

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No. 0070100333
Court File No. 07-CR-21-3414

State of Minnesota,

Plaintiff,

vs.

DANIEL ROBERT DEVENS DOB: 06/02/1984

319 E Hickory Street
Mankato, MN 56001

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: Damage to Property - 1st Degree - Public Safety Motor Vehicle

Minnesota Statute: 609.595.1(2), with reference to: 609.595.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/09/2021 to 10/10/2021

Control #(ICR#): 21024458

Charge Description: On or between October 9, 2021 and October 10, 2021, in the County of Blue Earth, Minnesota, Daniel Robert Devens did intentionally cause damage to another person's physical property without the other person's consent, and the damage was to a public safety motor vehicle, the defendant knew the vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial interruption or impairment of public safety service or a reasonably foreseeable risk of bodily harm.

COUNT II

Charge: Damage to Property - 1st Degree - Public Safety Motor Vehicle

Minnesota Statute: 609.595.1(2), with reference to: 609.595.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/09/2021 to 10/10/2021

Control #(ICR#): 21024458

Charge Description: On or between October 9, 2021 and October 10, 2021, in the County of Blue Earth, Minnesota, Daniel Robert Devens did intentionally cause damage to another person's physical property without the other person's consent, and the damage was to a public safety motor vehicle, the defendant knew the vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial interruption or impairment of public safety service or a reasonably foreseeable risk of bodily harm.

COUNT III

Charge: Fleeing a Peace Officer in a Motor Vehicle

Minnesota Statute: 609.487.3, with reference to: 609.487.3

Maximum Sentence: 3 years and one day or \$5,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 10/09/2021 to 10/10/2021

Control #(ICR#): 21024458

Charge Description: On or between October 9, 2021 and October 10, 2021, in the County of Blue Earth, Minnesota, Daniel Robert Devens did by means of a motor vehicle, flee or attempt to flee a peace officer who is acting in the lawful discharge of an official duty, and the perpetrator knows or should reasonably know the same to be a peace officer.

COUNT IV

Charge: Traffic - DWI - Operate Motor Vehicle Under Influence of Controlled Substance

Minnesota Statute: 169A.20.1(2), with reference to: 169A.25.2

Maximum Sentence: 1 year or \$3,000 fine or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/09/2021 to 10/10/2021

Control #(ICR#): 21024458

Charge Description: On or between October 9, 2021 and October 10, 2021, in the County of Blue Earth, Minnesota, Daniel Robert Devens, did, drive, operate, or was in physical control of any motor vehicle when he was under the influence of a controlled substance, and two or more aggravating factors were present when the violation was committed.

COUNT V

Charge: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

Maximum Sentence: 1 year or \$3,000 fine or both

Offense Level: Gross Misdemeanor

Offense Date (on or about): 10/09/2021 to 10/10/2021

Control #(ICR#): 21024458

Charge Description: On or about October 9, 2021, through October 10, 2021, in the County of Blue Earth, Minnesota, Daniel Robert Devens did, intentionally, obstruct, resist, or interfere with a peace officer while the officer was engaged in the performance of official duties and the act was accompanied by force or violence or the threat thereof.

STATEMENT OF PROBABLE CAUSE

On October 10, 2021, at 12:48 a.m., CSO Werner with the Mankato Department of Public Safety was driving down Hoffman Road in the City of Mankato, Blue Earth County, Minnesota, when he observed odd behavior of a vehicle traveling behind him. The vehicle identified as a Jeep Wrangler attempted to pass the marked CSO squad vehicle but before passing, slowed down and pulled back and behind the officer. The Jeep followed the officer and continually sped up nearly hitting the bumper the squad vehicle before hitting his brakes and falling behind. CSO Werner made several turns to determine whether the Jeep was targeting his vehicle. The Jeep continued to pursue his vehicle through those turns. CSO Werner observed that the Jeep then began doing circles at various intersections before continuing to follow the officer. The Jeep was hopping curbs and at one point, someone was hanging out the driver's side window. CSO Werner interpreted the driver's actions as potentially hostile and pulled off to the side of the street and called for assistance. The Jeep pulled ahead of the officer's vehicle and then began to reverse towards his vehicle. CSO Werner attempted to back his vehicle up but the Jeep kept coming at him. The Jeep then began to pull forward. CSO Werner put his vehicle in drive to obtain the license plate number. He observed as the vehicle hopped a curb and the driver exited the vehicle. The driver approached the squad vehicle acting erratically, shouting, and slapping a sticker on the windshield of the vehicle. The driver then removed his belt and acted as though he would use it as a whip.

Officer Fischbach arrived to assist CSO Werner. At that point, the driver of the Jeep charged at Officer Fischbach's vehicle on foot then ran into his Jeep and drove away. During the driver's departure, he put his vehicle in reverse and attempted to back into Officer Fischbach's vehicle. Officer Fischbach had to put his vehicle in reverse to avoid getting struck. At that point, Officer Fischbach called out a pursuit of the suspect's vehicle. The suspect's vehicle was pursued with lights and sirens. During the pursuit, the driver stopped and started driving several times. Officer Honetschlager drove in front of the suspect's vehicle to block him in. The suspect driver attempted to drive around Officer Honetschlager's squad and ended up turning into the curb. The suspect driver then put his vehicle into reverse and backed into the driver's side front bumper of Officer Fischbach's vehicle. The driver put his vehicle into drive and ran into Officer Honetschlager's squad vehicle. The driver did a burnout while in contact with Officer Honetschlager's squad. Officer Fischbach was able to pin the suspect's vehicle in so he was unable to continue driving.

Officer Fischbach gave a verbal command for the driver to step out of the vehicle. The driver advised that if he gets out he will be bringing his belt with him. Officer Honetschlager was able to forcefully remove the driver while Officer Fischbach had his taser drawn. Officer Fischbach ultimately deployed his taser due to the driver's aggressive behavior. The driver continued to not comply with commands even after being tased. With the assistance of multiple officers, they were able to place the driver under arrest.

The driver was ultimately identified as Daniel Robert Devens (DOB: 06/02/1984). Devens showed numerous indicators of being under the influence of a controlled substance, specifically methamphetamine. Officer Honetschlager observed that Devens' pupils were dilated and nonresponsive to bright lights. He was sweating profusely and making nonsensical statements. His behavior was extremely erratic. Officer Honetschlager applied for a search warrant for a blood draw, which was executed.

Devens has prior DWI convictions occurring through Case No. 07-CR-18-4407 and 07-CR-18-2948.

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

Daniel Schisel
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3135

Electronically Signed:
10/11/2021 11:43 AM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Jennifer Clements
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
10/11/2021 11:29 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: October 11, 2021.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 10/11/2021 12:20 PM

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

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Daniel Robert Devens

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: