

State of Minnesota  
County of Blue Earth

District Court  
5th Judicial District

Prosecutor File No.  
Court File No.

BEC-16-1165  
07-CR-16-2893

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**State of Minnesota,**

Plaintiff,

vs.

**DAVID JAMES BAKER JR DOB: 09/08/1991**

1504 2nd Ave  
Mankato, MN 56001

Defendant.

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**COMPLAINT**

Warrant

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: Stalking - Pattern of Stalking Conduct**

Minnesota Statute: 609.749.5(a)

Maximum Sentence: 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 07/10/2016

Control #(ICR#): 16020274

Charge Description: David James Baker, Jr. Also Known As David James Baker

On or about July 10, 2016, in the County of Blue Earth, said Defendant, David James Baker, Jr. did engage in a pattern of stalking conduct 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.

**COUNT II**

**Charge: Domestic Abuse; Violates order for protection w/in 10 years of previous conviction/adj of delinq.**

Minnesota Statute: 518B.01.14(c)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 07/10/2016

Control #(ICR#): 16020274

Charge Description: David James Baker, Jr. Also Known As David James Baker

On or about July 10, 2016, in the County of Blue Earth, said Defendant, David James Baker, Jr. did violate an order for protection granted by a judge or referee and the violation occurred during the time period between a previous qualified domestic violence-related offense conviction or adjudication of delinquency and the end of the ten years following discharge from sentence for that offense.

## STATEMENT OF PROBABLE CAUSE

Officer Rick Wanderscheid, a licensed peace officer in the State of Minnesota, currently employed by the Mankato Department of Public Safety, reports that on or about July 10, 2016, at approximately 3:56 a.m., he responded to a residence in the City of Mankato in reference to a possible domestic abuse no contact order (DANCO) violation.

Dispatch advised Wanderscheid that an individual identified as Victim 1 called 911 to report that David James Baker Jr. was at her residence in violation of a DANCO order but had since run from the residence when she began to call for police. Baker was reportedly wearing blue jeans and a black shirt.

Wanderscheid reports he did not locate Baker while in route to Victim 1's residence.

Wanderscheid reports he then met with Victim 1 who advised him that there was an active DANCO in place excluding Baker from calling her or being at her residence. Victim 1 reported she received two phone calls from Baker's cellphone, one at 3:28 a.m. and another at 3:35 a.m. Victim 1 reports she did not answer either call.

Victim 1 reports she called Baker's phone back at 3:40 a.m. and spoke with Baker whom she has had a physical relationship with in the past. Victim 1 reports she then recognized Baker by voice.

Baker then told Victim 1 that he was outside of her residence. Victim 1 then opened the rear door on the eastside of the residence and Baker was standing outside. Baker reportedly then started yelling at Victim 1, but she was unable to determine what Baker was yelling about. Victim 1 then surmised that Baker was upset about a new order for protection that she was seeking against Baker.

Victim 1 reports she told Baker that she was calling the police, at which time Baker ran northwest.

Victim 1 stated that Baker does not have access to a vehicle and thought he might be on a green-colored bicycle.

Victim 1 further reported to Wanderscheid that she was afraid for her safety because of Baker's continuing actions.

Wanderscheid then verified the existence of an active DANCO which excludes Baker from the residence of Victim 1. The DANCO also prohibits Baker from any contact with Victim 1. Wanderscheid notes that that particular order was served on May 16, 2016, and expires on May 16, 2017.

Additionally, a review of Baker's criminal history shows that he has previously been convicted for violating an order for protection as reflected in Blue Earth County Court File No. 07-CR-15-4482. Baker was sentenced for that offense on March 14, 2016.

In addition, Baker has several pending criminal files in Blue Earth County. All those files, except one fifth-degree controlled substance file, involved violations of domestic abuse no contact orders and/or stalking-type behavior, including domestic assault involving Victim 1.

Those Blue Earth County files are: 07-CR-16-754, 07-CR-16-1719, 07-CR-16-1894, 07-CR-16-2001, 07-CR-16-2754, 07-CR-16-2827.

Due to Baker's repeated and flagrant violations of domestic abuse no contact orders in several of the

above files and his danger to the victim and to public safety in general, a warrant is requested.

## 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:  
07/18/2016 11:40 AM  
Blue Earth County, Minnesota

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

**Prosecuting Attorney**

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

Electronically Signed:  
07/15/2016 03:26 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 on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 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 19, 2016.

**Judicial Officer**                      Darci J. Bentz                      Electronically Signed: 07/19/2016 08:56 AM

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.

**DAVID JAMES BAKER Jr**

Defendant

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

Signature of Authorized Service Agent: