

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No.
Court File No.

18A04736
27-CR-18-9786

State of Minnesota,

Plaintiff,

vs.

STERLING VERLOZ SMITH DOB: 02/15/1992

1516 GIRARD AVE N
MINNEAPOLIS, MN 55411

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-3rd Degree-Substantial Bodily Harm

Minnesota Statute: 609.223.1, with reference to: 609.223.1, 609.101.2

Maximum Sentence: 5 YEARS AND/OR \$3,000-\$10,000

Offense Level: Felony

Offense Date (on or about): 04/10/2018

Control #(ICR#): 18004442

Charge Description: That on or about 4/10/2018, in Hennepin County, Minnesota, STERLING VERLOZ SMITH assaulted F.S. and inflicted substantial bodily harm.

COUNT II

Charge: Transit-Obstruct/Interfere w/Oper of Vehicle

Minnesota Statute: 609.855.2(a), with reference to: 609.855.2(c)(1)

Maximum Sentence: 3 YEARS AND/OR \$5,000

Offense Level: Felony

Offense Date (on or about): 04/10/2018

Control #(ICR#): 18004442

Charge Description: That on or about 4/10/2018, in Hennepin County, Minnesota, STERLING VERLOZ SMITH intentionally committed an act that unreasonably interfered with or obstructed the operation of a transit vehicle, and the act was accompanied by force or violence or a communication of a threat of force or violence.

STATEMENT OF PROBABLE CAUSE

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

On April 10, 2018, officers responded to an alarm signaled on a Metro Transit bus in the area of 15th Street and Emerson, City of Minneapolis, County of Hennepin, State of Minnesota. Officers arrived and found the bus operator, F.S., to be the only person on the bus. Officers noted F.S. to have blood on his nose and upper lip, an abrasion to his right eyelid, and several scrapes on his forehead. F.S. told officers that he was suffering from double-vision as a result of the assault.

F.S. told officers that three females entered the bus. One of these females was standing near F.S. and was swearing. F.S. asked the female to stop swearing and the female became uncooperative. F.S. called dispatch to request police assistance in removing the uncooperative passenger. F.S. kept the bus at the stop location while waiting for law enforcement. Another female, B.M., was already on the bus and approached F.S. when the bus was not moving. At that point, the uncooperative female was making allegations that F.S. had used racial comments.

B.M. was observed on video and admitted to being on the phone with her boyfriend, later identified as STERLING VERLOZ SMITH, "the Defendant," while this interaction was ongoing. B.M. was recorded on the bus's security system on a phone call and telling the person on the phone that she is on the "5F" and the bus's location. F.S. observed the Defendant approaching the bus. The Defendant is recorded on video entering the bus and escorting B.M. off. The Defendant then gets back on the bus and asks "you wanna go" to F.S. The Defendant proceeds to start striking F.S. on or about F.S.'s head. F.S. said he tried to flee, but the Defendant was relentless in striking him. F.S. was able to trigger the alarm before the Defendant stopped and fled.

The Defendant was located and detained by officers. He told officers that he thought he heard the bus driver use a pointed racial slur. The Defendant was confronted with the fact that everything is audio and video recorded on the bus and no such statement is heard. The Defendant then said, "I took it the wrong way possibly."

Your Complainant obtained medical records for F.S. The records reflect F.S. continued to suffer double vision into April 12, 2018.

The Defendant is in custody.

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

Richard Andrew Jensen
Police Officer
2425 Minnehaha Avenue S
Minneapolis, MN 55404-4117
Badge: 69215

Electronically Signed:
04/18/2018 09:22 AM
Ramsey County, Minnesota

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

Prosecuting Attorney

Mike Radmer
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
04/18/2018 09:20 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 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: \$40,000.00

Conditions of Release: No Contact with Victim

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 18, 2018.

Judicial Officer

Ivy S. Bernhardson
District Court Judge

Electronically Signed: 04/18/2018 09:31 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

STERLING VERLOZ SMITH

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:

DEFENDANT FACT SHEET

Name: STERLING VERLOZ SMITH
DOB: 02/15/1992
Address: 1516 GIRARD AVE N
MINNEAPOLIS, MN 55411

Alias Names/DOB:

SID: MN18AS0280

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: Black

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 773202

SILS Tracking No. 3007642

Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	4/10/2018	609.223.1 Assault-3rd Degree-Substantial Bodily Harm	Felony	A3253		MN0274300	18004442
	Definition	4/10/2018	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A3253		MN0274300	18004442
	Penalty	4/10/2018	609.223.1 Assault-3rd Degree-Substantial Bodily Harm	Felony	A3253		MN0274300	18004442
2	Charge	4/10/2018	609.855.2(a) Transit-Obstruct/Interfere w/Oper of Vehicle	Felony	M6706		MN0274300	18004442
	Penalty	4/10/2018	609.855.2(c)(1) Transit Crime-Force/Violence/Threat	Felony	M6706		MN0274300	18004442