

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0725
07-CR-16-1789

State of Minnesota,

Plaintiff,

vs.

YOUSEF HARWILL DOB: 11/18/1992

412 Holly Lane #9
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: Assault-4th Deg-Peace Officer-Demonstrable bodily harm or throws/transfers bodily fluids or feces-F

Minnesota Statute: 609.2231.1

Maximum Sentence: 3 years and/or \$6,000

Offense Level: Felony

Offense Date (on or about): 04/28/2016

Control #(ICR#): 16012433

Charge Description: Yousef Harwill

On or about April 28, 2016, in the County of Blue Earth, said Defendant, Yousef Harwill did, physically assault a peace officer when that officer was effecting a lawful arrest or executing any other duty imposed by law and the assault inflicted demonstrable bodily harm or the person intentionally throws or otherwise transfers bodily fluids or feces at or unto the officer.

COUNT II

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 and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 04/28/2016

Control #(ICR#): 16012433

Charge Description: Yousef Harwill

On or about April 28, 2016, in the County of Blue Earth, said Defendant, Yousef Harwill 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.

COUNT III

Charge: Harassment; Restraining Order - Violate and knows of temporary or restraining order

Minnesota Statute: 609.748.6(b)

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 04/28/2016

Control #(ICR#): 16012433

Charge Description: Yousef Harwill

On or about April 28, 2016, in the County of Blue Earth, said Defendant, Yousef Harwill did violate a restraining order issued under M.S. 609.748.

STATEMENT OF PROBABLE CAUSE

On April 28, 2016 at approximately 2:24 PM Officer Melissa Myers with the Mankato Department of Public Safety made contact with Victim 1 regarding a harassment restraining order (HRO) violation. Victim 1 reported that at approximately 2:15 PM she was standing outside the rear of her apartment building smoking a cigarette when Yusuf Harwil approached her and stood about 1 foot away. Victim 1 stated that Harwil is not supposed to be anywhere around her. Victim 1 stated that Harwil mumbled something that she could not understand. Harwil then bent over, tied his shoe and walked away.

Victim 1 has an active HRO against Harwil that states that Harwil is prohibited from being within 100 feet of Victim 1's residence. Additionally, the HRO provides that Harwil shall have no direct or indirect contact with Victim 1.

Officer Dale Stoltman and Officer Myers began to search for Harwil. The officers proceeded to the residence of Harwil's mother, Witness 1. Witness 1 invited the officers into her residence and stated that Harwil was home. Witness 1 called for Harwil to come out and Harwil walked into the living room from a back area of the residence. Harwil was informed that he was being arrested for the violation of the HRO. The officers then attempted to handcuff Harwil and Harwil attempted to exit the room. Officer Myers grabbed Harwil's right arm and Harwil pulled his arm away and pushed past Officer Stoltman and entered the hallway.

Officer Stoltman began struggling with Harwil while giving commands to cooperate and not fight. Officer Stoltman was in front of Officer Myers and between Harwil and Officer Myers. Officer Myers tried to get around Officer Stoltman to assist him but Harwil forcefully shoved Officer Stoltman's body back against Officer Myers preventing her from going forward. The push was with so much force that Officer Myers head hit the wall several times causing pain.

Officer Stoltman asked Officer Myers to get her Taser out but the hallway was quite small and Harwil was in close proximity. Officer Stoltman was able to back away from Harwil and deploy his Taser which had little to no effect. Harwil was attempting to exit the residence; Officer Stoltman attempted to deploy his Taser on Harwil a second time but again it had little to no effect.

Harwil was able to flee out the back door and ran through the back parking lot and into the neighbors backyard. Officer Stoltman and Officer Myers ran after Harwil. Officer Stoltman gave Harwil commands to get on the ground and Harwil finally complied. Harwil was then handcuffed and placed in the rear of a squad car and transported to the Blue Earth County jail

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

Matthew DuRose
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3141

Electronically Signed:
04/29/2016 01:44 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Michael Hanson
Assistant County Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
04/29/2016 01:38 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: April 29, 2016.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 04/29/2016 04:10 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.

YOUSEF HARWILL

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: