

## AFFIDAVIT

I, Steven K. Owen, first being duly sworn, states as follows:

### I. INTRODUCTION:

1. I am a Police Officer with the United States Department of Veterans Affairs (VA) Police Department and have been employed by the VA since 2023. As such I am a federal law enforcement officer pursuant to Fed. Crim. Rules 41. I am assigned to the facility located at 2250 Leestown Road, Lexington, Kentucky. The information set forth below is based upon my personal observations, investigations, and that of other law enforcement officers which was conveyed to me.

2. Prior to my employment with the VA, I was employed by the Kentucky State Police 25 years. I served as a Road Trooper, Administrative Sergeant, Undercover Narcotics Officer and Detective Sergeant, Internal Affairs Detective Sergeant, and general investigation Detective.

3. As part of my training and experience, I have conducted and been involved in numerous criminal investigations involving the communication of threats. I have also received substantial training in criminal investigations by the Kentucky State Police and the Kentucky Department of Criminal Justice in Richmond Kentucky.

4. On or about December 15, 2024 at the Veterans Affairs Medical Center (VAMC) located at 2250 Leestown Road, Lexington, Kentucky, a federal facility, I was on duty as a Police Officer when I received a complaint regarding a threatening communication phoned-in tip by S [REDACTED] C [REDACTED], a resident of Evansville, Indiana that

indicated that **BENJAMIN JOSEPH CRUCE**, [REDACTED], a patient of the Lexington, Kentucky VA Medical Center, had communicated a threat to her in interstate commerce that he was going to abscond from the treatment facility, strangle her and then go on the run.

II. INVESTIGATION:

5. On Sunday, December 15, 2024, I contacted S [REDACTED] C [REDACTED] and advised her that I needed to speak with her regarding the threat made to her by her husband, **CRUCE**. Mrs. Cruce stated she relayed the threat to VA staff on the treatment floor where **CRUCE** was housed in Lexington, Kentucky. Mrs. Cruce also stated **CRUCE** had called her on December 14, 2024, threatening her with bodily harm on numerous occasions. **CRUCE** followed up the calls with text messages stating that he intended to leave the treatment center, travel to her residence and strangle her, and then go on the run from law enforcement. A portion of the text message with the name Benjamin located at the top of the message includes:

“You complain about one more thing to me while I’m in treatment, I’ll leave, fucking go on the god damn run and I will personally fucking strangle you for real, save this email, like the bitch you are and show it to the police.”

6. Mrs. Cruce also advised affiant that **CRUCE** had been charged in June 2024, with three counts of domestic violence, one count of intimidation, and one count of invasion of privacy related to Mrs. Cruce. **CRUCE** was released from custody in Indiana on November 25, 2024, and arrived at the Lexington VA on the same date, on the condition that he attend and complete a treatment program.

7. Based on this information, I, along with other officers, began a search for **CRUCE** and encountered him as he attempted to abscond from the treatment facility. He was detained at that time and refused to answer any questions. **BENJAMIN CRUCE** was advised of his Miranda Warnings at the time of detainment.

8. Affiant then conducted the following independent investigation: a criminal history check was performed that reveals **CRUCE** has a substantial criminal history dating back to as early as 2012. Many of those arrests and charges are related to either Domestic Battery and/or Strangulation. In addition, affiant located a Protection Order from the state of Indiana, but was unable obtain confirmation of service. However, the Protection Order was sent to the Fayette County Sheriff's Department and service as made on **CRUCE**. In the process of service, **CRUCE** acknowledged that he had already been served with the Temporary Protective Order, therefore was knowingly in violation of the Protection Order.

9. **CRUCE** was identified by his Indiana driver's license.

III. CONCLUSION:


10. Based on the information contained in this affidavit and as revealed during my investigation, I have probable cause to believe that on or about December 14, 2024, in Fayette County, in the Eastern District of Kentucky, on VA property at 2250 Leestown Drive, **BENJAMIN JOSPEH CRUCE**, did transmit in interstate commerce, a threat to injure the person of another, namely, Stephanie Cruce, all while she was located in Evansville, Indiana, all in violation of 18 U.S.C. § 875(c).

§ 875(c).

I state that the above information is true and correct to the best of my knowledge and belief and ask that the requested criminal complaint be issued.

/s/ Steven K. Owen  
Steven K. Owen, Police Officer  
Veterans Administration

Attested to by affiant by reliable electronic means per FRCP 4.1 on this 16th day of December, 2024.

  
Matthew A. Stinnett  
MATTHEW A. STINNETT,  
MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT

Per Rule 4.1, the Court processed the complaint remotely. The Court verified the Affiant's identity (through Affiant self-identification and by personal knowledge) and officer badge #4850. Affiant simply attested to the affidavit and complaint, which the AUSA transmitted by remote electronic means (e-mail). The Court issued the original complaint and transmitted same to the Applicant and the responsible AUSA, by remote electronic means (email). The process complied with Rule 4.1.