constitutional rights entered a plea of guilty. And, again,
23 had the assistance of counsel in doing so. Exhibit 3 is
24 admitted for the purpose of enhancement.

1 Sentencing in this matter then will proceed along
2 the lines of a category A felony.

3 Counsel, as far as sentencing goes would you like
4 to set this on a normal law and motion date or do you
5 anticipate needing more time than normal, Mr. Hames?

6 MR. HAMES: Your Honor, I will have probably two
7 victims who would like to give a statement. So if the
8 calendar is somewhat light I think that a Monday would be
9 appropriate. But if we have very busy calendars coming up it
10 could take slightly longer than a normal sentencing.

11 THE COURT: Mr. Filter, what are your thoughts?

12 MR. FILTER: Your Honor, I think it would
13 probably be on a normal calendar.

14 THE COURT: Mr. Filter, would you be available
15 for sentencing on October 4th?

16 MR. FILTER: I am, Your Honor.

17 THE COURT: Mr. Hames, does that date work for
18 the State?

19 MR. HAMES: Your Honor, if we could go out two
20 additional weeks. The victims are unavailable from the 2nd
21 until the 19th of October.

22 THE COURT: So through the 19th. So we probably
23 need to go out because the Monday, the 18th, it sounds like
24 they wouldn't be back yet. So we need to go out to

1 September 25th?

2 MR. HAMES: October.

3 THE COURT: October, excuse me.

4 MR. HAMES: Yes, Your Honor, if we could do
5 October 25th.

6 THE COURT: Mr. Filter, are you available on that
7 date?

8 MR. FILTER: Your Honor, I am not. I'm going to
9 be out of state that Monday.

10 THE COURT: Okay. November 1st.

11 MR. HAMES: Your Honor, one moment.

12 THE COURT: Yes.

13 MR. HAMES: Your Honor, I just spoke with some of
14 the victims in the case and they have indicated they could
15 make the 4th of October work.

16 THE COURT: Okay.

17 MR. FILTER: Your Honor, my only -- my only
18 concern with that is the necessity of doing the evaluation.
19 I'm a little bit concerned that won't be done in time.

20 THE COURT: All right. I think we have here with
21 us today Chris Thomas with parole and probation.

22 THE PROBATION OFFICER: Yes, Your Honor.

23 THE COURT: Mr. Thomas, so this -- in this case
24 the defendant is going to need to get a substance abuse

1 evaluation, and so I'm wondering your input if six weeks is
2 appropriate time to put sentencing or whether more time would
3 be needed?

4 THE PROBATION OFFICER: You know, I think I would
5 side with Mr. Filter. More time might be necessary to get
6 that squared away with if she's been in custody.

7 THE COURT: Okay. So, Mr. Hames, if you would
8 check with the victim's family. You know, other dates
9 available, the next earliest date would be the 11th of
10 October. We have the 18th of October. Mr. Filter is
11 unavailable on the 25th. And so then it takes us to
12 November 1st. Those would be the available dates.

13 MR. HAMES: I'll ask. One moment.

14 THE COURT: Thank you.

15 MR. HAMES: Your Honor, if we could do the 18th.
16 I think that would work with their schedule, and that should
17 also give the department a couple of extra weeks to make sure
18 that she gets her evaluation done.

19 THE COURT: Okay. Mr. Filter, is the 18th
20 available to you?

21 MR. FILTER: It is, Your Honor.

22 THE COURT: Sentencing in this matter is
23 scheduled for October 18th, 2021. Sentencing will be at
24 9:00 o'clock in the morning.

1 The defendant is ordered to be here at that time
2 and date. The Court orders the preparation of a presentence
3 investigation report. The defendant is ordered to cooperate
4 with the division as they prepare that report. The Court
5 also orders the division to pursue a substance abuse
6 evaluation for Ms. Wenger.

7 And, Ms. Wenger, again, you are ordered to
8 cooperate with the division in regard to that evaluation.

9 All right. Mr. Filter, anything further for
10 today's purpose?

11 MR. FILTER: No, Your Honor.

12 THE COURT: Mr. Hames?

13 MR. HAMES: No, Your Honor.

14 THE COURT: The Court previously entered a
15 hearing regarding bail. Does any party request modification,
16 Mr. Filter?

17 MR. FILTER: Not at this junction, Your Honor.

18 MR. HAMES: No, Your Honor.

19 THE COURT: Can I have a bail order, please.
20 Mr. Filter, given the defendant's plea to a category A felony
21 which is a non probation offense the Court is inclined to set
22 no bail but I want to give you an opportunity to address that
23 if you would like.

24 MR. FILTER: Could I have one moment.

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THE COURT: Yes.

MR. FILTER: Your Honor, we'll just submit to the Court on that.

THE COURT: The defendant, given her plea of guilty today will be held without bail, and we'll see you back for sentencing on October 18th, 2021 at 9:00 o'clock in the morning.

Mr. Filter, anything else?

MR. FILTER: No, Your Honor. Thank you.

THE COURT: Mr. Hames?

MR. HAMES: No, Your Honor.

THE COURT: That will be the Court's order.

1 STATE OF NEVADA,)
2 CARSON CITY.) ss.

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I, KATHY JACKSON, Nevada Certified Court Reporter
Number 402, do hereby certify:

That I was present in the District Court in Minden, in
and for the State of Nevada, on Monday, August 23, 2021, for
the purpose of reporting in verbatim stenotype notes the
within-entitled Arraignment;

That the foregoing transcript, consisting of pages 1
through 24 is a full, true and correct transcription of said
Arraignment.

Dated at Carson City, Nevada, this 2nd day
of September, 2021.

Kathy Jackson

/s/ Kathy Jackson
KATHY JACKSON, CCR
Nevada CCR #402

1 CAPITOL REPORTERS
2 628 E. John Street #3
3 Carson City, Nevada 89706
4 775-882-5322

5 THE NINTH JUDICIAL DISTRICT COURT
6 IN AND FOR THE COUNTY OF DOUGLAS

7 STATE OF NEVADA,
8 Plaintiff,

Case No. 2021-CR-00114

9 v.

Dept. No. 2

10 JOAN KATHRYN WENGER,
11 Defendant.

12 **AFFIRMATION**
13 Pursuant to NRS 239B.030

14 The Undersigned does hereby affirm that the following
15 document **DOES NOT** contain the social security number of any
16 person: (List of document(s) attached below)

17 1) Arraignment -- 8/23/21

18 -or-

19 The undersigned does hereby affirm that the document
20 named below **DOES** contain the social security number of a
21 person as required by state or federal law or for the
22 administration of a public program or for an application for
23 a federal or state grant: (List of document(s) attached
24 containing social security number information below)

1) _____

2) _____

Kathy Jackson

(Your signature) Kathy Jackson _____ (Date) 9/2/21

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Case No. 21-CR-00114

Dept. No. II

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District Court Clerk

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IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

BOBBIE R. WILLIAMS
CLERK

DEPUTY

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN WENGER

Defendant.

CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Division of Parole and Probation, and that I served a copy of the PRESENTENCE INVESTIGATION REPORT, addressed to:

☐

Kristine L. Brown
1190 High School St., Ste. A
Gardnerville, Nevada 89410

☐

Matthew Ence
1662 U.S. Hwy 395 N, Ste. 104
Minden, Nevada 89423

☐

Maria Pence
1662 U.S. Hwy 395 N, Ste. 203
Minden, Nevada 89423

☐

Mathew Work
2995 Skyline Blvd., Ste. 209
Reno, Nevada 89509

☐

☒

Douglas County District Attorney
1038 Buckeye Road
Minden, Nevada 89423

In the following manner:

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Dated this 1 day of OCTOBER, 2021.

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CLERK

BY [Signature] DEPUTY

Case No. 21-CR-00114

Dept. No. II

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IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN WENGER

Defendant.

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Mathew Work
2995 Skyline Blvd., Ste. 209
Reno, Nevada 89509

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B. FILTER

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Douglas County District Attorney
1038 Buckeye Road
Minden, Nevada 89423

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Nevada Department of
Public Safety
Parole and Probation

PRESENTENCE INVESTIGATION REPORT

The Honorable Thomas W. Gregory
Department II, Douglas County
Ninth Judicial District Court

Date Report Prepared: September 22, 2021

Prosecutor: AJ Hames, DDA

Defense Attorney: Brian Filter, Appointed

PSI: 624278

I. CASE INFORMATION

Defendant: Joan Kathryn Wenger
Case: 21-CR-00114
ID: N/A
P&P Bin: 1005524591

PCN: DCSO4004957C
Offense Date: 2/28/20
Arrest Date: 6/3/21
Plea Date: 8/23/21, Guilty
Sentencing Date: 10/18/21

II. CHARGE INFORMATION

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CLERK

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

BY AW DEPUTY

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER

Defendant.

CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada Division of Parole and Probation, and that I served a copy of the VICTIM IMPACT STATEMENT, addressed to:

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1190 High School St., Ste. A
Gardnerville, Nevada 89410

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Matthew Ence
1662 U.S. Hwy 395 N, Ste. 104
Minden, Nevada 89423

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CLERK

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

BY W. A. Williams DEPUTY

IN AND FOR THE COUNTY OF DOUGLAS

THE STATE OF NEVADA,

Plaintiff,

vs.

JOAN KATHRYN WENGER

Defendant.

CERTIFICATE OF SERVICE

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Minden, Nevada 89423

☐ Mathew Work
2995 Skyline Blvd., Ste. 209
Reno, Nevada 89509

☒ B. FILTER

☐ Douglas County District Attorney
1038 Buckeye Road
Minden, Nevada 89423

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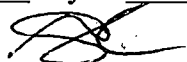
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Steve Sisolak
Governor



Nevada Department of
Public Safety
Parole and Probation

George Togliatti
Director

Tom Lawson
Chief

Parole & Probation Carson City

1445 Old Highway Road #104
Carson City, Nevada 89706
Telephone (775) 684-2605 • Fax (775) 684-8157

October 12, 2021

The Honorable Thomas J. Gregory
Department II, Douglas County
Ninth Judicial District Court

RE: Wenger, Joan Kathryn
Case: 21-CR-00114

Your Honor,

The Division received a victim impact statement along with medical statements, from the victim's son. I have attached all the documents to be included with Ms. Wenger's Presentence Investigation Report.