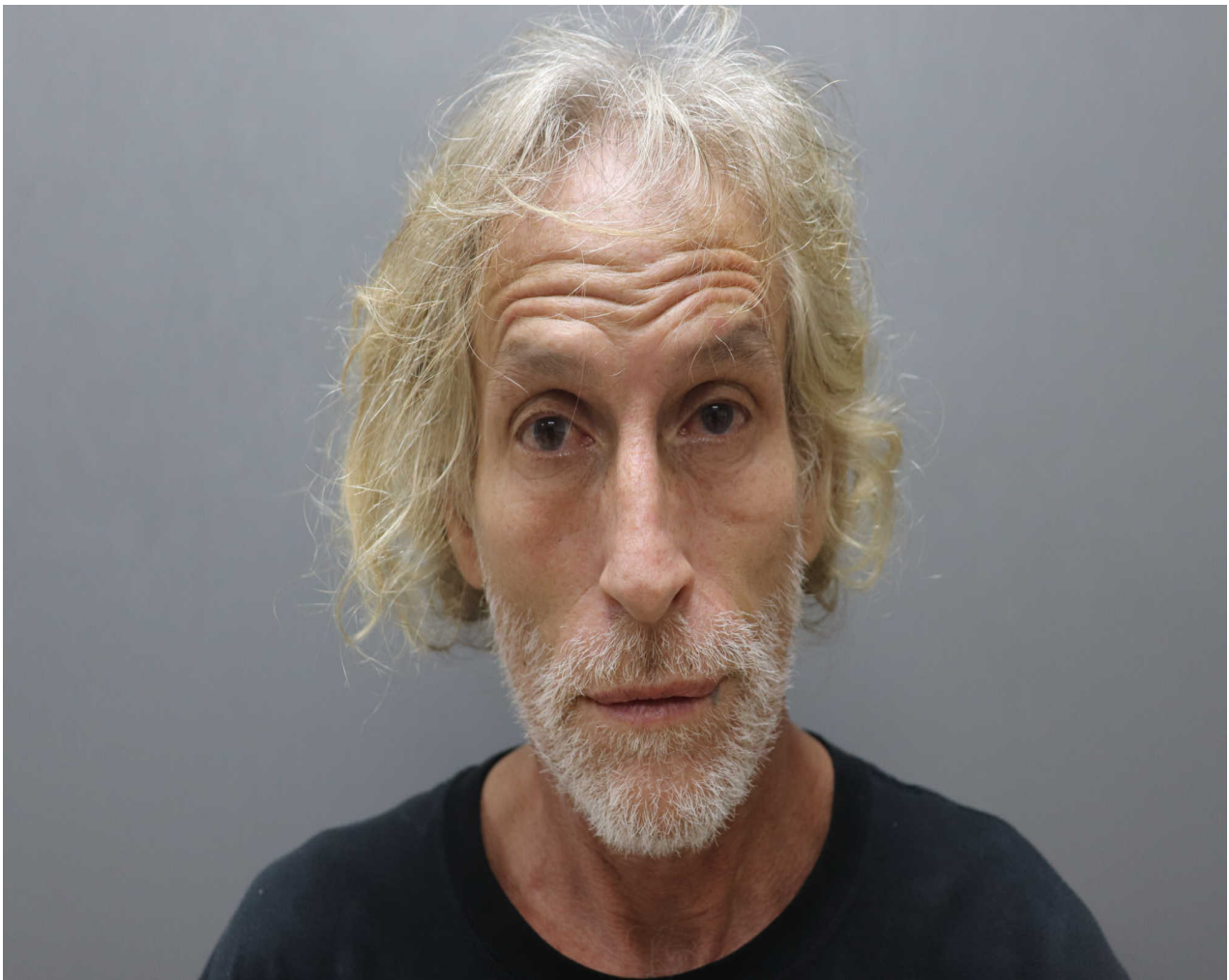


# The Virgin Islands Consortium

## Man Damages Patron's Vehicle With Crowbar For Allegedly Leaving Without Paying For Cheesecake (Update)

Crime / **Published On December 28, 2021 05:37 AM /**

Amanie Mathurin **December 28, 2021**



Mugshot of Kenneth Foerstel. By. THE VIRGIN ISLANDS POLICE DEPARTMENT

ST. THOMAS — The 56-year-old man employed at a food establishment has been charged with destruction of property and disturbance of the peace after he allegedly damaged a man's car with a crowbar.

Just after midnight on Monday, an officer was dispatched to a food establishment in reference to a report of damage to a vehicle. There, they met a man who said that he went to the establishment and attempted to purchase cheesecake but the establishment

did not have change for his \$50 bill. According to the man, he and the server agreed that he would bring the \$5 the next day and he left the establishment after being given the item.

However, as he attempted to leave the parking lot he saw Kenneth Foerstell III running out of the back door of the establishment with a crowbar in his hands, laughing very loudly. He said that as he attempted to reverse and leave the parking lot, Foerstell swung the crowbar several times, causing damages to the left front glass and driver's door of his vehicle. The alleged victim told police that he was in fear and left the vehicle to run for help. He said that while he was running he realized he was being chased by both Foerstell and the server who was carrying a stick. According to the man, the server was yelling "he robbed us babe".

According to the probable cause fact sheet, a male bystander deescalated the situation by telling Foerstell and the server to stop. The alleged victim then phoned for police assistance. When police arrived, the server said that the alleged victim refused to pay for the food item and attempted to leave. She stated that she then told her boyfriend- Kenneth Foerstell- about the incident. Foerstell later admitted to damaging the man's vehicle and was placed under arrest and turned over to the Bureau of Corrections.

Investigations revealed that the victim sustained a laceration to his right leg and left ear from the broken glass, while the perpetrator sustained a laceration to his right hand.

On Monday, Assistant V.I. Attorney General Brenda Scales told the court that the defendant had a substantial criminal history that included between 20 to 30 arrests and an unspecified number of convictions. While she noted no objection to Foerstell's bail being set at \$500, she stressed that he must be ordered to keep his distance from the alleged victim.

Scales further expressed that the defendant may pose a flight risk as he has ties and criminal history in mainland USA. Attorney ALEXIA Furlow argued that while Foerstell was born in Missouri, he has resided in the USVI for about 9 years. She maintained that he is not a flight risk as he has two minor children residing with him in the territory. Furlow requested that he be released on the posting of 10 percent of his bail set at \$1000, noting that he is not a danger to the community.

Judge Paula Norkaitis affirmed that the accused's bail would remain at \$1000, with no 10 % provision. She stated that the court is very concerned that Foerstell is a flight risk and that based on his prior exposure to the criminal justice system it appears that he does not understand when orders are given to abide by the laws of a territory. Norkaitis further suggested that he is a danger to society, stressing that he had no right to take matters into his own hands and attack another person for alleged theft.

Foerstell has been ordered to surrender his travel documents to the court and is prohibited from leaving the territory without the court's permission. He is also forbidden from having any direct or indirect contact with the alleged victim or any potential witnesses, and must maintain a distance of at least 50 feet from the victim at all times.

**Correction: Tues. Dec. 28, 2021**

*A previous version of this story included an employee of an establishment as the business owner. He apparently wash dishes at the establishment, but is not the owner. We've updated the story to reflect the correct information.*

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