

State of Minnesota
County of StearnsDistrict Court
7th Judicial DistrictProsecutor File No.
Court File No.CR-2021-2234
73-CR-21-5130**State of Minnesota,**

Plaintiff,

vs.

BENTON LOUIS BEYER DOB: 12/26/1988P.O. Box 538
Richmond, MN 56368

Defendant.

COMPLAINT

Order of Detention

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: Theft-Take/Use/Transfer Movable Prop-No Consent**

Minnesota Statute: 609.52.2(a)(1), with reference to: 609.52.3(3)(d)(v)

Maximum Sentence: Up to five years imprisonment and/or \$10,000 fine.

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21102832

Charge Description: That the defendant, Benton Louis Beyer, then and there being, did wrongfully, unlawfully and intentionally and without claim of right take, use, transfer, conceal or retain possession of moveable property of another without the other's consent and with intent to deprive the owner permanently of possession of the property and the property is a motor vehicle.

COUNT II**Charge: Stalking - Engages in Stalking**

Minnesota Statute: 609.749.5(a), with reference to: 609.749.5(a)

Maximum Sentence: Up to ten years imprisonment and/or \$20,000 fine.

Offense Level: Felony

Offense Date (on or about): 07/14/2021 to 07/25/2021

Control #(ICR#): 21102832

Charge Description: That the defendant, Benton Louis Beyer, then and there being, did wrongfully and unlawfully engage in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, to-wit: HRO violations within the last five years.

COUNT III**Charge: Damage to Property - 1st Degree - Foreseeable Risk Bodily Harm**

Minnesota Statute: 609.595.1(1), with reference to: 609.595.1

Maximum Sentence: Up to five years imprisonment and/or \$10,000 fine.

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21102832

Charge Description: That the defendant, Benton Louis Beyer, then and there being, did wrongfully, unlawfully and intentionally cause damage to physical property of another without the latter's consent and the damage to the property caused a reasonably foreseeable risk of bodily harm.

COUNT IV**Charge: Harassment; Restraining Order - Violate Restraining Order**

Minnesota Statute: 609.748.6(a), with reference to: 609.748.6(c)

Maximum Sentence: Up to one year in jail and/or \$3,000 fine.

Offense Level: Gross Misdemeanor

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21102832

Charge Description: That the defendant, Benton Louis Beyer, then and there being, did wrongfully and unlawfully violate a restraining order within ten years of a previous qualified domestic violence-related offense conviction, to-wit: a conviction for Assault in the Second Degree in Stearns County District Court File No. 73-CR-11-2631 on September 14, 2012.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On July 24, 2021 at approximately 5:30 AM, law enforcement responded to a stolen vehicle report at a residence located on the 300 block of 3rd Avenue South in the City of Cold Spring, County of Stearns, State of Minnesota. M.E.H., adult male fully identified in the police reports, reported his vehicle had just been stolen and he believed it was stolen by Benton Louis Beyer, DOB: 12/26/1988, the defendant herein. M.E.H. explained the defendant had stolen his keys a couple of weeks prior and never returned them. M.E.H. stated he heard his vehicle start and immediately went outside. He saw his vehicle backing out of his driveway and he was "pretty sure" the person he saw in the driver's seat was the defendant.

Minutes later, at 5:35 AM, dispatch received a report of a vehicle that had crashed into a residence located on the 600 block of Emma Drive SE in the City of Cold Spring, County of Stearns, State of Minnesota. Officers responded to the residence and observed M.E.H.'s vehicle crashed into the residence. It was unoccupied and had a large piece of granite sitting on the accelerator. Officers spoke with A.G.R., adult female fully identified in the police reports, who owns the residence. A.G.R. provided Ring doorbell surveillance footage of the crash. The footage shows M.E.H.'s vehicle stopped at an intersection across the street from A.G.R.'s residence. A person dressed in a black shirt and lighter colored shorts then gets out of the driver's seat of the vehicle and runs into a field nearby. The vehicle proceeds forward until it crashes into the front of A.G.R.'s residence.

Officers attempted to search the field for the suspect but the field was extremely wet and difficult to navigate through so the search was terminated.

The crash caused extensive damage to A.G.R.'s residence including damage to the siding, sheet rock, property around the interior and exterior of the residence and potentially the roof. The impact of the crash was so strong that it moved a vehicle inside if A.G.R.'s garage.

A.G.R. reported her residence was occupied at the time of the crash and that one of her children was sleeping on the couch in the living room at the time of the crash. The living room is just a short distance away from where the vehicle crashed into the front of the residence.

A.G.R. reported she believed it was the defendant who crashed the vehicle into her residence and that she is "terrified" of him. A.G.R. explained there is an active Harassment Restraining Order ("HRO") in place protecting her from the defendant. A HRO was issued on May 21, 2021 in Stearns County District Court File No. 73-CV-21-3370 prohibiting the defendant from having any direct or indirect contact with A.G.R. for two years.

Officers reviewed recent history and learned of 18 calls within the past two months regarding the defendant stalking and harassing A.G.R. Most recently, the defendant was arrested on July 15, 2021 in the City of Waite Park, County of Stearns, State of Minnesota, and released from custody on July 19, 2021, for an incident (documented in Stearns County District Court File No. 73-CR-21-4906) where he is alleged to have been following/stalking A.G.R. in violation of the HRO.

Officers located the defendant's maroon Dodge Spirit at the Cold Spring Park and Ride which is only one half mile from A.G.R.'s residence. Officers also located the defendant's other vehicle, a Chevy Blazer, at Cold Spring Lions Park which is only one block away from where M.E.H.'s vehicle was stolen.

Officers located the defendant at 10:00 AM walking near Alexander Park in the City of Cold Spring, County of Stearns, State of Minnesota. The defendant was wearing a black shirt and was soaking wet.

The defendant has a prior qualified domestic violence-related offense conviction for Assault in the Second Degree in Stearns County District Court File No. 73-CR-11-2631 for which he was convicted on September 14, 2012.

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 the above-named defendant, on or about the 24th day of July, 2021, in the City of Cold Spring, County of Stearns, State of Minnesota, committed the offense(s) 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

Anita B Henningsgaard
Police Officer
27 Red River Avenue S
Cold Spring, MN 56320
Badge: 6408

Electronically Signed:
07/26/2021 01:05 PM
Stearns County, Minnesota

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

Prosecuting Attorney

Jamie R. Reinschmidt
Assistant County Attorney
705 Courthouse Square
St. Cloud, MN 56303
(320) 656-3880

Electronically Signed:
07/26/2021 12:55 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 26, 2021.

Judicial Officer

Kris H Davick-Halfen
Stearns County District Court Judge

Electronically Signed: 07/26/2021 04:18 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.

Benton Louis Beyer

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: