

State of Minnesota  
County of Kandiyohi

District Court  
8th Judicial District

Prosecutor File No. 0340049396  
Court File No. 34-CR-21-1226

---

**State of Minnesota,**

Plaintiff,

vs.

**AUGUST LAFEEN DOB: 08/16/1965**

400 15th Avenue SW Apt 103-A  
Willmar, MN 56201

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: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill probation agent Jay Vagle.

**COUNT II**

**Charge: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill Willmar Police Officer Sgt. Ross Livingood.

**COUNT III**

**Charge: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill Willmar Police Officer Det. Alex Anderson.

**COUNT IV**

**Charge: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill Willmar Police Officer Joe Schaeftbauer.

**COUNT V**

**Charge: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill Willmar Police Officer Chris Flatten.

**COUNT VI**

**Charge: Terroristic Threats-Reckless Disregard Risk**

Minnesota Statute: 609.713.1, with reference to: 609.713.1

Maximum Sentence: 5 years or \$10,000 fine, or both

Offense Level: Felony

Offense Date (on or about): 12/16/2021

Control #(ICR#): 21017272

Charge Description: On or about December 16, 2021, in the County of Kandiyohi, Minnesota, August Lafeen, did directly or indirectly threaten to commit a crime of violence, with purpose to cause, or in

reckless disregard of the risk of causing, terror in another. To wit: Defendant threatened to kill Willmar Police Officer David Vierling.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

---

Your Complainant, a licensed peace officer, is employed by the Willmar Police Department. In this capacity your Complainant believes the following to be true and correct.

On December 16, 2021, at approximately 4:43 PM, law enforcement received a report of an individual making threats stating he had a gun. Multiple Willmar Police Officers responded to the callers residence located at 400 15th Avenue SW, Apt. 103-A , Willmar, Kandiyohi County, Minnesota. The report received was from Probation Agent Karl Klaphake of Kandiyohi County Community Corrections. The suspect was identified as AUGUST LAFEEN. Klaphake reported to dispatch that LAFEEN was threatening to kill Probation Agent Jay Vagle and to kill anyone who came to his residence without Vagle. The officers responding included Sgt. Ross Livingood, Det. Alex Anderson, Officer Joe Schaeftbauer, Officer Chris Flatten, and Officer David Vierling.

Body Camera Footage reviewed later showed:

- It was started on 12/16/2021 at 1714 hours. The video was 5 minutes and 30 seconds long.
- August Lafeen can be heard inside his door way and on two occasion a handgun barrel is exposed outside the doorway. It is in his right hand.
- Sgt. Livingood and other Officers tell him to drop the gun repeatedly.
- Sgt. Livingood tells Lafeen several times to go back into his apartment and he, Sgt. Livingood, would call him and talk with him by phone.
- Lafeen wanted Jay Vagle brought to him. He was going to kill Jay Vagle. He was going to kill everyone.
- Lafeen was not going to drop the gun.
- Sergeant Livingood fired his service weapon twice into apartment. Sgt. Livingood was to the right of Lafeen's apartment door.
- After shots were fired Officers engage Lafeen and Officer Joe Schaeftbauer deployed his Taser at Lafeen.
- Lafeen was arrested. Lafeen stated he was sorry.

At approximately 11:12 PM to about 11:50 PM, agent Dan Bryon of the Bureau of Criminal Apprehension (BCA) and Detective Sgt. Chad Nelson interviewed LAFEEN at the Jail. LAFEEN was read his Miranda Rights and LAFEEN stated he understood those and agreed to speak with the officers.

LAFEEN stated that his address is 400 15<sup>th</sup> Avenue SW, Apartment 103-A in Willmar. He said his probation officer is Jay Vagle. LAFEEN thought he had emailed and called probation that morning. LAFEEN said he wanted Vagle brought in front of him so he could kill him with his hands. LAFEEN said he may have told probation that he had a gun; however, he was unsure if he had or not. LAFEEN said he does have a black CO2 BB gun that looks like a .45 ACP handgun. LAFEEN called probation because he was angry and upset. LAFEEN said he yelled and threatened to kill anyone if they did not bring Vagle. He said he would kill them with his hands. LAFEEN said Willmar Police Officers arrived at his apartment and knocked on the door. He said he was standing his is entry by the front door and officers were in the hallway approximately 4 to 6 feet away from him. He said there was five officers. LAFEEN neither moved towards nor backed away from them. He told the officers to bring Vagle of he would kill everyone that was in front of him. He pointed his BB gun that looks like a .45 ACP handgun at the officers. He was not certain how many officers shot at him although he thought it was more than one and that it was the one directly in front of him. LAFEEN said the officer told him to put his gun down or he was going to shoot him. LAFEEN told the officer that was his plan. LAFEEN stated that suicide by cop was his plan. LAFEEN stated that officers also deployed a taser. LAFEEN stated he did not think he pulled the trigger of the gun, but he believes his finer was on the trigger. LAFEEN said he was holding the gun with his right hand. LAFEEN was taken to the hospital and doesn't remember what was said there but he did not think he spoke to kindly to the doctor. LAFEEN said the officers reactions to the situation were appropriate. LAFEEN said it was fair to say that he caused alarm with what he had said to probation and was appropriate for probation to have called the police. LAFEEN stated he struggles with alcoholism, depression, psychopathy, and anti-social disorder. LAFEEN said he knew what he was doing when he called probation and threatened Vagle. LAFEEN also said he knew what he was doing when he pointed the gun at the officers. LAFEEN said he was upset because Vagle told him he was going to have his probation extended another year when it was set to expire in three weeks. LAFEEN said he drank vodka and it was a .75 liter bottle. LAFEEN believed that he was intoxicated.

