

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-15-1822
07-CR-15-5306

State of Minnesota,

Plaintiff,

vs.

KENNETH ALEXANDER JAMES DOB: 08/10/1992

no perm

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: Burglary-2nd Degree-Dwelling

Minnesota Statute: 609.582.2(a)(1)

Maximum Sentence: 10 years and/or \$20,000

Offense Level: Felony

Offense Date (on or about): 12/26/2015

Control #(ICR#): 15040818

Charge Description: Kenneth Alexander James Also Known As Kenneth Alexsander James

On or about December 26, 2015, in the County of Blue Earth, said Defendant, Kenneth Alexander James did enter a building without consent and with intent to commit a crime, or entered a building without consent and committed a crime while in the building, either directly or as an accomplice and the building is a dwelling.

COUNT II

Charge: Fleeing a Peace Officer By a Means Other Than a Motor Vehicle

Minnesota Statute: 609.487.6

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 12/26/2015

Control #(ICR#): 15040818

Charge Description: Kenneth Alexander James Also Known As Kenneth Alexsander James

On or about December 26, 2015, in the County of Blue Earth, said Defendant, Kenneth Alexander James, did for the purpose of avoiding arrest, detention, or investigation, attempted to evade or elude a peace officer, who was acting in a lawful discharge of an official duty by means of running, hiding, or by any

other means other than fleeing in a motor vehicle.

COUNT III

Charge: Traffic-Drivers License-Driving After Revocation

Minnesota Statute: 171.24.2

Maximum Sentence: 90 days and/or \$1,000

Offense Level: Misdemeanor

Offense Date (on or about): 12/26/2015

Control #(ICR#): 15040818

Charge Description: Kenneth Alexander James Also Known As Kenneth Alexsander James

On or about December 26, 2015, in the County of Blue Earth, said Defendant, Kenneth Alexander James did after being given notice, or reasonably should have known of the revocation, disobeyed the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while her/his license or privilege was revoked.

STATEMENT OF PROBABLE CAUSE

On December 26, 2015, at approximately 6:56 p.m., Officer Green of the Mankato Department of Public Safety was on routine patrol in the City of Mankato along with Officer Waterstreet who was driving an unmarked squad. The officers were traveling northbound on Riverfront Drive, just south of Hickory Street. The officers observed a Ford Taurus come out of the HyVee parking lot. The vehicle cut across the southbound lanes and turned northbound onto Riverfront Drive. In doing so, the Taurus caused two vehicles traveling northbound to hit the brakes to avoid a collision. The Taurus was bearing Minnesota license plate number 966 KJM. The vehicle came back registered to J.A. As officers passed the vehicle, Officer Green observed a Black male driver with short dreadlock-style hair. In checking the plate in local police records, Officer Green found that the last involvement with this vehicle involved Kenneth Alexander James (D.O.B 08/10/1992) driving the vehicle. Officer Green knew James through prior involvements and believed that the driver was James. Officer Green also knew that James had numerous outstanding warrants for his arrest. Officer Green asked Dispatch to run James's driving records, and Officer Green learned that James's driving privileges were currently revoked. Dispatch also confirmed James's outstanding warrants out of Blue Earth County.

Officers saw the vehicle as it parked in the 400 block of Mulberry Street. The male driver then exited the car. The male driver started walking northbound onto Washington Court. As the officers pulled up, Officer Green spoke with the female passenger as she stepped out of the vehicle. Officer Green asked the female passenger if that was James that had just exited the car, and the female passenger stated, 'I think so.' The officers then pulled onto Washington Court and up behind James who was still walking northbound. Officer Green exited the squad car and asked if he could talk to James. James looked back at Officer Green, turned around, and began running to the stairs of 211 Washington Court. At this time, Officer Green confirmed that the male driver was James and Officer Green attempted to apprehend James. Officer Green pursued James on foot, yelling, 'Kenneth! Police! Stop running!' Officer Green noted that James was wearing a Minnesota Wild hockey sweatshirt and black sweatpants. James ran up to the stairs and into the residence of 211 Washington Court and slammed the door behind him.

Officer Green pursued James into the residence but lost visual contact with James at that time. Officer Green cleared the residence at 211 Washington Court and found several individuals inside. Officer Green explained to the individuals that he was looking for James. After clearing the residence, Officer Green moved out of the back door of the residence and into a common stairway of the building. Officer Green saw that there was another apartment next door and stairs that led up and down in the common area. Additional officers arrived outside and notified Officer Green that there were no footprints in the snow at the back of the residence, leading Officer Green to believe that James was still hiding in the building. Officer Green saw that the next door apartment had a door with a piece of plywood covering where the window and the door were supposed to be. Officer Green noted that the plywood was broken in half and was lying on the ground. Officer Green observed that it appeared as tho James entered the apartment by force in an attempt to hide from officers. Officer Green was able to look into the apartment, which was later identified as 213 Washington Court. Officer Green observed that the apartment was empty of any furniture and it appeared to be vacant. Officer Green called into the apartment, 'Police department. Kenneth, if you're in the apartment, speak to me now!'

Officer Grassmann and Officer Green began searching 213 Washington Court. As the officers entered, Officer Green yelled, 'Police Department! Kenneth, if you're in the apartment, speak to me now!' While searching the apartment, Officer Green heard movement in a closet directly in front of Officer Green. Officer Green then yelled for James to come out of the closet with his hands up. James exited the closet, wearing the same clothes as Officer Green had previously noted. James was arrested and handcuffed.

Officer Green walked James out to a squad car and read James a Miranda Warning. James agreed to speak to Officer Green. James stated that he saw someone chasing him, so he ran. James claimed he did not know it was the police. James claimed he never heard Officer Green yelling, 'Police!' while he was hiding; and that once James heard Officer Green call out in the apartment, then he came out and complied. Officer Green then transported James to the Blue Earth County Jail. While en route, James asked if officers knew it was James and that is why officers were following him. Once at the Blue Earth County Jail, James was released to jail staff.

Officers made contact with the owner of 213 Washington Court. The owner indicated that he did not know James and that James did not have permission to be in the vacant residence for any reason.

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

Craig Frericks
Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3102

Electronically Signed:
12/28/2015 03:37 PM
Blue Earth County, Minnesota

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

Prosecuting Attorney

Ryan S. Hansch
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
12/28/2015 03:35 PM

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 on _____, _____ at _____ AM/PM before the above-named court at 401 Carver Rd, Mankato, MN 56002-0347 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: \$
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: December 28, 2015.

Judicial Officer

Bradley C Walker
District Court Judge

Electronically Signed: 12/28/2015 03:47 PM

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

**COUNTY OF BLUE EARTH
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

KENNETH ALEXANDER JAMES

Defendant

*LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of
Detention upon the Defendant herein named.*

Signature of Authorized Service Agent: