

FILED
11-07-2024
Dunn Co. Circuit Court
Dunn County, WI
2024CF000403
Honorable Christina M. Mayer
Branch 2
For Official Use

STATE OF WISCONSIN CIRCUIT COURT DUNN COUNTY

STATE OF WISCONSIN
Plaintiff,

DA Case No.: 2024DN002586
Assigned DA/ADA: Andrea Amidon Nodolf
Agency Case No.: DUSO 20-1294
Court Case No.:

vs.

JON KEITH MILLER
195 24th Place NW, Apt A219
Owatonna, MN 55060
DOB: 05/02/1940
Sex/Race: M/W
Eye Color: Blue
Hair Color: Gray
Height: 6 ft 2 in
Weight: 165 lbs

CRIMINAL COMPLAINT

Defendant.

Christine Soules, Legal Secretary to District Attorney, Andrea Amidon Nodolf, Dunn County, Wisconsin, upon information and belief, being first duly sworn, states that:

Count 1: FIRST-DEGREE MURDER

The above-named defendant on or about February 15, 1974, in the Town of Spring Brook, Dunn County, Wisconsin, did cause the death of another human being with intent to kill that person or another, contrary to sec. 940.01(1) Wis. Stats., a Felony, and upon conviction shall be sentenced to life imprisonment.

PROBABLE CAUSE:

Complainant relates that she has reviewed incident reports prepared by Dan Westlund and Jason Stalker, of the Dunn County Sheriff's Office, law enforcement officers believed to be truthful and reliable. Investigator Westlund and Investigator Stalker have reviewed voluminous reports, witness statements, and photographs associated with this investigation from previous Dunn County Sheriff's Office investigators. Investigator Westlund and Investigator Stalker's reports are modified in part and quoted herein, and indicate as follows:

On February 15, 1974, Mary K. Schlais, DOB 11/4/194, was found deceased in a rural area of Spring Brook Township, Dunn County, Wisconsin. Mary Schlais's body was found in a snowbank and she had multiple stab wounds on her upper body, including on her back. She also had what appeared to be defensive wounds on her hands. The autopsy report indicated that Schlais's death was due to exsanguination (a medical term for blood loss) as a result of multiple stab wounds.

An orange and black stocking cap was on the roadway near Schlais's body. The stocking cap was seized as evidence and hairs were collected from the cap. The hairs were later determined not to belong to Schlais. Judy Daniel reported that Schlais left home at approximately 10:30am on February 15, 1974 hitchhiking to Chicago from Minneapolis, MN.

Schlais' brother, Don Schlais, identified Mary Schlais as part of the investigation. Over the years, continuous leads were followed up by the Dunn County Sheriff's Office with no avail.

Years later, a partial male profile was developed from scrapings collected from the stocking cap located near the scene. The scrapings were entered into CODIS with no matches to a suspect.

The Dunn County Sheriff's Office began Investigative Genetic Genealogy, herein referred to as IGG, working closely with Cairenn Binder of Ramapo College in New Jersey. Binder is the Assistant Director of the IGG Center and the Director of the IGG Certificate Program at Ramapo College in New Jersey. Previously Binder was the Director of Education at DNA Doe Project. Binder has implemented IGG curriculum, using her background in healthcare education in IGG cases. Binder holds a Bachelor's Degree in Nursing from SUNY Empire State College as well as a Master's Degree in Nurse Midwifery from Frontier Nursing University. Binder has applied IGG to identify unidentified remains at DNA Doe Project since 2018.

In addition to Binder, Professor David Gurney assisted with working on this case. Professor Gurney has a JD/PhD and is the Director of Ramapo College Investigative Genetic Genealogy Center, is a Professor of Law and Society and a Licensed Attorney in New Jersey and Arizona working in the field of IGG since 2021.

Through the process of IGG, utilizing the partial DNA profile collected from the stocking cap previously referenced, an individual, who is fully identified and referred to as MG, was identified as a possible relative to the unidentified suspect. On Thursday, May 10, 2024, Dunn County Investigator Dan Westlund conducted an in person interview with MG at his home in Casper, WY. MG voluntarily uploaded his genetic information to a website utilized by Binder and her associates involved in IGG casework.

Binder was then able to determine that MG was not the contributor to the partial DNA profile generated from the hat scrapings. Binder informed Investigator Westlund that there was a probability that MG's first cousin, identified and referred to as DB, could be the contributor to the DNA from stocking cap.

On Thursday, June 13, 2024, Investigator Westlund interviewed DB at his residence in East Tawas, MI. DB cooperated and consented to the collection of his DNA for analysis, utilizing the WI State Crime Lab. The results of DB's DNA subsequently indicated he was not the contributor to the partial DNA profile that was developed from the 1974 crime scene.

On Saturday, October 19, 2024, Investigator Westlund spoke with Binder regarding a possible lead or "person to contact," which her team and she had found after working to further the investigation. Binder recommended that Investigator Westlund look into **Jon Keith Miller, DOB 05/02/1940** and TE. The hypothesis from researchers is that Jon Miller was adopted, from the same family as originally determined by Binder and her associates, and that Miller had a daughter, identified as TE.

Following the receipt of this information, Investigator Westlund contacted Minnesota BCA Agent Brent Petersen who then assisted with the investigation. On Monday, November 4, 2024, Investigator Westlund spoke in person with TE at her residence in Askov, MN. TE's mother,

RD, was also present and interviewed. TE agreed to upload her genetic profile for Binder to review and compare with the suspect profile. Upon Binder and her team analyzing the genetic profile, it was determined that the DNA profile obtained from the stocking cap belonged the biological father of TE.

Investigator Westlund spoke again with Binder and her associates. Binder advised that the DNA profile, provided by TE, concluded that the suspect sample shares 3585 centimorgans of autosomal DNA with TE, indicating a parent/child match. Binder added that the only explanation for this is that TE is either the child or the parent of the suspect sample.

Investigator Westlund knows, and confirmed with TE, that her biological father is Jon Keith Miller, DOB 05/02/1940. RD confirmed she was married to Jon Miller from 1973 through 1977.

Investigator Westlund and Investigator Jason Stalker met with Jon Miller on November 7, 2024 at his residence in Owatonna, MN. Initially Miller denied knowledge of the homicide. Once he was presented with the DNA evidence, Miller admitted that he picked up the Schlais while she was hitchhiking and at one point asked for sexual contact, which she denied. At one point, she leaned forward, and Miller grabbed a knife that he had stowed above the passenger seat visor. He then stabbed her in the back and indicated at that point she was dead.

Miller stated he got off the next exit on the highway and attempted to hide the Schlais's body in a snowbank. Miller began to cover her up with snow, but then another vehicle drove by. Miller then got scared and left the area.

Miller was shown a picture of the previously referenced stocking cap which contained his DNA. Miller acknowledged that was his hat and that he must have lost it during the homicide.

Miller was placed under arrest and brought to the Steele County Jail. The location of Schlais' body is roughly ten miles off of Interstate 94. On information and belief the above incident occurred in Dunn County, Wisconsin.

The statements made by the law enforcement officers can be considered truthful, credible, and reliable because of the positions of trust they hold. The statements of the citizen witnesses can be considered truthful, credible, and reliable because they are made by citizen witnesses. The statements of the defendant(s) can be considered truthful, credible, and reliable to the extent to which they are admissions against interests.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on Electronically Signed By:

11/07/24

Christine Soules

Electronically Signed By:

Complainant

Andrea Amidon Nodolf

District Attorney

State Bar #: 1082951