



# 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:** December 19<sup>th</sup>, 2024

### **Man convicted of murder in Forest Lake hit-and-run that killed teen girl**

**STILLWATER, Minn.** – A Washington County jury has convicted a 21-year-old North Branch man of murder in the death of a teen girl he ran over with his car following a fight in Forest Lake, Washington County Attorney Kevin Magnuson announced.

Dylan Robert Simmons was convicted Thursday of second-degree murder during the commission of a felony, criminal vehicular homicide, and three counts of second-degree assault with a dangerous weapon for driving his vehicle into a crowd at Lakeside Memorial Park in Forest Lake, running over and killing 17-year-old Darisha Bailey Vath. He was found not guilty of the charge of second-degree intentional murder.

According to the criminal complaint, Forest Lake police responded to a report of a pedestrian struck by a vehicle at approximately 1:22 a.m. on July 16, 2023. Upon arrival, officers found a bystander performing chest compressions on Vath in the parking lot. Despite emergency medical efforts, she was pronounced dead at the scene.

Officers interviewed witnesses and learned that the incident followed a confrontation between two groups, most of whom knew each other and were armed with weapons such as baseball bats, hammers, and knives. After the altercation de-escalated, Simmons got behind the wheel of his white Mazda sedan with a passenger. Witnesses reported that Simmons intentionally drove toward several people from the opposing group, narrowly missing three bystanders, before circling around and accelerating toward the crowd again and striking the rear end of a parked vehicle. He then reversed and again drove toward the group, this time hitting Vath with the front passenger side of his car.

The incident was captured on video from multiple angles, including cell phone and surveillance video, which showed Simmons' vehicle driving up and over Vath with all four tires before speeding away from the scene. Simmons eventually returned after his passenger placed a phone call to a witness at the scene. The witness gave his phone to a police sergeant who directed Simmons and his passenger to return. Simmons later admitted to driving the vehicle that struck Vath and acknowledged that he knew he had run her over. An autopsy by the Ramsey County Medical Examiner's Office confirmed that Vath died from traumatic head injuries.

Following a five-day trial, a jury of eleven men and one woman deliberated and reached a verdict just before 10:30 a.m. on Thursday.

"This verdict affirms that Dylan Simmons murdered Darisha Bailey Vath, pure and simple," said Magnuson. "As her family experiences this moment of justice, we continue to keep them in our thoughts while they cope with the pain of their loss."

Simmons remains in custody at the Washington County Jail awaiting sentencing scheduled for March 20, 2025. Assistant County Attorneys Marc Berris and Kayla Wengronowitz prosecuted the case.

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State of Minnesota  
County of Washington

District Court  
10th Judicial District

Prosecutor File No.  
Court File No.

CR-2023-1062  
82-CR-23-2464

State of Minnesota,

Plaintiff,

vs.

**DYLAN ROBERT SIMMONS** DOB: 05/19/2003

8255 384th Trail  
North Branch, MN 55056

Defendant.

**COMPLAINT**

Summons

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: Murder - 2nd Degree - With Intent-Not Premeditated**

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1

Maximum Sentence: 40 years

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: cause the death of of a human being, to-wit: Victim, with intent to effect the death of the victim or another, but without premeditation

**COUNT II**

**Charge: Murder - 2nd Degree - Without Intent - While Committing a Felony**

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1)

Maximum Sentence: 40 years

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: without intent to effect the death of any person, cause the death of Victim while committing or attempting to commit the felony of Assault in the Second Degree

**COUNT III**

**Charge: Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene**

Minnesota Statute: 609.2112.1(a)(7), with reference to: 609.2112.1(a)

Maximum Sentence: 10 years and \$20,000

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: cause the death of Victim as a result of operating a motor vehicle and left the scene of the accident

**COUNT IV**

**Charge: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1

Maximum Sentence: 7 years and \$14,000

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: assault another, to-wit: D.B.V., with a dangerous weapon, to wit: a motor vehicle

**COUNT V**

**Charge: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1

Maximum Sentence: 7 years and \$14,000

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: assault another, to-wit: E.E.G., with a dangerous weapon, to wit: a motor vehicle

**COUNT VI**

**Charge: Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1

Maximum Sentence: 7 years and \$14,000

Offense Level: Felony

Offense Date (on or about): 07/16/2023

Control #(ICR#): 23008392

Charge Description: assault another, to-wit: E.B.V., with a dangerous weapon, to wit: a motor vehicle

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

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Your complainant is a licensed Minnesota peace officer and is employed by the Forest Lake Police Department. Your complainant offers the following statement to establish probable cause:

At 1:22 a.m. on July 16, 2023, multiple Forest Lake police officers responded to report of a person struck by a vehicle in the parking lot of Lakeside Veteran's Memorial Park, located in the City of Forest Lake, Washington County, Minnesota. When the first officers arrived they saw several bystanders standing around a female that was laying on the ground, and one of them was performing chest compressions on the female. The female was later identified and determined to be a 17-year-old whose identity is known but who will be identified hereinafter as "Victim." The police officers assisted in providing emergency medical care to Victim until the arrival of firefighters and an ambulance. Despite the heroic efforts of both the good Samaritans and the police, fire, and EMS responders, Victim died at the scene.

The police officers spoke with numerous witnesses and learned that there had been arguments and physical fights involving two groups of individuals, all or most of whom knew one another. The officers were told that participants on both sides were shouting at the other and that multiple participants had armed themselves with weapons such as a baseball bat, hammers, a crowbar, and a folding knife. After the conflict de-escalated, two of the participants got into a white Mazda sedan. The driver of this vehicle was DYLAN ROBERT SIMMONS, d/o/b 5/19/2003, Defendant herein.

According to several witnesses, most significantly including multiple witnesses who were on the same side of the conflict as SIMMONS, SIMMONS intentionally drove in the direction of several people from the opposing side of the conflict. Though SIMMONS did not strike anyone at this time, he did collide with the back end of a vehicle in which five of the people on the other side of the conflict had arrived. The witnesses said that SIMMONS then backed up and again drove directly towards the multiple people who were near the other vehicle. This time SIMMONS struck Victim with the front passenger side of his vehicle and drove over her with both the front and rear passenger side tires of his vehicle. SIMMONS and his passenger then fled the scene.

One of the witnesses recorded a 15 second video on their cellphone which shows SIMMONS striking Victim with his vehicle. This video shows SIMMONS' vehicle lift up as it drove over Victim, and then shows SIMMONS rapidly driving away.

As the police were conducting their initial investigation at the scene, the passenger in SIMMONS' vehicle called one of the people still at the scene who happened to be speaking with a police sergeant. When the witness told the sergeant that the caller was in SIMMONS' vehicle, the sergeant encouraged them to return to the scene. They did, and SIMMONS admitted that he was driving the vehicle at all materials times. SIMMONS was detained and brought to the Forest Lake Police Department. In a post-Miranda interview SIMMONS admitted that he knew he had struck Victim.

An autopsy was conducted on Victim by the Ramsey County Medical Examiner's Office. The assistant medical examiner who conducted the autopsy concluded that Victim died as a result of "traumatic head injuries due to automobile-pedestrian collision" and that the manner of her death was homicide.

In the days following this incident, security video from an office building near Lakeside Veteran's Memorial Park was obtained and found to contain video of this incident. This video shows that SIMMONS's vehicle was initially parked but that he quickly drove forward in the direction of a group of approximately six

bystanders, narrowly missing them. SIMMONS then looped around and again rapidly accelerated towards the group bystanders, this time again narrowly missing them but striking the rear end of a parked vehicle. SIMMONS then backed up and again lurched forward, striking and then driving over Victim before leaving the parking lot.

Forest Lake Police Sergeant Luke Hanegraaf interviewed three of the individuals who were with Victim and who were in the group of people nearly struck by SIMMONS: D.B.V., E.E.G., and E.B.V. All three confirmed that they were in the group nearly struck by SIMMONS, and all said that they believed SIMMONS intended to strike them with his vehicle, causing them to fear injury or death. D.B.V. said that he was struck in his hip by SIMMONS's vehicle. E.E.G. thought his foot may have been run over by SIMMONS's vehicle. E.B.V. said that his leg was struck by SIMMONS's vehicle.

A Minnesota State Patrol sergeant conducted a crash reconstruction. As part of his investigation the sergeant completed a visual inspection of SIMMONS's vehicle and he reported that he saw no mechanical defects which would have contributed to the crash.

PLEASE TAKE NOTICE: YOU MUST APPEAR FOR EVERY COURT HEARING REGARDING THIS CASE. FAILURE TO APPEAR FOR COURT IS A CRIMINAL OFFENSE AND MAY RESULT ON ADDITIONAL CRIMINAL CHARGES BEING IMPOSED AND PUNISHED AS PROVIDED IN MINNESOTA STATUTES SECTION 609.49.

MINNESOTA  
JUDICIAL  
BRANCH

## 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**

Lucas Hanegraaf  
Sergeant  
1408 Lake Street S  
Forest Lake, MN 55025  
Badge: 404

Electronically Signed:  
08/21/2023 08:19 AM  
Washington County, MN

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

**Prosecuting Attorney**

Marc Berris  
PO Box 6  
15015 62nd Street North  
Stillwater, MN 55082  
(651) 430-6115

Electronically Signed:  
08/21/2023 08:09 AM

**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: August 21, 2023.

**Judicial Officer**

Francis Green III  
Judge

Electronically Signed: 08/21/2023 12:33 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.

**Dylan Robert Simmons**

Defendant

**LAW ENFORCEMENT OFFICER RETURN OF SERVICE**

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

Signature of Authorized Service Agent:

## 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	7/16/2023	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2845	N	MN0820200	23008392
	Penalty	7/16/2023	609.19.1 Murder - 2nd Degree	Felony	H2845	N	MN0820200	23008392
2	Charge	7/16/2023	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2845	N	MN0820200	23008392
	Penalty	7/16/2023	609.19.2(1) Murder - 2nd Degree - Without Intent - While Committing a Felony	Felony	H2845	N	MN0820200	23008392
3	Charge	7/16/2023	609.2112.1(a)(7) Criminal Vehicular Homicide - Driver Who Causes Collision Leaves Scene	Felony	J1911	N	MN0820200	23008392
	Penalty	7/16/2023	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1911	N	MN0820200	23008392
4	Charge	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392
	Penalty	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392
5	Charge	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392
	Penalty	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392
6	Charge	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392
	Penalty	7/16/2023	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2542	N	MN0820200	23008392

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