

State of Minnesota
County of Ramsey

Filed in District Court
State of Minnesota
June 29 2023

District Court
2nd Judicial District

Prosecutor File No. 0620444377
Court File No. 62-CR-21-5450

State of Minnesota,

Plaintiff,

vs.

CUYLER MASON HOWARD DOB: 12/11/2000

711 Grand Ave, #4
Saint Paul, MN 55105

Defendant.

COMPLAINT

Summons

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 - 4th Degree - Peace Officer - Demonstrable bodily harm

Minnesota Statute: 609.2231.1(c)(1), with reference to: 609.2231.1(c)

Maximum Sentence: 3 years or \$6,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 09/24/2021

Control #(ICR#): 21200036

Charge Description: On or about September 24, 2021, in the County of Ramsey, Minnesota, Cuyler Mason Howard did physically assault and inflict demonstrable bodily harm upon a peace officer licensed under state law who was effecting a lawful arrest or executing any other duty imposed by law.

COUNT II

Charge: Disarming a Peace Officer - Take Defensive Device from Peace Officer/Area Controlled by Officer

Minnesota Statute: 609.504.2

Maximum Sentence: 2.5 years or \$5,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 09/24/2021

Control #(ICR#): 21200036

Charge Description: On or about September 24, 2021, in the County of Ramsey, Minnesota, Cuyler Mason Howard did intentionally attempt to take possession of a defensive device being carried or employed by a peace officer or taken from an area within the officer's immediate control, without consent, while the officer was engaged in the performance of official duties.

COUNT III

Charge: Assault-5th Degree-Fear of Bodily Harm or Death

Minnesota Statute: 609.224.1(1)

Maximum Sentence: 90 days or \$1,000 fine, or both

Offense Level: Misdemeanor

Offense Date (on or about): 09/24/2021

Control #(ICR#): 21200036

Charge Description: On or about September 24, 2021, in the County of Ramsey, Minnesota, Cuyler Mason Howard assaulted another and inflicted demonstrable bodily harm.

STATEMENT OF PROBABLE CAUSE

On September 24, 2021, at around 12:30 a.m., St. Paul police were dispatched to the 700 block of Linwood Ave. in the City of St. Paul, Ramsey County, on a report from two homeowners that someone was attempting to gain entry into their homes. One of the homes was on Linwood and the other a very short distance away on Grotto. Callers described the suspect as a white male in his 20s, about 6' tall, medium build, carrying a backpack and walking a dog.

A responding officer spotted a male fitting the description walking in the area of Osceola and Avon, about a block away from where the calls originated. The officer stopped his car, got out and asked the suspect, later identified as CUYLER MASON HOWARD (12/11/2000), to stop and put his hands on his head. The officer asked him to do so a second time. When HOWARD began to comply and the officer attempted to secure him, HOWARD punched the officer in the face with a close fist. The officer later said that he was stunned by the punch. HOWARD then proceeded to punch the officer in the head multiple times. The officer's face and uniform was splattered with the officer's blood.

The officer eventually was able to put HOWARD to the ground, whereupon HOWARD gauged at the officer's eyes and continued to punch the officer in the head. As the officer attempted to protect his eyes by burying his face in HOWARD's chest, HOWARD bit the top of the officer's head, leaving teeth marks on the officer's scalp. The officer described absorbing multiple blows to his head from HOWARD.

The officer was finally able to spray HOWARD in the face with ASR. As other officers arrived, HOWARD had his hand on the officer's holster in an apparent attempt to disarm the officer. Other officer's helped to secure HOWARD. Medics arrived. Multiple photos were taken of the officer, who exhibited lacerations, a bite mark and blood on his face and uniform.

HOWARD repeatedly apologized and said he should not have fought the officer.

In a post-Miranda interview, HOWARD claimed that the officer surprised him and that he thought the officer was going to kill him. HOWARD stated that after the officer sprayed him in the face he tried to grab the officer's gun because he was so mad and that he wanted to kill the officer. "I thought he was going to kill me so I tried to kill him but then his gun was locked to his waist so I couldn't get his gun ... couldn't kill him." HOWARD stated that if he had had his own weapon that he would have just shot the officer and killed him. HOWARD acknowledged that he was at the two homes but claimed that he had just been looking around because he is interested in the homes in the area.

NOTICE: Pursuant to Minnesota Statute 609.49, subd. 1 (a) A person charged with or convicted of a felony and released from custody, with or without bail or recognizance, who intentionally fails to appear when required after having been notified that a failure to appear for a court appearance is a criminal offense, or after having been released on an order or condition that the release personally appear when required with respect to the charge or conviction, is guilty of a crime for failure to appear and may be sentenced to not more than one-half of the maximum term of imprisonment or fine, or both, provided for the underlying crime for which the person failed to appear, but this maximum sentence shall, in no case, be less than a term of imprisonment of one year and one day or a fine of \$1,500, or both.

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 R Webb
Sergeant
367 Grove St
St Paul, MN 55101
Badge: 228

Electronically Signed:
06/27/2023 01:22 PM
Ramsey County, Minnesota

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

Prosecuting Attorney

Nelson Rhodus
345 Wabasha Street N
Suite 120
St Paul, MN 55102
(651) 266-3222

Electronically Signed:
06/27/2023 11:46 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 as directed in the Notice of Hearing before the above-named court 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:

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: June 29, 2023.

Judicial Officer

Kelly Olmstead
Judge

Electronically Signed: 06/29/2023 02:53 PM

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

**COUNTY OF RAMSEY
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Cuyler Mason Howard

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Cuyler Mason Howard
DOB: 12/11/2000
Address: 711 Grand Ave, #4
Saint Paul, MN 55105

Alias Names/DOB:

SID: MN21D47400

Height:

Weight: 0lbs.

Eye Color:

Hair Color:

Gender:

Race:

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

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	9/24/2021	609.2231.1(c)(1) Assault - 4th Degree - Peace Officer - Demonstrable bodily harm	Felony	A4357		MN0620900	21200036
	Penalty	9/24/2021	609.2231.1(c) Assault - 4th Degree - Peace Officer - Penalty for violation of 609.2231.1(c)(1) or (c)(2)	Felony	A4357		MN0620900	21200036
2	Charge	9/24/2021	609.504.2 Disarming a Peace Officer - Take Defensive Device from Peace Officer/Area Controlled by Officer	Felony	X1460		MN0620900	21200036
3	Charge	9/24/2021	609.224.1(1) Assault-5th Degree-Fear of Bodily Harm or Death	Misdemeanor	A5307		MN0620900	21200036