
State of Minnesota,
Plaintiff,

v.

COMPLAINT- SUMMONS

Jesse Robert Powell, DOB 7/23/1989 (32)
41738 Sunny Road
Big Fork , MN 56628
Defendant.

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

Count: 1 Criminal Sex Conduct-3rd Degree-Force or Coercion
In Violation of: 609.344 subd. 1(c)
Penalty Statute: 609.344 subd. 2(1) - Criminal Sexual Conduct in the Third Degree
MOC: L5A77
ICR: 21002620
Penalty: 15 years and/or \$30,000

On or about June 3, 2021, Defendant engaged in sexual penetration with another person using force or coercion to accomplish the penetration.

Count: 2 Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact
In Violation of: 609.3451 subd. 1
Penalty Statute: 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct
MOC: L5A77
ICR: 21002620
Penalty: 1 year and/or \$3000 fine

On or about March 2, 2021, Defendant engaged in nonconsensual sexual contact.

Count: 3 Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact
In Violation of: 609.3451 subd. 1
Penalty Statute: 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct
MOC: L5A77
ICR: 21002620
Penalty: 1 year and/or \$3000 fine

On or about March 23, 2021, Defendant engaged in nonconsensual sexual contact.

Count: 4 Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact
In Violation of: 609.3451 subd. 1
Penalty Statute: 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct
MOC: L5A77

ICR: 21002620
Penalty: 1 year and/or \$3000 fine

On July 28, 2021, Defendant engaged in nonconsensual sexual contact.

Count: 5 Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact
In Violation of: 609.3451 subd. 1
Penalty Statute: 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct
MOC: L5A77
ICR: 21002620
Penalty: 1 year and/or \$3000 fine

On or about August 2, 2021, Defendant engaged in nonconsensual sexual contact.

STATEMENT OF PROBABLE CAUSE

Your complainant has reviewed police reports relating to the above-named defendant and the allegations contained herein. Based upon that information, complainant believes the following to be true and correct.

On Friday, September 24, 2021, Aitkin County Investigator Steve Cook was assigned to investigate a reported sexual assault in Itasca County. Investigator Cook received a recorded statement from SMB. SMB stated she hired a divorce attorney, Jesse Powell (Jesse Robert Powell, DOB 07/23/1989), who has a law office, Powell Law, PLLC, located at 1045 East U.S. Hwy. 169, Grand Rapids, Itasca County. SMB stated she hired Powell in February of 2021 and met with him at his office on March 2, 2021, because of a mediation meeting. An invoice provided by SMB showed that on February 22, 2021, she retained Powell's services with a fee of \$1,000.00. The invoice also showed a mediation on March 2, 2021, with two hours billed at \$350.00.

SMB stated there was a mediation meeting because she had a restraining order against her husband at the time, and they were going through a divorce. SMB stated Powell was always the only person at his office when she was there.

SMB stated while at Powell's office on March 2, 2021, before the mediation meeting, she was nervous, and Powell gave her a hug. SMB stated when Powell did this, he pressed himself against her, and she could feel through their clothes that his penis was hard. SMB started to cry while telling Investigator Cook about this incident. SMB stated after this she asked to go to the bathroom, and Powell showed her where the bathroom was. SMB stated after going into the bathroom, Powell blocked the door from shutting, and told her she could go to the bathroom in front of him. SMB stated she would not do that, so she just stood there. SMB stated after a short time, Powell walked away, she shut the door, locked it and went to the bathroom. SMB stated after coming out of the bathroom, Powell made a comment about her chest, wanting to see her breasts, and told her he wanted to show her his penis before the end of the night. He also mentioned to her that she should have come out of the bathroom with less clothes on.

SMB stated that the mediation meeting started, and she was probably at Powell's office about an hour and a half and left the office right after the meeting.

SMB stated that she went to Powell's office for a second time on March 23, 2021 for a mediation. While at the office, Powell pulled SMB in for a hug and placed his hands on her breasts over her clothes.

SMB stated the third time, around June 3, 2021, she went to Powell's office and he walked and pushed her into the bathroom and forced himself inside of her. SMB stated she was pressed against the sink, and Powell was behind her. SMB stated she did not remember how her clothing got down (whether her pants were pulled down or off). SMB stated Powell forced his penis inside of her vagina from behind, and he ejaculated. SMB stated Powell did not have a condom on. SMB stated it was not consensual. She stated Powell was much bigger than her and intimidating. She stated that she froze.

SMB stated on approximately July 28, 2021, she went to Powell's office to drop off paperwork for a pretrial on August 2, 2021. She stated that Powell's office had no power that day because of a recent storm (news reports confirm that 5,000 homes and businesses lost power due to a severe storm on the 27th). SMB stated Powell tried to have sex with her that day. SMB stated Powell said he wanted to fill her up with his "hot load". SMB stated Powell put his mouth over her mouth kind of like a kiss, but his lips were around the outside of her lips and he tried to put his tongue in her mouth, but she did not let him. SMB stated while Powell was trying to kiss her, he was groping her. SMB stated by groping she meant that Powell was touching her buttocks with his hands, he also rubbed the front of her shorts over the vaginal area, and her breasts with his hands. SMB stated the touching was all over the top of her clothing.

SMB stated on August 2, 2021, she was at Powell's office for a pretrial. MGA records show on August 2, 2021, 9:00 A.M., a pretrial hearing was held using remote technology. SMB stated she had to use the bathroom before they started, Jesse walked into the bathroom ahead of her, and pulled out his penis, then he put her left hand on his penis. SMB described his penis as circumcised, thick around the circumference and a little longer than the width of her palm. SMB stated Powell then got behind her, pressed himself up against her, and put his right hand over her throat, he did not choke her but applied some pressure for a few seconds, then he pulled his hand away, and slapped her on the buttocks twice with his hand. After that, they sat down for the pretrial Zoom meeting, and after the meeting, she left. SMB stated this was the last time she was at Powell's office. She hired another attorney (MGA has on file an August 5, 2021, Certificate of Representation, showing SMB replaced Powell with a different lawyer).

SMB stated she could not recall the date, but one of the times she was in Powell's office, he stated he wanted to come to her house sometime to have sex, but he never did. SMB stated she did not want Powell at her house, but she allowed him to drop off some paperwork in her mailbox at the end of her driveway because he claimed he did not have a dropbox for paperwork at his office.

SMB stated after changing attorneys, Powell tried calling her from his cell phone and from his office phone, but she did not answer the calls.

SMB also had copies of email conversations with her mediator dated August 5, 2021, describing what had happened to her while at Powell's law office. SMB stated she has also talked to people at her work about what had happened and spoke with her current lawyer and his staff about what happened. Investigator Cook confirmed that those conversations took place.

After getting the recorded statement from SMB, Investigator Cook discovered that Powell had a harassment order against him. MGA records show that the HRO was personally served on March 15, 2021, at 1600 hours, 1045 E. U.S. Hwy. 169, Grand Rapids. The HRO petitioner was AME.

On September 25, 2021, Investigator Cook contacted AME regarding the HRO against Powell. AME stated about a year ago she hired Powell to represent her in a case. AME stated while meeting with Powell at his office on September 8, 2020, he made comments about her dream catcher tattoo on her right thigh. AME stated she was wearing blue jeans, but she called them her holey jeans, (pants designed with holes in the legs), and while sitting across from the table at his office, he played footsie with her (rubbing his feet against her feet, both had shoes on) and rubbing her right thigh with his hand. AME stated Powell also took a picture of her with his cell phone and made a comment about a photo of her in a swimsuit. AME stated that she asked him one time how to remove a security device from a shirt and he replied that he would help her take her shirt off.

AME stated at a later date, Powell added her on Snapchat, and invited her to his home, which she did not go. AME stated she blocked Powell on snapchat. AME stated she reported this to the attorney's licensing board. AME stated she received a letter from Powell explaining his side of what had occurred after reporting it to the board.

The letter was dated February 19, 2021, to the Office of Lawyer's Professional Responsibility. In the letter, Powell repeatedly apologized to AME for making her feel uncomfortable and stated that it was not his intent. Powell stated in the letter the "incidents of physical contact referred to was nothing more than me getting her attention, as our case was getting called by the judge over Zoom, and she was on her cellphone." As far as the security device on her shirt comment, he claimed that it was a slip of the tongue as part of a "misunderstood joke". He also blamed his behavior on medication that caused "several side effects and uncharacteristic behavior."

On November 22, 2021, Investigator Cook received public information from the Itasca County Human Resources Department regarding the previous employment of Powell as an Assistant County Attorney from August 29, 2016 to June 12, 2020. Powell had two complaints that were closed. He received a five-day disciplinary suspension for violating the Respectful Workplace Behavior Policy in 2018. The investigative report from 2018 substantiated claims that Powell made a comment about a female co-worker's clothing and responded with "because your tits hang out" when the co-worker tried to explain her outfit. The report also substantiated claims that Powell told a co-worker it did not matter what she wore because she was beautiful, smart and intelligent. A claim that he asked a female co-worker to "wrestle about it" was also substantiated. The complaint alleged other comments Powell made to co-workers and that one co-worker warned another not to friend Powell on social media. A claim that Powell told a 19-year-old female co-worker that he didn't need to worry because she was 19 was substantiated. A claim that he stated to a co-worker that half his co-workers were good looking was substantiated.

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

Complainant requests that Defendant, subject to bail or conditions of release, be:

- (1) Arrested or 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'S NAME:

INV STEVE COOK

COMPLAINANT'S SIGNATURE:

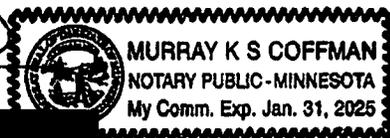


Subscribed and sworn to before the undersigned this ~~16~~ 17 day of December, 2021.

NAME/TITLE:

SIGNATURE:

MURRAY K. S. COFFMAN
DOMESTIC SECRETARY



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

PROSECUTING ATTORNEY'S SIGNATURE:

Date: 12/15/21

//s// Reese Frederickson

Reese Frederickson 0386692
Pine County Attorney's Office
635 Northridge Drive NW
Pine City, MN 55063
320-591-1560

Court File Number: _____

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 to 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).

X SUMMONS

THEREFORE, YOU THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the _____ day of _____, 20__ at _____ before the above-named court at _____, MN to answer this complaint.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named 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 above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail:
Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this _____ day of _____, 20__.

JUDICIAL OFFICER:

SIGNATURE:

NAME: _____

TITLE: _____

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

<p>COUNTY OF ITASCA STATE OF MINNESOTA</p>	<p>Clerk's Signature or File Stamp:</p>
<p>State of Minnesota Plaintiff, vs. Jesse Robert Powell Defendant.</p>	<p>RETURN OF SERVICE <i>I hereby Certify and Return that I have served a copy of this Summons upon the Defendant(s) herein-named. Signature of Authorized Service Agent:</i></p>

DEFENDANT FACT SHEET

Other DOBs:

Race/Ethnicity:

CID:

Alias Information:

Fingerprinted:

Handgun Permit:

Location of Violation:

Driver's License #:

Accident Type:

License Plate #:

BAC Status:

BAC Level:

Statute and Offense Grid

Count: 5

Ct	Statute Type	Offense Date	Statute #/Descr and Sup	Level	MO C	GOC	Rpt Ctrl Agency	Rpt Ctrl #
1	State Statute	3/2/2021	609.344 subd. 1(c) - Criminal Sex Conduct-3rd Degree-Force or Coercion 609.344 subd. 2(1) - Criminal Sexual Conduct in the Third Degree	F	L5A7 7	NA		
2	State Statute	3/2/2021	609.3451 subd. 1 - Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct	GM	L5A7 7	NA		

3	State Statute	3/2/2021	609.3451 subd. 1 - Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct	GM	L5A7 7	NA
4	State Statute	3/2/2021	609.3451 subd. 1 - Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct	GM	L5A7 7	NA
5	State Statute	3/2/2021	609.3451 subd. 1 - Criminal Sex Cond-5th Degree-Nonconsensual Sexual Contact 609.3451 subd. 2 - 5th Degree Criminal Sexual Conduct	GM	L5A7 7	NA

**MEMORANDUM
ITASCA COUNTY ATTORNEY'S OFFICE
MATTI R. ADAM
COUNTY ATTORNEY**

Itasca County Courthouse
123 N.E. Fourth Street
Grand Rapids, MN 55744
Telephone: (218) 327-2867
FAX: (651) 327-0605

DATE: November 24, 2021
TO: Itasca County Court Administrator
FROM: Matti R. Adam, Itasca County Attorney
RE: State of Minnesota v. Jesse Robert Powell
Court File #: _____

Please file the attached **Appointment of Special Assistant County Attorney**.

Please change the attorney of record to be:

Reese Frederickson, Atty. Reg. No. 0386692
Pine County Attorney
635 Northridge Drive NW, #310
Pine City, MN 55063
320-591-1558

(Subsequent paperwork should be sent to this attorney. The Itasca County Attorney's Office should not receive any paperwork regarding this case).