

State of Minnesota
County of Blue Earth

District Court
5th Judicial District

Prosecutor File No.
Court File No.

BEC-16-0302
07-CR-16-727

State of Minnesota,

Plaintiff,

vs.

ABDINASIR MOHAMED ADEN DOB: 01/01/1992

114 East Main Street
Mankato, MN 56001

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: Assault-4th Deg-Peace Officer-Demonstrable bodily harm or throws/transfers bodily fluids or feces-F

Minnesota Statute: 609.2231.1

Maximum Sentence: 3 years and/or \$6,000

Offense Level: Felony

Offense Date (on or about): 02/26/2016

Control #(ICR#): 16005525

Charge Description: Abdinasir Mohamed Aden Also Known As Abdinasir Mohamed Aden

On or about February 26, 2016, in the County of Blue Earth, said Defendant, Abdinasir Mohamed Aden did, physically assault a peace officer when that officer was effecting a lawful arrest or executing any other duty imposed by law and the assault inflicted demonstrable bodily harm or the person intentionally throws or otherwise transfers bodily fluids or feces at or unto the officer.

COUNT II

Charge: Assault-4th Deg-Peace Officer-Physically Assaults-G

Minnesota Statute: 609.2231.1

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/26/2016

Control #(ICR#): 16005525

Charge Description: Abdinasir Mohamed Aden Also Known As Abdinasir Mohamed Aden

On or about February 26, 2016, in the County of Blue Earth, said Defendant, Abdinasir Mohamed Aden

did, physically assault a peace officer when that officer was effecting a lawful arrest or executing any other duty imposed by law.

COUNT III

Charge: Obstruct Legal Process-Interfere w/Peace Officer

Minnesota Statute: 609.50.1(2), with reference to: 609.50.2(2)

Maximum Sentence: 1 year and/or \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 02/26/2016

Control #(ICR#): 16005525

Charge Description: Abdinasir Mohamed Aden Also Known As Abdinasir Mohamed Aden

On or about February 26, 2016, in the County of Blue Earth, said Defendant, Abdinasir Mohamed Aden did, intentionally, obstruct, resist, or interfere with a peace officer while the officer was engaged in the performance of official duties and the act was accompanied by force or violence or the threat thereof.

STATEMENT OF PROBABLE CAUSE

Mankato Department of Public Safety Police Officer Jake Green states that on February 26, 2016 at approximately 5:19 p.m., he and other officers were dispatched to a suspicious person complaint in the Highland Hills area. The dispatcher advised the male was walking through the parking lot wearing a red jacket and an orange ski mask. The dispatcher advised that the male had shouted obscenities and threatened to shoot and kill people. The dispatcher advised that the male was possibly Abdinasir Aden, due to an incident the previous evening. Officer Green was familiar with Aden through prior involvements and noted he was not cooperative with law enforcement.

Officers arrived in the area and Officer Green observed a male matching Aden's description. By the time he parked his squad car and walked around the building, the male was gone. A male and female approached Officer Green and stated that the male they were looking for walked into apartment C16. The officers were unsure if Aden knew the residence and they tried the door handle and found it to be unlocked. The officers did not know if Aden had simply walked in, and they announced themselves and opened the door. They observed three males sitting on the couch. Officer Kruger asked the males if anyone matching Aden's description had walked in and they advised that he had. One of the males stated that Aden just walked in and they told him to leave, which he did.

At approximately 6:09 p.m., the dispatcher advised a caller stated a male matching Aden's description was at the corner of Monks Avenue and Stadium Road, yelling at vehicles and pedestrians. Officers arrived in the area but did not locate him. At approximately 6:50 p.m., the dispatcher advised that Aden was in the area of MGM Liquors. Officers went to the area. The dispatcher advised that he was seen in McDonald's parking lot. Officer Green arrived on scene and located Aden standing next to the driver's window of an occupied vehicle. Officer Green stepped out of the vehicle and noticed that the driver of the vehicle in question was a young girl. The girl looked at Officer Green with what he described as a worried look on her face. Officer Green told Aden to come to his squad car and he asked why. Officer Green told him that he needed to speak with him. Believing that the young girl was fearful of Aden, he tried to get him away from the driver's window. Aden did not respond as requested. Officer Green took ahold of his right arm by the jacket and told him to come to the squad car. Aden then complied.

At the front of the squad car, Officer Green told Aden to place his hands on the car. Based upon the previous statements made by Aden about shooting people, Officer Green wanted to conduct a pat search for weapons for safety. Officer Green began a pat search and decided he would feel safer if Aden had his hands behind his back and told him to place his hands behind his back. Aden produced his right hand and then began questioning Officer Green. Officer Green told him to place his hands behind his back, and Aden refused and continued questioning him.

Officer Green then placed Aden's right wrist into a wrist lock in an attempt to gain compliance. Officer Green told Aden he was being detained and then placed his left hand behind his back. As Officer Green reached for his handcuffs, Aden pulled away and Officer Green immediately pushed him forward against the squad car. Officer Green continued to give Aden commands to put his hands behind his back and Aden refused and began yelling 'no!'

Fearing the situation was escalating quickly, in an attempt to avoid a standing fight, Officer Green grabbed Aden's right arm and attempted a straight arm bar take down. Aden fought against the arm bar and ended up turning towards Officer Green. Officer Green attempted to take him to the ground as he continued to give commands. Officer Green was able to force Aden to the ground as he continued to try to fight with him. Aden was able to roll on his back and began yelling 'shoot me! What are you waiting for?!' Officer Green noted that during the confrontation he ordered Aden to roll on his stomach 44 times in the three minutes

before other officers arrived. Officer Green noted that Aden attempted to punch him in the face twice but missed both times. Officer Green noted that two citizens recognized that he was in need of assistance and came to help. One unidentified male attempted to control Aden's lower body while Officer Green attempted to control his upper body. Aden began yelling for the male not to touch him and started kicking at the male. The male grabbed Aden's legs and pinned them to the ground. Aden then looked Officer Green in the eyes and spit in his face. As he continued to give commands for Aden to get on his stomach, Aden continued to yell 'no!'

Officer Green placed his forearm across Aden's chin, moving his head to the right. He did so to stop Aden from spitting in his face. Officer Green noted that Aden was yelling 'fuck you! Don't touch me! Kill me! Shoot me!' Officer Green was able to control Aden's right arm and his head.

Sergeant Baker arrived on scene and as he did so, Aden advised that he would comply. Sergeant Baker then placed Aden in handcuffs and searched him and found an orange ski mask in his pocket.

Officer Green spoke with the young girl who noted that she worked at McDonald's and was on her break, sitting in her car. She saw Aden approach her vehicle and she locked her doors. Aden began tapping on the window and she rolled it down. Aden began talking about wanting respect and black lives matter. Aden then pointed at another vehicle and stated 'watch me scare them.' She stated that was when Officer Green arrived on scene.

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

Jeremy Clifton
Police Commander
710 S Front St
Mankato, MN 56001-3803
Badge: 3149

Electronically Signed:
02/29/2016 11:26 AM
Blue Earth County, MN

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

Prosecuting Attorney

Patrick R. McDermott
Assistant Blue Earth County
Attorney
401 Carver Road
PO Box 3129
Mankato, MN 56002
(507) 304-4600

Electronically Signed:
02/29/2016 10:13 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 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: February 29, 2016.

Judicial Officer

Krista J Jass
Judge of District Court

Electronically Signed: 02/29/2016 11:34 AM

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.

ABDINASIR MOHAMED ADEN

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: