

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 19A11168
Court File No. 27-CR-19-23229

State of Minnesota,
Plaintiff,

COMPLAINT
Warrant

vs.

DANIEL DAVID ELLINGTON DOB: 10/15/1980

2740 1st Ave S
Minneapolis, MN 55408

Defendant.

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: Criminal Sexual Conduct-1st Degree-Penetration -Armed w/Danger Weapon

Minnesota Statute: 609.342.1(d), with reference to: 609.342.2(a), 609.342.2(b), 609.101.2, 609.342.2(c)

Maximum Sentence: 30 YEARS AND/OR \$12,000-\$40,000, PLUS CONDITIONAL RELEASE

Offense Level: Felony

Offense Date (on or about): 03/10/2019

Control #(ICR#): 19016320

Charge Description: That on or about 3/10/2019, in Brooklyn Park, Hennepin County, Minnesota, DANIEL DAVID ELLINGTON, engaged in sexual penetration with Victim, and DANIEL DAVID ELLINGTON, while armed with a dangerous weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon, used or threatened to use the weapon/article to cause the victim to submit.

STATEMENT OF PROBABLE CAUSE

Complainant, a licensed peace officer with the Washington County Sheriff's Office, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

Starting in April 2019, the Washington County Human Trafficking Task Force investigated DANIEL DAVID ELLINGTON, the defendant herein, for sex trafficking. One of the defendant's victims was a known adult female hereinafter referred to as Victim.

During the investigation, officers seized and searched a cell phone belonging to Victim. The forensic examination of the phone located numerous videos which were reviewed by law enforcement. One of the videos, dated March 10, 2019, depicts an incident between the defendant and Victim filmed at a residence known to be in Brooklyn Park, Hennepin County, Minnesota.

Early in the video, the defendant is heard stating "I've never in my life smacked the shit out of somebody." As he is saying this, he appears to be holding a syringe. After Victim claims she is leaving, the defendant is heard saying "I got something for your ass" and then tells Victim that he is going to "Narcan" her.

Complainant knows Narcan to be a medication widely used to combat opioid overdoses. It appears on the video that the defendant is threatening Victim with injecting her with Narcan which would have serious negative side effects if she were not overdosing. Complainant is a First Responder who has received training related to the administration and effects of Narcan and knows that the drug can put a person into immediate opioid withdrawal. Withdrawal would cause a person to become ill with symptoms including but not limited to extreme discomfort, nausea, anxiety, and pain. Complainant knows that the threat of being injected with Narcan is a real physical threat to an individual who is a user of any opioid substance which Victim is known to be.

The video continues with Victim crying and telling Defendant to "get away". The defendant again threatens to "Narcan" the victim. After that statement, Victim is heard crying and saying "stop it". While sexual penetration cannot be visibly seen on the video, it is clear at this point that the defendant is engaging in sexual penetration with Victim as she repeatedly asks him to stop.

After finishing, the defendant again threatens to "Narcan" Victim and later the video shows the defendant holding the syringe in his hand.

After viewing the video, Complainant interviewed Victim. Victim confirmed that she was the female in the video. Related to "Narcan", she stated "you don't want to be Narcaned". Victim indicated that Narcan would have been worse than being physically assaulted. Victim confirmed that the defendant did draw up the Narcan into the syringe and that she was cowering in a corner of the room trying to get away from the defendant and the needle. When asked, Victim confirmed that the defendant used the threat of Narcan injection and the needle to control her and force her to engage in sex.

The defendant is currently in custody in Washington County on felony charges related to Sex Trafficking. Victim is also the victim on the Washington County case.

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

Nicholas Loperfido
Deputy Sheriff
15015 62nd Street N
PO Box 3801
Stillwater, MN 55082-3801
Badge: 134

Electronically Signed:
09/19/2019 09:11 AM
Washington County, Minnesota

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

Prosecuting Attorney

Dan Allard
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
09/19/2019 09:04 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 the address listed on the attached court summons 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: \$500,000.00
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: September 19, 2019.

Judicial Officer Mary R. Vasaly Electronically Signed: 09/19/2019 09:17 AM
District Court Judge

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff
vs.

DANIEL DAVID ELLINGTON

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:

DEFENDANT FACT SHEET

Name: DANIEL DAVID ELLINGTON
DOB: 10/15/1980
Address: 2740 1st Ave S
Minneapolis, MN 55408

Alias Names/DOB: David Daniel Ellington DOB: 10/15/1980
SID:
Height:
Weight:
Eye Color:
Hair Color:
Gender: MALE
Race: Black
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: No
Driver's License #:
SILS Person ID #: 771994
SILS Tracking No. 3126150
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	3/10/2019	609.342.1(d) Criminal Sexual Conduct-1st Degree-Penetration -Armed w/Danger Weapon	Felony	L1317		MN0820000	19016320
	Definition	3/10/2019	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	L1317		MN0820000	19016320
	Definition	3/10/2019	609.342.2(c) Criminal Sexual Conduct-1st Degree-Subject to conditional release under section 609.3455	No-Level	L1317		MN0820000	19016320
	Penalty	3/10/2019	609.342.2(a) Criminal Sexual Conduct-1st Degree-Penalty-Stat Max	Felony	L1317		MN0820000	19016320
	Penalty	3/10/2019	609.342.2(b) Criminal Sexual Conduct-1st Degree-Penalty-Presumptive 144 mo.	Felony	L1317		MN0820000	19016320