LAFEEN also allowed Agent Bryon to take photographs of him. Detective Sgt. Nelson observed injuries to right index finger, two puncture wounds to the abdomen (which appeared to be from Taser probes), a left elbow abrasion, and an abrasion in the middle of his back.

Detective Scott Erickson of the Willmar Police Department contacted probation agent Klaphake. Klaphake recalled the incident earlier in the day with LAFEEN. He said present during portions of the incident included the probation director Tami Jo Lieberg, another probation agent, and the probation secretary. He stated LAFEEN had called into the office and spoke to the secretary. He stated he (Klaphake) had been messaged by the secretary asking him to come to the front desk. When Klaphake got to the front desk, he noted LAFEEN was on speaker phone and he could hear LAFEEN making numerous threats. Klaphake recognized LAFEEN'S voice immediately as he has dealt with him before. LAFEEN continued to threaten members of probation staff, specifically Vagle. Kalphake heard these threats made by LAFEEN:

- "I want to shoot Jay."
- "Bring Jay in front of me. I want to shoot him."
- "If you come to me without Jay, I will you. Don't waste my time."
- "Im going to shoot him in the head."
- "I am going to kill everyone in the apartment complex if they aren't here within twenty five minutes."
- "If my neighbors out, im going to shoot them too."

The other agent and director Lieberg heard about what was going on. At some point during this, Klaphake left and called dispatch to inform them of what was going on. Lieberg picked up the phone and tried to interact with LEFEEN to deescalate the situation. The secretary recorded part of the conversation and this recording was approximately 11 minutes long.

Detective Erickson spoke with Lieberg. Lieberg stated that LEFEEN (she found out later who the person on the phone was) wanted to kill Vagle and he was going to come to their apartment and take out whoever he can. Lieberg said picked up the phone to try to defuse the situation by talking to him. LEFEEN admitted he had been drinking for days. LEFEEN stated he wanted to see Vagle so he could kill him with his bare hands or shoot him. LAFEEN told her he had a .45 and she could hear what she believed to be a gun clicking in the background. LAFEEN later stated that they need to get Vagle within twenty minutes or he was going to go door to door and kill the people in his building. Lieberg again tried to talk to LEFEEN and help him out, but again stated that he wanted them to bring him Vagle and if they didn't he was going to kill people in his building and it would be 40 people who would be dead.

Detective Erickson followed up later with Klaphake to ask him how the situation affected him. Klaphake indicated he knew it was serious incident while the call was taking place, but he did not believe LAFEEN was going to come to their office at that time. As he thought about it further he understood the incident was in fact more serious than he originally believed. He said he was worried for his staff at Community Corrections.

Detective Erickson spoke with Lieberg. She stated that the secretary was extremely shook up about the incident and appeared to be scared at that time. She was also concerned for Vagle and has been thinking about the incident ever since she has been made aware of the phone call LEEFEN made to their office. Lieberg stated that the call had a significant impact on her staff.

PLEASE TAKE NOTICE: Pursuant to Minn. Stat. § 609.49 intentional failure to appear for duly scheduled court appearances may result in additional criminal charges in addition to any arrest warrant that may otherwise be issued by the Court.

**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.

<b>Complainant</b>	Michael Anderson Captain 2201 23rd Street NE Suite 102 Willmar, MN 56201 Badge: 3102	Electronically Signed: 12/17/2021 11:10 AM Kandiyohi County, Minnesota
--------------------	---	--

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

<b>Prosecuting Attorney</b>	Shane D Baker Kandiyohi County Attorney 415 SW 6th Street P.O. Box 1126 Willmar, MN 56201 (320) 231-2440	Electronically Signed: 12/17/2021 11:08 AM
-----------------------------	---	---





## DEFENDANT FACT SHEET

**Name:** August Lafeen  
**DOB:** 08/16/1965  
**Address:** 400 15th Avenue SW Apt 103-A  
Willmar, MN 56201

**Alias Names/DOB:**

**SID:**

**Height:**

**Weight:** 0lbs.

**Eye Color:**

**Hair Color:**

**Gender:**

**Race:**

**Fingerprints Required per Statute:** Yes

**Fingerprint match to Criminal History Record:** No

**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	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
2	Charge	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
3	Charge	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
4	Charge	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
5	Charge	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
6	Charge	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272
	Penalty	12/16/2021	609.713.1 Threats of Violence - Reckless Disregard Risk	Felony	A9520		MN0340100	21017272