

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 19A11301
Court File No. 27-CR-19-22664

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

LARRY JOE FOSTER DOB: 07/15/1953

113 Hertiage Circle S
Burnsville, MN 55337

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: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.19.1, 609.11.9

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 09/01/2019

Control #(ICR#): 19264288

Charge Description: That on or about September 1, 2019, in Minneapolis, Hennepin County, Minnesota, LARRY JOE FOSTER, caused the death of Victim, a human being, with intent to effect the death of that person or another, but without premeditation.

STATEMENT OF PROBABLE CAUSE

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

On September 2, 2019, at 12:08 AM, members of the Minneapolis Police Department (MPD) and Minneapolis Fire Department (MFD) responded to a single-family residence located at 2633 13th Avenue South in Minneapolis, Hennepin County, Minnesota on a report of a fire. Firefighters entered the residence to extinguish the fire and immediately located the body of a deceased adult male, later identified as Victim, in the front part of the residence by a flipped-over couch, a broken chair, and a coffee table. The fire was isolated in the kitchen, which was at the rear of the residence, and appeared to originate from the kitchen stove. The fire was extinguished, and the MFD Fire Investigator determined that it did not have any effect on Victim's body. MPD officers were alerted to obvious homicidal injuries on Victim's body, including a lacerated throat, numerous apparent stab wounds, multiple deep lacerations on both the front and the back of Victim's head, and a piece of metal sticking out of Victim's chest. Victim was wearing only a pair of shorts. Officers also located considerable blood spatter on the floors, walls, and bottom of the flipped-over couch near Victim's body.

Officers located a large amount of additional blood evidence and a blood trail along which several instruments consistent with causing the injuries to Victim were located. In the room with Victim's body, officers located a bent and broken walking stick with blood and hair on its tip, two broken chair-legs with blood on them, and a set of jumper cables covered in blood which appeared to be involved in the assault. Officers located blood on the back door of Victim's house leading into a backyard, and then, outside the back door, officers located a large butcher knife with blood on it. In Victim's backyard, officers located numerous drops and smears of blood and a trail of blood which led officers to believe that a single suspect was injured during the murder and was bleeding as he left Victim's residence via the back door. The blood trail led officers to the yard of a neighbor two houses down from Victim's residence, where, along the blood trail, officers located a cordless power drill covered in blood. Officers followed the blood trail to a picket fence along 13th Avenue. The fence had blood smeared on it, consistent with someone grabbing and jumping over the fence. Officers then followed a blood trail to the curb along 13th Avenue, two houses down from Victim's residence, where the trail ended.

Officers determined that the 2633 13th Avenue residence was owned by Victim. The residence was extensively photographed, and forensic scientists arrived and collected many items of forensic interest, including two cell phones.

Victim's body was removed from the residence, and an autopsy was performed. The autopsy determined that the cause of Victim's death was complex homicidal violence and the manner of death was homicide. The medical examiner identified over 100 blunt-force and sharp-force injuries on Victim's body, and it was apparent that multiple weapons were used, including at least one single-edged blade, to stab and lacerate Victim's body and carotid artery. It also appeared that cords were used and that there were injuries consistent with being assaulted with jumper cables, which officers recalled being present near Victim's body and covered in blood. The metal object stuck in Victim's chest was a crochet hook. Victim also had a flail chest and several broken ribs. The medical examiner located injuries on Victim's body, including nicks on Victim's hands, which were identified as defensive injuries. An autopsy report is pending.

Forensic testing was performed immediately on several items which investigators believed to be capable of revealing the suspect's identity. Officers recovered a fingerprint in blood on the exterior of the back door of Victim's residence and determined that it matched the middle right finger of an adult male identified as Larry Joe Foster, Defendant in this case. Blood drops were recovered from the sidewalk along 13th

Avenue, where the blood trail ended, and a single source DNA profile was developed. That DNA profile was submitted to the Minnesota Convicted Offender DNA Database, and it was determined to be a match for Defendant's DNA profile. Defendant's DNA profile also was a match for blood drops found on a metal pipe found in Victim's backyard, the gate to Victim's neighbor's backyard, the neighbor's picket fence along 13th Avenue.

After learning Defendant's identity on September 6, 2019, MPD investigators began searching for Defendant and learned that Defendant was subject to separate missing-persons investigation by the St. Paul Police Department (SPD) in St. Paul, Ramsey County, Minnesota. MPD investigators learned that SPD's investigation had begun when, on September 2, 2019 at 1:11 AM, a civilian contacted SPD regarding a silver Ford truck which was parked in front of the boat-launch area along the Mississippi River at Hidden Falls Park. The civilian reported that he came down to the secluded area to launch his boat and observed the truck with its lights on, windows rolled down, and license plates removed. He observed the vehicle for twenty minutes, and, when no one approached the vehicle, he became suspicious and called the police.

SPD officers responded to the park and observed that there was a significant amount of blood on and inside the vehicle, including the interior of the driver's door; driver's seat; the steering wheel, shifter; center console, passenger seat and door, passenger-side door handle, and tailgate. Officers also located a bloody knife in the left-front-door pocket of the truck; two license plates from the left-rear door pocket of the truck; a shirt soaked in blood in the bed of the truck; and other men's clothing and laundry in the bed of the truck. Officers also located a blood trail leading to the river and a pair of blood-soaked underwear on the beach. Officers located a second pair of underwear in the bed of the truck which matched the pair found on the beach.

SPD investigators determined that Defendant was the registered owner and exclusive driver of the vehicle. Extensive efforts to locate Defendant at the time were unsuccessful, and SPD issued a BOLO alert for Defendant. Officers spoke to witnesses familiar with Defendant who reported that he could not be reached and reported that there was no legitimate reason why Defendant would have driven to Hidden Falls Park. Officers responded to Defendant's residence in Burnsville, Minnesota and learned that Defendant had not returned to his residence after Victim's murder. There was no evidence that Defendant called 911 or sought medical treatment for any injuries in the days after Victim's murder. Officers spoke to numerous members of Defendant's family, who reported that he had no contact with them in the days after Victim's murder.

In the course of SPD's missing person's investigation, SPD investigators identified Defendant's cell phone number and began efforts to locate the GPS coordinates of Defendant's cell phone. When those results were shared with MPD investigators, investigators observed that, during the initial hours of the homicide investigation, Defendant's cell phone had been located at or near Victim's residence and then, after forensic scientists transported the evidence collected from Victim's residence to Minneapolis City Hall, the GPS coordinates of Defendant's cell phone moved to a location at or near City Hall, leading investigators to conclude that one of the two cell phones in Victim's residence was Defendant's cell phone. Forensic testing on the recovered cell phones is pending.

Investigators obtained surveillance footage from the area near Victim's residence and located footage from the night of Victim's murder. Investigators also spoke to witnesses who encountered Victim on the afternoon and evening of September 1, 2019. Investigators learned that an adult female had visited Victim on September 1, 2019 and left his residence at 6:32 PM. Investigators spoke to the female, who reported that, when she left Victim's residence, Victim was alone, clothed, and had invited her to return to his residence later that night for a meal. Investigators observed that, at 9:22 PM, Defendant's vehicle arrived in the area and, at 9:27 PM, Defendant's vehicle drove past Victim's residence again. As the vehicle reached

Victim's residence, the driver braked and appeared to park along the side of 13th Avenue, just out of camera view, approximately two houses down from Victim's residence. Investigators noted that Defendant parked along the sidewalk at the same location where the blood trail leading from Victim's backyard ended.

Investigators observed that the surveillance video revealed that the front door to Victim's residence opened at 9:37 PM; that two individuals casted shadows in the lit doorway; and that the two shadows disappeared into the residence and the door closed at 9:40 PM. The surveillance video revealed that Victim's front door did not open again and that no person approached or left Victim's front door until MFD's response. Witnesses reported smelling smoke at approximately 11:40 PM, looking at Victim's residence, and calling 911.

On September 11, 2019, officers received information from someone familiar with Defendant. This individual reported that Defendant called her on September 8 or 9; told her that he was at the hospital because he got hurt; told her that he planned on leaving the hospital and checking into Twin Town treatment facility in St. Paul; and told her to not tell the police that he talked to her.

After receiving this information, officers located Defendant at the facility, identified him, and arrested him. Officers immediately observed that Defendant had several minor laceration injuries on his hands and one long and deep laceration on the palm of his left hand. Officers observed that this laceration required approximately 30 stitches to repair but that Defendant did not seek medical attention for it until September 9, 2019. Based on their training and experience, officers did not perceive any injury, including the laceration on Defendant's palm, to be a defensive wound. Medical records are pending.

In a Mirandized interview, investigators informed Defendant that they wanted to talk about Victim and what happened, and Defendant acknowledged that he knew Victim. Investigators showed a still image of Defendant's truck outside of Victim's residence, and Defendant acknowledged that he recognized his truck. Defendant then became very quiet and declined to answer any further questions.

Officers observed apparent dried blood on Defendant's watch and collected it for forensic testing.

Court records reveal that Defendant has a lengthy decades-long record of assaultive behavior and has multiple felony convictions for offenses including Drug Possession, Terroristic Threats, and Prohibited Person in Possession of a Firearm.

The investigation and considerable forensic testing are ongoing.

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

Scott A Olson
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 5315

Electronically Signed:
09/13/2019 11:42 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Joshua Larson
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
09/13/2019 11:40 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: \$1,000,000.00

Conditions of Release: No use of drugs/alcohol; Random UAs; No Possession of Weapons; Make All Appearances; Remain Law Abiding

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 13, 2019.

Judicial Officer

Peter A Cahill
District Court Judge

Electronically Signed: 09/13/2019 11:48 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.

LARRY JOE FOSTER

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: LARRY JOE FOSTER
DOB: 07/15/1953
Address: 113 Hertiage Circle S
Burnsville, MN 55337

Alias Names/DOB:

SID: MN88014115

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 #: 63245

SILS Tracking No. 3126592

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	9/1/2019	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2032		MN0271100	19264288
	Modifier	9/1/2019	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2032		MN0271100	19264288
	Penalty	9/1/2019	609.19.1 Murder - 2nd Degree	Felony	H2032		MN0271100	19264288