

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 17A09056
Court File No. 27-CR-17-18146

State of Minnesota,

Plaintiff,

vs.

BENJAMIN LOVE DOB: 11/27/1972

5649 34TH AVE S
#2

MINNEAPOLIS, MN 55417

Defendant.

COMPLAINT

Order of Detention

Amended

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-1st Degree-Great Bodily Harm

Minnesota Statute: 609.221.1, with reference to: 609.221.1, 609.101.2

Maximum Sentence: 20 YEARS AND/OR \$30,000

Offense Level: Felony

Offense Date (on or about): 07/15/2017

Control #(ICR#): 17264728

Charge Description: That on or about 7/15/2017, in Hennepin County, Minnesota, Benjamin Love, assaulted VICTIM A and inflicted great bodily harm with a knife.

COUNT II

Charge: Aggravated Robbery-1st Degree

Minnesota Statute: 609.245.1, with reference to: 609.245.1, 609.11.4, 609.17.4(2)

Maximum Sentence: 20 YEARS AND/OR \$35,000, HALF OF

Offense Level: Felony

Offense Date (on or about): 07/15/2017

Control #(ICR#): 17264728

Charge Description: That on or about 7/15/2017, in Hennepin County, Minnesota, Benjamin Love, attempted to take personal property from Victim B, knowing that he was not entitled to the property and used and/or threatened the imminent use of force against Victim B to overcome her resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property, while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

COUNT III

Charge: Aggravated Robbery-1st Degree

Minnesota Statute: 609.245.1, with reference to: 609.245.1, 609.11.4, 609.17.4(2)

Maximum Sentence: 20 YEARS AND/OR \$35,000

Offense Level: Felony

Offense Date (on or about): 07/15/2017

Control #(ICR#): 17264728

Charge Description: That on or about 7/15/2017, in Hennepin County, Minnesota, Benjamin Love, attempted to take personal property from Victim B knowing that he was not entitled to the property and used and/or threatened the imminent use of force against Victim B to overcome her resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property, while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

COUNT IV

Charge: Aggravated Robbery-1st Degree

Minnesota Statute: 609.245.1, with reference to: 609.245.1, 609.11.4

Maximum Sentence: 20 YEARS AND/OR \$35,000

Offense Level: Felony

Offense Date (on or about): 07/15/2017

Control #(ICR#): 17264728

Charge Description: That on or about 7/15/2017, in Hennepin County, Minnesota, Benjamin Love, took personal property from Victim C, knowing that he was not entitled to the property and used and/or threatened the imminent use of force against Victim C to overcome her resistance or powers of resistance to or to compel acquiescence in the taking or carrying away of the property, and inflicted bodily harm upon Victim B while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

COUNT V

Charge: Murder - 2nd Degree - Without Intent - While Committing a Felony

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1), 609.11.4

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 07/15/2017

Control #(ICR#): 17264728

Charge Description: That on or about 7/15/2017, in Hennepin County, Minnesota, Benjamin Love, did, without intent to effect the death of any person, injure Victim A causing her death on July 26, 2017, while committing or attempting to commit the felony offense of Aggravated Robbery and while using a dangerous weapon.

Minimum Sentence: 1 YEAR AND 1 DAY

STATEMENT OF PROBABLE CAUSE

THE PROBABLE CAUSE PORTION IS AMENDED TO ADD THE LAST PARAGRAPH TO SUPPORT NEW CHARGE OF SECOND DEGREE MURDER - UNINTENTIONAL. THE OFFENSE PORTION HAS BEEN AMENDED TO ADD COUNT 5.

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On July 15, 2017 at approximately 12:58am, police responded to reports of a stabbing at the Ramp B parking ramp located in the City of Minneapolis, Hennepin County, Minnesota.

Upon arriving at the second floor of the ramp, Police Officers observed three females. They were all screaming, crying and extremely distraught. Those females were surrounding a fourth female, Victim A, who was on the rear floor area of a car. Victim A was able to provide her name to police officers before losing consciousness. Officers observed a small horizontal laceration on the left midline of Victim A's chest. Victim A was transported by ambulance to Hennepin County Medical Center. She was immediately taken into surgery for a life threatening injury.

Police Officers interviewed the women at the scene and learned they were all downtown together for the evening. Shortly before 1:00 a.m., the women entered an elevator on the ground floor of Ramp B to return to their car. A man, later identified as DEFENDANT, BENJAMIN LOVE, d.o.b. November 27, 1972, also entered the elevator with them. When the women exited the elevator on the fourth floor, DEFENDANT followed them into the parking area. DEFENDANT displayed a small knife as he attempted to take the purse off of Victim B's body. The male grabbed Victim C by the hair. He held the knife to her throat as he demanded her purse. The other women attempted to pull Victim C away from DEFENDANT. At that time, DEFENDANT sliced Victim C's right hand with the knife. When Victim A attempted to intervene, DEFENDANT stabbed Victim A in her chest. He then ran away with Victim C's purse, getting back into the elevator. The women got into their car and drove to the second floor where they stopped and waited for law enforcement and emergency personnel to arrive.

Officers observed a small cut on Victim C's right hand that was treated on scene. Officers also observed a reddened area on Victim B's neck caused by DEFENDANT pulling on the strap of her cross-body purse. The women described the suspect as a black male, wearing a brown t-shirt with stripes, black framed eyeglasses and a red hat.

Police obtained video surveillance from the Ramp B elevator area and observed the women enter the elevator at street level with DEFENDANT who appeared as the women described. They saw the women exit on the 4th floor and then, just before the door closed, DEFENDANT put his hand on the doors to stop them from closing. He exits the elevator behind the women. Surveillance video after the time of the assaults and robbery, shows DEFENDANT leaving the elevator on the first floor alone. He appears to be holding a purse.

During the course of the investigation, and after reviewing the video surveillance from the parking ramp, law enforcement identified DEFENDANT as a potential suspect in this matter. A record check revealed that Defendant had an outstanding warrant for First Degree Aggravated Robbery with a knife from August 2016 in court file 27-CR-16-22637.

On July 20, 2017, a sequential photo lineup was administered by police to Victim B. Victim B positively identified DEFENDANT as the man who robbed her group at knifepoint and stabbed her friends on July

15, 2017. Police were able to locate and arrest DEFENDANT at his residence on July 20, 2017. At the time of arrest, DEFENDANT had a knife on his person. Police subsequently executed a search warrant at the residence and located, among other items, a brown striped shirt, red hat and black framed eyeglasses.

Information received from medical providers indicates the stab wound sustained by Victim A punctured her heart. Victim A was continuously hospitalized from the date of the offense, July 15, 2017, to July 26, 2017. On July 26, 2017, Victim A died as a direct result of the stab wound inflicted by Defendant.

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

Robert Dale
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 1414

Electronically Signed:
07/26/2017 03:30 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Rachel Kraker
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
07/26/2017 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 300 S Sixth Street, Minneapolis, MN 55487 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: \$1,000,000.00

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, 2017.

Judicial Officer

John McShane

Electronically Signed: 07/26/2017 03:37 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Benjamin Love

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: