



Office of the Washington County Attorney

Kevin Magnuson, County Attorney

News Release

Contact: Laura Perkins, Public Information Manager

Phone: 651-430-7994

FOR IMMEDIATE RELEASE

Date: April 15, 2024

Man sentenced to over 13 years for fatal Oakdale crash following police pursuit

STILLWATER, Minn. -- A Wadena man who killed an 80-year-old woman while fleeing police in a stolen SUV was sentenced Friday to over 13 years in prison, Washington County Attorney Kevin Magnuson announced.

Scott David Hardy, 36, pleaded guilty in February for his role in the crash that killed 80-year-old Shirley Bilden of Maplewood in 2021. As part of a plea deal, Hardy was convicted of the charge of fleeing a peace officer in a motor vehicle resulting in death, while two lesser charges of receiving stolen property and attempted theft of a motor vehicle were dismissed.

According to the criminal complaint, police received a call that a stolen Chevrolet Tahoe was parked outside of Cub Food in Oakdale just after 4 p.m. on July 10, 2021. When officers arrived, they identified the driver of the vehicle as Hardy and told him to turn off the ignition and put his hands out the window. Instead, Hardy fled from police at a high rate of speed, driving through neighborhoods at speeds of up to 70 miles per hour. Police called off the pursuit for safety reasons; however, shortly after they observed a large plume of white smoke in the distance. Police responded to the area and determined Hardy had run a red light at the intersection of Geneva Avenue and 10th Street, striking Bilden's Chevrolet Malibu and leaving both cars severely damaged. Witnesses reported Hardy fled from the scene.

Three people were injured in the crash, including Bilden. Police reported she was bleeding from the mouth and had difficulty breathing. She also suffered from obvious significant injuries, including an apparent compound fracture to her left ankle and fractures to her back, shoulder, and vertebrae. Two occupants of the stolen SUV also sustained injuries from the crash, and all three victims were transported to the hospital. Bilden died from her injuries four days later.

Hardy was located a short time after fleeing the crash at a nearby cemetery after he attempted to steal a woman's car while she and her children were at a gravesite. He was restrained by citizens until he could be apprehended by police.

"The reckless actions of Mr. Hardy that day led to devastating consequences, and justice demands accountability," said Magnuson. "Our hearts are with Shirley's family and friends as they navigate the aftermath of this senseless loss."

At a sentencing hearing Friday, Hardy was sentenced to 166 months in prison with 2 years and 273 days credit for time served. He remains in custody at the Washington County Jail awaiting transfer to the Minnesota Department of Corrections.

Criminal Division Head Nicholas Hydukovich and Assistant Criminal Division Head Tom Wedes prosecuted this case.

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State of Minnesota
County of Washington

District Court
10th Judicial District

Prosecutor File No.
Court File No.

CR-2021-1073
82-CR-21-2296

State of Minnesota,

Plaintiff,

vs.

SCOTT DAVID HARDY DOB: 07/20/1987

1402 Jefferson St S
Apt 19
Wdena, MN 56482

Defendant.

COMPLAINT

Warrant

Amended

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Death

Minnesota Statute: 609.487.4(a), with reference to: 609.487.4(a)

Maximum Sentence: 40 years and \$80,000

Offense Level: Felony

Offense Date (on or about): 07/10/2021 to 07/14/2021

Control #(ICR#): 21008787

Charge Description: by means of a motor vehicle, flee or attempt to flee a peace officer who was acting in the lawful discharge of an official duty, knowing or who reasonably should have known the same to be a peace officer, resulting in death of a human being

COUNT II

Charge: Receiving Stolen Property

Minnesota Statute: 609.53.1, with reference to: 609.52.3(3)(d)(v)

Maximum Sentence: 5 years and \$10,000

Offense Level: Felony

Offense Date (on or about): 07/10/2021

Control #(ICR#): 21008787

Charge Description: receive, possess, transfer, buy or conceal any property stolen or obtained by robbery, to wit: maroon Chevrolet Tahoe (Wis. Lic. RL 1454), knowing or having reason to know that the property was stolen or obtained by robbery, said property being a motor vehicle

COUNT III

Charge: Attempt Theft-Take/Drive Motor Vehicle-No Owner Consent

Minnesota Statute: 609.52.2(a)(17), with reference to: 609.52.3(3)(d)(v), 609.17.1

Maximum Sentence: 5 years and \$10,000

Offense Level: Felony

Offense Date (on or about): 07/10/2021

Control #(ICR#): 21008787

Charge Description: attempt to take or drive a motor vehicle, to wit: black Volkswagen Tiguan bearing MN Lic. FWB 248 without the consent of the owner or authorized agent of the owner, knowing or having reason to know that the owner or an authorized agent of the owner did not give consent

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On 7/10/2021 at approximately 1610 hours, law enforcement received information that a maroon Chevrolet Tahoe (Wis. Lic. RL 1454) parked in the Oakdale, Washington County, Minnesota, Cub Foods parking lot was stolen. Law enforcement approached the area, directed the occupants of a nearby vehicle to leave the area, and then heard the Tahoe's engine start. Law enforcement yelled for the driver of the Tahoe—subsequently identified as Scott David Hardy, DOB 7/20/1987 ("DEFENDANT HARDY")—to stop the vehicle and put hands out the window. Instead of abiding by law enforcement's directive, DEFENDANT HARDY put the Tahoe in drive and fled out of the parking lot, squealing its tires in the process. Law enforcement initially pursued the vehicle with active lights and siren. DEFENDANT HARDY was observed fleeing in the Tahoe in a residential area of Oakdale at estimated speeds of 70+mph, including driving off road through yards. For safety reasons, law enforcement had terminated its pursuit of the fleeing Tahoe.

Shortly thereafter, law enforcement observed a plume of white smoke in the air in the distance and determined that DEFENDANT HARDY had run a red light at the intersection of Geneva Ave and 10th St., Oakdale, Washington County, Minnesota, and crashed into a Chevrolet Malibu. Both vehicles had sustained severe damage.

Law enforcement identified the driver of the Chevrolet Malibu as an 80 year old female (SJB), who was having difficulty breathing, was bleeding including from her mouth, and had obvious significant injuries including an apparent compound fracture to her left ankle as a result of the incident. SJB was taken to the hospital and based on information received, suffered fractures in her shoulder, ankle, ribs, and back including to critical vertebrae.

The suspect Tahoe contained an adult female in the front seat passenger (LEL) and an adult male in the backseat (AJD). No one was in the driver's seat of the Tahoe. The adult female was spitting out blood and going in and out of consciousness, and at one point stated, "I can't believe he left me here to die", apparently referring to the driver DEFENDANT HARDY who fled on foot. Both LEL and AJD were also taken to the hospital.

At the accident scene, law enforcement was advised that DEFENDANT HARDY had fled on foot towards a nearby cemetery. BMA (adult female) reported that she and her children were visiting a grave site at Union Cemetery, when she observed DEFENDANT HARDY, who was covered in blood, enter her vehicle which was unoccupied. BMA yelled at DEFENDANT HARDY to get out of her vehicle (black Volkswagen Tiguan bearing MN Lic. FWB 248), which he eventually did. Citizens assisted in detaining DEFENDANT HARDY until law enforcement arrived. Additional witnesses observed DEFENDANT HARDY fleeing on foot and trying to steal BMA's vehicle in the cemetery.

Law enforcement confirmed that the Tahoe driven by DEFENDANT HARDY was in fact stolen.

DEFENDANT HARDY has prior felony convictions for Assault in the First Degree and Assault in the Second Degree, and had multiple active arrest warrants at the time of the incident including in cases in which he is charged for falsely reporting a crime and theft by swindle.

Law enforcement received information that DEFENDANT HARDY left the hospital. Accordingly, the State requests that the Court issue the instant amended complaint by warrant.

On 7/14/2021, law enforcement learned that Victim SJB had passed away that day at the hospital as a result of injuries sustained during the 7/10/2021 incident described herein.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Steven Goodwin
Detective Sergeant
1584 Hadley Avenue N
Oakdale, MN 55128
Badge: 140

Electronically Signed:
07/14/2021 03:45 PM
Washington County, Minnesota

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

Prosecuting Attorney

Thomas D. Wedes
Assistant County Attorney
PO Box 6
15015 62nd Street North
Stillwater, MN 55082
(651) 430-6115

Electronically Signed:
07/14/2021 03:43 PM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear as directed in the Notice of Hearing before the above-named court to answer this complaint.

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

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$
Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: July 14, 2021.

Judicial Officer

Ellen Louise Maas
District Court Judge

Electronically Signed: 07/14/2021 04:12 PM

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

**COUNTY OF WASHINGTON
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Scott David Hardy

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Warrant
upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Scott David Hardy
DOB: 07/20/1987
Address: 1402 Jefferson St S
Apt 19
Wdena, MN 56482

Alias Names/DOB:

SID:

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: No

Driver's License #:

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	7/10/2021	609.487.4(a) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Death	Felony	E2773	N	MN0820800	21008787
	Penalty	7/10/2021	609.487.4(a) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Death	Felony	E2773	N	MN0820800	21008787
2	Charge	7/10/2021	609.53.1 Receiving Stolen Property	Felony	Q122D	N	MN0820800	21008787
	Penalty	7/10/2021	609.52.3(3)(d)(v) Theft - Value \$1000 or less - Motor vehicle	Felony	Q122D	N	MN0820800	21008787
3	Charge	7/10/2021	609.52.2(a)(17) Theft-Take/Drive Motor Vehicle-No Owner Consent	Felony	V0071	N	MN0820800	21008787
	Modifier	7/10/2021	609.17.1 Anticipatory Crimes-Attempts	No-Level	V0071	N	MN0820800	21008787
	Penalty	7/10/2021	609.52.3(3)(d)(v) Theft - Value \$1000 or less - Motor vehicle	Felony	V0071	N	MN0820800	21008787