

State of Minnesota
County of Stearns

District Court
7th Judicial District

Prosecutor File No.
Court File No.

CR-2021-1373
73-CR-21-2973

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

RAY RECO MCNEARY DOB: 05/17/1985

815 1st Street S
#221
Waite Park, MN 56387

Defendant.

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: Aggravated Robbery-1st Degree

Minnesota Statute: 609.245.1, with reference to: 609.245.1

Maximum Sentence: 20 years in prison, a \$35,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously, while committing a robbery, is armed with a dangerous weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon, or inflicts bodily harm upon another. To wit: Victim A.

COUNT II

Charge: Dangerous Weapon – Non-Firearm Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.25.2(2), 609.11.4

Maximum Sentence: 40 years prison, a \$50,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously for the purposes to facilitate commission of any felony or flight thereafter, did confine or remove from one place to another, any person without the person's consent or, if the person's under the age of 16 years, without the consent of the person's parents or other legal custodian and did not release in a safe place. To wit: Victim A.

COUNT III

Charge: Dangerous Weapon – Non-Firearm Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.25.2(2), 609.11.4

Maximum Sentence: 40 years in prison, a \$50,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously for the purposes to facilitate commission of any felony or flight thereafter, did confine or remove from one place to another, any person without the person's consent or, if the person's under the age of 16 years, without the consent of the person's parents or other legal custodian and did not release in a safe place. To wit: Victim B.

COUNT IV

Charge: Dangerous Weapon – Non-Firearm Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.25.2(1), 609.11.4

Maximum Sentence: 20 years in prison, a \$35,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously for the purposes to facilitate commission of any felony or flight thereafter, did confine or remove from one place to another, any person without the person's consent or, if the person's under the age of 16 years, without the consent of the person's parents or other legal custodian and released in a safe place without great bodily harm. To wit: Victim C.

COUNT V

Charge: Dangerous Weapon – Non-Firearm Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.25.2(1), 609.11.4

Maximum Sentence: 20 years in prison, a \$35,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously for the purposes to facilitate commission of any felony or flight thereafter, did confine or remove from one place to another, any person without the person's consent or, if the person's under the age of 16 years, without the consent of the person's parents or other legal custodian and released in a safe place without great bodily harm. To wit: Victim D.

COUNT VI

Charge: Dangerous Weapon – Non-Firearm Kidnapping-To Facilitate Felony or Flight

Minnesota Statute: 609.25.1(2), with reference to: 609.25.2(1), 609.11.4

Maximum Sentence: 20 years in prison, a \$35,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously for the purposes to facilitate commission of any felony or flight thereafter, did confine or remove from one place to another, any person without the person's consent or, if the person's under the age of 16 years, without the consent of the person's parents or other legal custodian and released in a safe place without great bodily harm. To wit: Victim E.

COUNT VII

Charge: Dangerous Weapon – Non-Firearm Assault-2nd Degree-Dangerous Weapon

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4

Maximum Sentence: 7 years in prison, a \$14,000 fine, or both.

Offense Level: Felony

Offense Date (on or about): 05/06/2021

Control #(ICR#): 21018335

Charge Description: That the defendant, Ray Reco McNeary, then and there being did wrongfully, unlawfully, and feloniously assault another, to wit: Victim A, with a dangerous weapon, to wit: a scissors.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On May 6, 2021 at 1:48 pm, the St. Cloud Police Department was dispatched to a report of a bank robbery in progress at the Wells Fargo Bank, located at 200 33rd Avenue South within the City of St. Cloud, Stearns County, Minnesota. Ray Reco McNeary, DOB 5/17/85, came to the bank upset about alleged fraud on his account. The bank manager, fully identified in the police reports and hereafter described as Victim A, brought McNeary into his office and did not locate an account, which caused McNeary to become more upset. 911 was called. A short while later, a silent panic alarm was pushed by Victim A in his office, reporting that the bank was being held up. Investigation showed that 5 employees of the bank were being held hostage in the building, and McNeary was demanding money and to speak to the FBI.

McNeary physically forced Victim A toward the bank vault, where he was provided with a large amount of cash which was placed in a bag and given to McNeary. During this time, Victim A felt an object pressed into his back. McNeary grabbed Victim A's wrist very hard, causing Victim A's watch to cut into his wrist causing an injury. McNeary told Victim A and other victims that he was going to harm them, and that he wanted a "big show" with the FBI and lots of media, and he'd take the victims "with him". Victim C was also directed to the vault, and observed McNeary physically forcing Victim A to the vault while stating he wanted this to be a "big show" with the FBI and lots of media attention, and that he wanted this to "go viral" and that he wanted to be "a martyr". Victim C said that after receiving the cash he demanded, he threw large amounts of it all over inside the bank, then began taking victim's phones and damaging them by slamming them into objects or putting them in water.

McNeary held victims A, B, C, and D in the lobby. Meanwhile Victim E had been hiding in an adjacent office to the lobby where the other victims were being held. He was communicating with law enforcement from inside the office until his cell phone battery ran out. Shortly thereafter, McNeary acquired a key card and discovered Victim E in the office, forcing him out into the lobby area with the other hostages.

Throughout the crisis, McNeary became more escalated. Witnesses described McNeary as threatening them, referring to them as "hostages", and specifically stating that he would use Victim A as a shield, and they would "die together". Social media recordings made by McNeary on victims' phones show McNeary specifically threatening Victim A's life, as McNeary told both hostages and law enforcement that he intended to kill the hostages, kill himself, or put law enforcement in a position that they would kill him.

Eventually, McNeary got behind Victim A. The defendant reached a scissors around in front of Victim A's neck and stated, "I will have to shiv you in the neck." Victim A was afraid he was going to be stabbed and killed. McNeary then pushed Victim A to the ground and told him, "if you move, I swear to God I'll stab you."

Victim B, fully identified in the police reports, moved quickly toward the front door of the bank, McNeary tried to stop her, but she managed to push past him and get out at approximately 7:09 pm.

Victim C was allowed to leave because she was experiencing medical problems. Victim D was eventually allowed to leave after her phone was also used by McNeary to communicate outside the bank. Victim E was also allowed to leave.

At approximately 10:30 pm, after over 8 hours of ongoing threats and negotiation, negotiators had been able to communicate to the Victim A that law enforcement entry teams from both the St. Cloud Police Department and the FBI were directly outside the front door prepared to enter. Victim A ran for the front

door of the bank as both law enforcement teams entered, protecting Victim A and taking McNeary into custody.

Complainant has reason to believe and does believe that all of the above information is true and correct.

The above facts constitute your complainant's basis for believing that, on or about the 6th day of May 2021, in the City of St. Cloud, County of Stearns, State of Minnesota, the above-named defendant committed the offenses 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

David Hirdler
101 11th Avenue N
St. Cloud, MN 56302

Electronically Signed:
05/07/2021 02:45 PM
Stearns County, Minnesota

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

Prosecuting Attorney

Chad R. Perius
705 Courthouse Square
St. Cloud, MN 56303
(320) 656-3880

Electronically Signed:
05/07/2021 02:43 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: May 7, 2021.

Judicial Officer

Nathaniel Welte
Judge

Electronically Signed: 05/07/2021 02:48 PM

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

**COUNTY OF STEARNS
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Ray Reco McNeary

Defendant

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

Signature of Authorized Service Agent: