



# Office of the Washington County Attorney

Kevin Magnuson, County Attorney

## News Release

**Contact:** Laura Perkins, Public Information Manager

**Phone:** 651-430-7994

**FOR IMMEDIATE RELEASE**

**Date:** September 30, 2024

### **Defendant in Woodbury police standoff sentenced to prison**

STILLWATER, Minn. – A man shot by police after pointing a high-powered pellet gun at officers will now serve over seven years in prison, Washington County Attorney Kevin Magnuson announced.

In May, the Washington County Attorney's Office charged Donald Eugene Roche, 61, with multiple felonies after he pointed a pistol-style pellet gun at officers during a standoff in the Target parking lot. The pellet gun was designed to, and did, look like a firearm. On July 18, Roche pleaded guilty to two counts of second-degree assault, and admitted in court that police "had every right" to shoot him based on his actions.

At his sentencing hearing Monday morning, Judge Siv Mjanger sentenced Roche to 92 months in prison. This sentence, as requested by prosecutors, includes consecutive sentences of 71 months and 21 months in prison for counts one and two, respectively.

According to the criminal complaint, Roche stole a wallet from a construction site in Oakdale on the morning of April 22. He then used the credit cards to make fraudulent purchases totaling over \$3,000 at two stores in Woodbury, as well as attempted transactions of over \$7,000 which were ultimately declined. Officers with the Woodbury Public Safety Department were alerted to Roche's location by automated license plate readers, which detected that the vehicle he was driving was reported stolen. Law enforcement spotted the stolen vehicle unoccupied in the Target parking lot just after 9:15 a.m. with the steering column damaged.

When Roche returned to his vehicle after attempting fraudulent purchases inside the Target store, officers approached Roche and tried to take him into custody. A struggle ensued and officers disengaged when they spotted a gun. Roche retreated to his vehicle and barricaded himself inside. Additional law enforcement, including the Washington County SWAT Team, arrived and negotiated with Roche for over an hour.

Eventually, Roche exited the van with the firearm in his hand, at which point law enforcement attempted to subdue him with less-than-lethal and non-lethal force. Roche continued to ignore repeated verbal commands to drop the gun, and instead pointed his firearm directly at officers. Woodbury Officer James Stoffel and Washington County Deputy Brian Krook shot Roche, and he was transported to Region's Hospital where he recovered.

Following an investigation conducted by the Minnesota Bureau of Criminal Apprehension (BCA), the Washington County Attorney's Office determined Officer Stoffel and Deputy Krook were legally justified in their use of force.

"The actions of Mr. Roche were reckless, alarming, and demonstrated a complete disregard for public safety," said Magnuson. "He not only endangered the lives of law enforcement, but he also posed a significant threat to innocent bystanders. We sought and received the toughest sentence possible to reflect the seriousness of Mr. Roche's actions and are grateful for Judge Mjanger's sentence today.

Roche remains in custody at the Washington County Jail awaiting transfer to the Minnesota Department of Corrections.

This case was prosecuted by Assistant County Attorney Thomas Frenette and Assistant County Attorney Nicholas Hydukovich.

###

State of Minnesota  
County of Washington

District Court  
10th Judicial District

Prosecutor File No.  
Court File No.

CR-2024-549  
82-CR-24-1706

---

**State of Minnesota,**

Plaintiff,

vs.

**DONALD EUGENE ROCHE DOB: 10/20/1962**

6205 Dogwood Street  
Rockford, MN 55373

Defendant.

---

**COMPLAINT**

Warrant

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: Dangerous Weapon – Non-Firearm Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4

Maximum Sentence: 7 years and \$14,000.

Offense Level: Felony

Offense Date (on or about): 04/22/2024 to 04/22/2024

Control #(ICR#): 20240431

Charge Description: assault another, to-wit: Victim 1, with a dangerous weapon, to wit: CO2 B.B. Gun.

**COUNT II**

**Charge: Dangerous Weapon – Non-Firearm Assault-2nd Degree-Dangerous Weapon**

Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4

Maximum Sentence: 7 years and \$14,000.

Offense Level: Felony

Offense Date (on or about): 04/22/2024 to 04/22/2024

Control #(ICR#): 20240431

Charge Description: assault another, to-wit: Victim 2, with a dangerous weapon, to wit: CO2 B.B. Gun.

**COUNT III**

**Charge: Financial Transaction Card Fraud-Use-No Consent**

Minnesota Statute: 609.821.2(1), with reference to: 609.821.3(a)(1)(ii)

Maximum Sentence: 10 years and \$20,000.

Offense Level: Felony

Offense Date (on or about): 04/22/2024 to 04/22/2024

Control #(ICR#): 20240431

Charge Description: without consent of the card holder, to wit: R.D.S. and knowing the cardholder had not given consent, used or attempted to use a card to obtain the property of another and the amount of the aggregated transactions was more than \$2,500.

#### COUNT IV

**Charge: Burglary - 3rd Degree - Enters w/out consent with intent to Steal/Commit Felony or Gross Misdemeanor**

Minnesota Statute: 609.582.3(a), with reference to: 609.582.3(a)

Maximum Sentence: 5 years and \$10,000.

Offense Level: Felony

Offense Date (on or about): 04/22/2024 to 04/22/2024

Control #(ICR#): 20240431

Charge Description: enter a building located at 1135 Hadley Avenue North, Oakdale MN, without consent and while in the building intended to or did steal or intended to or did commit a felony or gross misdemeanor, either directly or as an accomplice.

## STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

---

Your Complainant is a licensed Minnesota peace officer employed by the Minnesota Bureau of Criminal Apprehension (BCA). Based on reports from incidents occurring on April 22, 2024, your Complainant offers the following to establish probable cause:

On April 22, 2024, multiple law enforcement agents began investigating a series of events that transpired that morning in Washington County, MN. The investigation revealed that DONALD EUGENE ROCHE (D.O.B. 10/20/1962) stole a black wallet that morning from a construction site in Oakdale, MN. ROCHE then used credit cards from the stolen wallet to make fraudulent purchases at two stores in Woodbury, MN. Woodbury Public Safety Officers located ROCHE after being alerted the vehicle he was driving was reported stolen. Officers made contact with ROCHE in a Target store parking lot immediately after he made fraudulent purchases. The contact with ROCHE escalated into a standoff. Ultimately, ROCHE was shot by law enforcement and transported to Regions Hospital where he continues to recover.

### ROCHE COMMITS BURGLARY IN OAKDALE, MN

On April 22, 2024, Oakdale Police Officers received a phone call for theft of a wallet from a construction site located at 1135 Hadley Avenue in the City of Oakdale, Washington County, MN. R.D.S. reported that his black wallet was stolen out of his lunch box, which was inside a break room. R.D.S. said he got to work around 6:30 a.m. and left his wallet in the break room. At approximately 9:30 a.m., R.D.S. began receiving text alerts that his credit cards and debit card were used to make unauthorized purchases. The construction site is secured by gated fencing and the break room was located inside a building that had doors and windows. The break room is a dedicated space for construction workers to use during breaks. The perimeter of the construction site had multiple "No Trespassing" signs posted.

During the investigation, law enforcement was able to trace the van ROCHE was subsequently apprehended in back to the construction site. At 8:10 a.m. a Honda Odyssey van (displaying Illinois license plate number DT52543) was captured on an Oakdale Police License Plate Reader (OPLPR) near the construction site. Additionally, video surveillance from various businesses near the construction site were obtained. At 8:11 a.m. a van matching ROCHE'S vehicle is seen entering the parking of American National Bank, which is directly adjacent to the construction site. ROCHE'S van leaves the parking lot and parks in another nearby lot. At approximately 8:14 a.m., the driver exits the van and walks into the construction site. At 8:36 a.m., that person is seen on video walking out of construction site and back to the van. The van leaves the parking lot and is observed on another OPLPR located at 10th Street in Oakdale.

Holiday gas station surveillance video was obtained that shows the van drive by the gas station at approximately 8:40 a.m. The video shows the van traveling south on Hadley Avenue and turning eastbound on 10th Street North. At 8:47 a.m., the van drove past a FLOCK camera located at the intersection of Hudson Road and Globe Drive in Woodbury, MN. When the van passed the FLOCK camera it was displaying Illinois license plate number DT52543, which listed as stolen in NCIC. At 8:52 a.m., ROCHE's van was captured on surveillance video entering the parking lot of the Home Depot store located at 8334 Tamarack Village in the City of Woodbury, Washington County, MN.

### FINANCIAL TRANSACTION CARD FRAUD

At 8:53 a.m., ROCHE is seen on surveillance video entering the Home Depot with an empty shopping cart.

Video shows ROCHE purchase two (2) Milwaukee m18 ½ Impact Wrenches with a Visa card that belonged to R.D.S. ROCHE then used R.D.S.'s Discover card to purchase two (2) more Milwaukee m18 ½ Impact Wrenches. The combined amount of fraudulent purchases made by ROCHE was \$1,729.66. ROCHE then leaves the store and gets into his van. After ROCHE was apprehend, four (4) Milwaukee m18 ½ Impact Wrenches were found in his van. At 9:00 a.m., ROCHE can be observed on store surveillance video loading the items into his van.

At 9:10 a.m., a FLOCK alert originated from a camera located near the intersection of Queens Drive and Valley Creek Road. The alert showed the vehicle was a van bearing Illinois license plate number AB80049, which was reported as stolen. The FLOCK camera took a photograph and the van appears to be the same one ROCHE was driving near Home Depot. The van had the same unique damage to the passenger side rear bumper. Moreover, after ROCHE was apprehended, the Illinois license plate (DT52543) was found inside the van. Both license plates were flagged in NCIC as being associated with a Honda Odyssey, VIN # 5FNRL38697B4448999.

At 9:12 a.m., ROCHE is on surveillance video as he enters the Target store located at 7200 Valley Creek Plaza in Woodbury, MN. ROCHE purchased an Apple iPad valued at \$1,300.49 with R.D.S.'s Affinity Plus Federal Credit Union card. ROCHE then made a second fraudulent transaction with R.D.S.'s Affinity card. In that transaction ROCHE purchased a package of socks, a \$200 Visa gift card, and two Tracfone minute cards. In total, ROCHE made fraudulent purchase in the amount of \$1,563.53. ROCHE also attempted to make numerous other fraudulent purchases totaling \$7,152.45 with R.D.S.'s other credit cards; those transactions were declined or not authorized.

Officers discovered the NCIC alerts were issued by the Brentwood and Overland Police Departments, both located in the State of Missouri. The incident occurred on March 22, 2024. At approximately 9:16 a.m., officers located the Honda Odyssey in the Target parking lot. Officers confirmed the license plate and VIN number matched information listed in the NCIC alerts. Officers also noted the steering column appeared damaged. Officers staged in the area and waited for the suspect to return to the van. As officers waited for the suspect to return, information was obtained about the suspect in the Missouri incidents. Those incidents involved a male suspect wanted for fraud stemming from a theft of a wallet from a construction site. Officers received a still image of the suspect who appeared to be a 50 – 60 year old white man, thin build, wearing a black Carhartt long sleeve shirt. A photograph of the suspect was provided to officers.

At 9:32 a.m. ROCHE left the store carrying a Target bag and approached his van. ROCHE was wearing a black long sleeved Carhartt shirt and matched the appearance of the suspect photographed in Missouri incidents. Officers attempted to arrest ROCHE as he approached the van. ROCHE resisted and officers disengaged when a possible handgun was observed. ROCHE retreated to his vehicle.

## SECOND-DEGREE ASSAULTS (DANGEROUS WEAPON)

After disengaging from ROCHE in the parking lot, officers set up a perimeter around the van. Multiple law enforcement agencies responded to the scene, including members of the Washington County SWAT Team. Law enforcement attempted to negotiate with ROCHE to surrender for over an hour. During the standoff, the SWAT Team deployed an aerial drone that captured video of the scene during the negotiations.

The drone video shows that ROCHE eventually exits the van with a black revolver in his hand. Subsequent investigation revealed the revolver was a 4.5 mm BB CO2-powered Crossman revolver that has the appearance of a firearm. This particular model is painted all black and has six visible cartridges that appear to be rounds of ammunition in the pistol cylinder (chamber) of the weapon. The manufacturer warns owners that serious injury or death can result from misuse of the weapon. Projectiles fired from ROCHE's weapon are capable of death or great bodily harm such as permanent scarring, puncturing skin, and

permanently damaging a person's eye. During the encounter multiple officers were wearing Body Worn Cameras (BWC). Over the course of the standoff, multiple officers can be heard yelling "gun."

During the entire encounter, ROCHE was given verbal commands to put his hands in the air. The footage shows ROCHE walking to the front of the van and putting the weapon on the hood with the weapon's barrel pointed in the direction of multiple members of law enforcement. ROCHE was hit by less than lethal pepper ball rounds as well as less than lethal .40 MM green tip marking rounds. ROCHE was undeterred and maintained control of his weapon. Additional less than lethal munitions were again deployed, and ROCHE was directly struck by pepper rounds. ROCHE is then clearly observed extending his right arm pointing the weapon in the direction of members of law enforcement. A Woodbury Public Safety Officer (Victim 1) was positioned east of ROCHE's position. Victim 1 saw ROCHE point the weapon in his direction and said he was in fear for himself, his partners, and innocent bystanders. Victim 1's BWC included audio recording. Victim 1 can be heard telling ROCHE to put his hands in the air. Victim 1 then says "Something black in his hand, there is something black in his hand. Put your hands up." Two seconds later Victim 1 shouts "Drop the gun." After observing the weapon pointed in his direction, Victim 1 fired two rounds from his service issued AR15, striking ROCHE. ROCHE continued to be noncompliant. Multiple officers can be heard yelling at ROCHE. ROCHE continued to hold his weapon and did not surrender.

Law enforcement continued to direct ROCHE to show his hands and drop the gun. Shortly after Victim 1 fired rounds, SWAT Team members positioned themselves closer to the rear end of a car parked next to ROCHE's van. One member of the SWAT Team (Victim 2) positioned himself directly behind the car. At this time ROCHE was moving between the two cars. Victim 2 can be heard on his body worn camera giving ROCHE loud verbal commands to "drop the gun." Victim 2's body camera shows that ROCHE appeared from behind a car directly in front of him. Victim 2 said he observed ROCHE holding the weapon. After Victim 2 saw ROCHE move the weapon in his direction, Victim 2 said he feared for his life, as well as the lives of his team members. Victim 2 unholstered his service pistol and fired four rounds at ROCHE. ROCHE then disappeared between two cars.

ROCHE sustained gunshot injuries and medical aid was immediately rendered. ROCHE was then transported to Regions Hospital and is currently being treated for his injuries. ROCHE had three different identification cards in his possession when he was apprehended. Officers identified ROCHE after obtaining his fingers prints.

The State seeks a Complaint Warrant as ROCHE has shown that he presents serious risk of imminent harm to others. Additionally, ROCHE has multiple extraditable out-of-state warrants for his arrest.

## 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**

Enis Vatres  
Special Agent  
1430 Maryland Avenue E  
St. Paul, MN 55106  
Badge: 1437

Electronically Signed:  
05/03/2024 02:03 PM  
Ramsey County, Minnesota

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

**Prosecuting Attorney**

Nicholas A. Hydukovich  
PO Box 6  
15015 62nd Street North  
Stillwater, MN 55082  
(651) 430-6115

Electronically Signed:  
05/03/2024 11:24 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: \$200,000.00

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: May 3, 2024.

**Judicial Officer**

Juanita Freeman  
Tenth Judicial District Judge

Electronically Signed: 05/03/2024 04:27 PM

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

**COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**State of Minnesota**

Plaintiff

vs.

**Donald Eugene Roche**

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:** Donald Eugene Roche  
**DOB:** 10/20/1962  
**Address:** 6205 Dogwood Street  
Rockford, MN 55373

**Alias Names/DOB:**

**SID:**

**Height:**

**Weight:**

**Eye Color:**

**Hair Color:**

**Gender:** MALE

**Race:** White

**Fingerprints Required per Statute:** Yes

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

**Driver's License #:** [REDACTED]

**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       | 4/22/2024       | 609.222.1<br>Assault-2nd Degree-Dangerous<br>Weapon  | Felony        | A2587 | N   | MNBCA0000            | 20240431     |
|         | Modifier     | 4/22/2024       | 609.11.4<br>Minimum Sentences of<br>Imprisonment-Use Dangerous Weapon  | Felony        | A2587 | N   | MNBCA0000            | 20240431     |
|         | Penalty      | 4/22/2024       | 609.222.1<br>Assault-2nd Degree-Dangerous<br>Weapon  | Felony        | A2587 | N   | MNBCA0000            | 20240431     |
| 2       | Charge       | 4/22/2024       | 609.222.1<br>Assault-2nd Degree-Dangerous<br>Weapon  | Felony        | A2387 | N   | MNBCA0000            | 20240431     |
|         | Modifier     | 4/22/2024       | 609.11.4<br>Minimum Sentences of<br>Imprisonment-Use Dangerous Weapon  | Felony        | A2387 | N   | MNBCA0000            | 20240431     |
|         | Penalty      | 4/22/2024       | 609.222.1<br>Assault-2nd Degree-Dangerous<br>Weapon  | Felony        | A2387 | N   | MNBCA0000            | 20240431     |
| 3       | Charge       | 4/22/2024       | 609.821.2(1)<br>Financial Transaction Card<br>Fraud-Use-No Consent   | Felony        | TB019 | N   | MNBCA0000            | 20240431     |
|         | Penalty      | 4/22/2024       | 609.821.3(a)(1)(ii)<br>Finance Trans Card Fraud-Val Prop<br>Over \$2,500   | Felony        | TB019 | N   | MNBCA0000            | 20240431     |
| 4       | Charge       | 4/22/2024       | 609.582.3(a)<br>Burglary - 3rd Degree - Enters w/out<br>consent with intent to Steal/Commit<br>Felony or Gross Misdemeanor | Felony        | B3694 | N   | MNBCA0000            | 20240431     |
|         | Penalty      | 4/22/2024       | 609.582.3(a)<br>Burglary - 3rd Degree - Enters w/out<br>consent with intent to Steal/Commit<br>Felony or Gross Misdemeanor | Felony        | B3694 | N   | MNBCA0000            | 20240431     |

