

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 18A07163
Court File No. 27-CR-18-14971

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

KABAAR WAHLEEN ASIM ROSS POWELL JR DOB: 02/12/1991

NPA

Defendant.

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: Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Great Bodily Harm

Minnesota Statute: 609.487.4(b), with reference to: 609.487.4(b)

Maximum Sentence: 7 YEARS AND/OR \$14,000

Offense Level: Felony

Offense Date (on or about): 06/11/2018

Control #(ICR#): 18507257

Charge Description: That on or about June 11, 2018, in Hennepin County, Minnesota, KABAAR WAHLEEN POWELL, while fleeing a peace officer in a motor vehicle, caused Victim 1 to suffer great bodily harm.

COUNT II

Charge: Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Substantial Bodily Harm

Minnesota Statute: 609.487.4(c), with reference to: 609.487.4(c)

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 06/11/2018

Control #(ICR#): 18507257

Charge Description: That on or about June 11, 2018, in Hennepin County, Minnesota, KABAAR WAHLEEN POWELL, while fleeing a peace officer in a motor vehicle, caused Victim 2 to suffer substantial bodily harm.

COUNT III

Charge: Criminal Vehicular Operation - Bodily harm - Gross Negligence

Minnesota Statute: 609.2113.3(1), with reference to: 609.2113.3

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/11/2018

Control #(ICR#): 18507257

Charge Description: That on or about June 11, 2018, in Hennepin County, Minnesota, KABAAR WAHLEEN POWELL did, by operating a motor vehicle in a grossly negligent manner, cause bodily harm to Victim 3.

COUNT IV

Charge: Criminal Vehicular Operation - Bodily harm - Gross Negligence

Minnesota Statute: 609.2113.3(1), with reference to: 609.2113.3

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/11/2018

Control #(ICR#): 18507257

Charge Description: That on or about June 11, 2018, in Hennepin County, Minnesota, KABAAR WAHLEEN POWELL did, by operating a motor vehicle in a grossly negligent manner, cause bodily harm to Victim 4.

COUNT V

Charge: Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony

Minnesota Statute: 624.714.1a, with reference to: 609.03.2, 624.714.1a

Maximum Sentence: 1 YEAR AND/OR \$3,000

Offense Level: Gross Misdemeanor

Offense Date (on or about): 06/11/2018

Control #(ICR#): 18507257

Charge Description: That on or about June 11, 2018, in Hennepin County, Minnesota, KABAAR WAHLEEN POWELL held or possessed in a motor vehicle, on his person, or otherwise in public, a pistol, without having a valid permit to carry the pistol.

STATEMENT OF PROBABLE CAUSE

Complainant, a licensed peace officer in the State of Minnesota, has investigated the facts and circumstances of this offense and believes the following constitutes probable cause:

On or about June 11, 2018, at approximately 9:39 A.M., Minnesota State Troopers were on routine patrol near the intersection of I-94 and 46th Avenue in Minneapolis, Hennepin County, Minnesota. There, they observed a vehicle going faster than the 60 MPH speed limit. The driver and sole occupant of the vehicle was Defendant KABAAR WAHLEEN POWELL (02/12/1991), who was not wearing a seatbelt and has a revoked driver's license. Troopers activated their emergency lights in an effort to stop Defendant, but Defendant rapidly sped away, and a high-speed pursuit began.

The pursuit lasted approximately six minutes, primarily through residential streets, and involved Defendant and Troopers reaching speeds above 80 MPH. Defendant ran at least twenty-two stop signs during the pursuit.

Toward the end of the pursuit, near the 5000 block of Dupont Avenue in Minneapolis, Defendant turned into Bohanon Park, driving on the grass immediately adjacent to Jenny Lind Elementary School's parking lot. Despite there being a wide expanse of open grass near that area, Defendant drove near a tennis court and a basketball court. There, Witness 1 (03/22/1988), a known adult male, was playing on the basketball court with his four children. Two of the children are identified herein as Victim 1 (02/22/16, a male), Victim 2 (10/06/13, a female). The two other children are identified herein as Witness 2 and Witness 3.

Defendant struck Victim 1 and Victim 2 with his vehicle, running completely over Victim 1 and partially over Victim 2.

After striking Victims, Defendant crashed into a piece of playground equipment. Defendant then exited his vehicle and fled on foot. Troopers eventually apprehended Defendant. Upon searching Defendant's vehicle, officers recovered a nine millimeter handgun. The gun had a magazine with ammunition inserted and an extra magazine with ammunition attached to the holster. Defendant does not have a permit to carry a firearm. Troopers also found drug paraphernalia commonly associated with smoking marijuana.

On scene, Victim 1 was going in and out of consciousness, had his eyes rolled back, and was moaning. EMS had to administer oxygen to him through an oral airway. Victim 1 was transported to North Memorial Hospital via ambulance, and Witness 1 drove the other children to the hospital.

At the hospital, Victim 1 had to be intubated and sedated for an exploratory laparotomy (the opening of the abdomen to examine abdominal organs for injury). He had a grade 4 splenic injury, which entails a laceration of the spleen. Victim 1's spleen had to be removed from his body. He also had a pelvic fracture, a cervical spine fracture, and intracranial bleeding. He had an acute loss of blood, and his injuries were life threatening. He will require continued hospitalization and trauma care.

Victim 2 suffered a large hematoma on her forehead with an overlying abrasion. She also had abrasions on her right chest, her right lateral hip, and her left elbow, as well as other contusions. Victim 2 also suffered a posttraumatic subarachnoid hemorrhage (bleeding between the brain and the tissue covering the brain).

The pursuit, including Defendant's collision with Victims, was captured on dash-mounted squad video. At the point that Defendant turns into the park, his brake lights are activated. However, when Defendant turns left to avoid the tennis court, toward the basketball court, Defendant's brake lights are not activated. Witness 1 can be seen attempting to gather Victim 1, Victim 2, and his other children (one of whom is in a

stroller) to flee the basketball court before Defendant's car hits them. Approximately four seconds passes between the moment Victims start visibly fleeing the court and the moment Defendant strikes Victims. Defendant's brake lights are not activated and he does not slow down before striking Victims.

Two Minnesota State Troopers involved in the pursuit, identified herein as Victims 3 and 4, suffered minor head injuries during the course of the pursuit. They went to the hospital and were cleared.

Troopers learned that the vehicle Defendant was operating was involved in a pursuit with Minnesota State Patrol three days prior on June 8, 2018.

Defendant is in custody.

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 Solie
Sergeant
2005 N Lilac Drive
Golden Valley, MN 55422
Badge: 89

Electronically Signed:
06/13/2018 10:33 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Patrick Lofton
Assistant County Attorney
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
06/13/2018 10:30 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 300 S Sixth Street, Minneapolis, MN 55487 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: \$500,000.00

Conditions of Release: No Contact with Victim; No Driving without a License; Alcosensor/scram; No use of drugs/alcohol; Random UAs; No Possession of Weapons

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: June 13, 2018.

Judicial Officer

Kevin Burke
District Court Judge

Electronically Signed: 06/13/2018 10:55 AM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Kabaar Wahleen Asim Ross Powell Jr

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:

DEFENDANT FACT SHEET

Name: Kabaar Wahleen Asim Ross Powell Jr
DOB: 02/12/1991
Address: NPA
Alias Names/DOB: Kabaar Wahleen Powell DOB: 2/12/1991
Kabaar Wahleen Amim Ross Powell Jr DOB: 2/12/1991
SID: MN18AW6928
Height:
Weight:
Eye Color:
Hair Color:
Gender:
Race: Unknown
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: Yes
Driver's License #:
SILS Person ID #: 774523
SILS Tracking No. 3018314
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	6/11/2018	609.487.4(b) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Great Bodily Harm	Felony	E2500		MNMHP0400	18507257
	Penalty	6/11/2018	609.487.4(b) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Great Bodily Harm	Felony	E2500		MNMHP0400	18507257
2	Charge	6/11/2018	609.487.4(c) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Substantial Bodily Harm	Felony	E2600		MNMHP0400	18507257
	Penalty	6/11/2018	609.487.4(c) Flee Peace Officer - Motor Vehicle or Subsequently by Other Means-Results in Substantial Bodily Harm	Felony	E2600		MNMHP0400	18507257
3	Charge	6/11/2018	609.2113.3(1) Criminal Vehicular Operation - Bodily harm - Gross Negligence	Gross Misdemeanor	J2A51		MNMHP0400	18507257
	Penalty	6/11/2018	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J2A51		MNMHP0400	18507257
4	Charge	6/11/2018	609.2113.3(1) Criminal Vehicular Operation - Bodily harm - Gross Negligence	Gross Misdemeanor	J2A51		MNMHP0400	18507257
	Penalty	6/11/2018	609.2113.3 Criminal Vehicular Operation - Bodily Harm - Penalty	Gross Misdemeanor	J2A51		MNMHP0400	18507257
5	Charge	6/11/2018	624.714.1a Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony	Gross Misdemeanor	W2628		MNMHP0400	18507257
	Penalty	6/11/2018	624.714.1a Carry/Possess Pistol w/out Permit - Public Place - Gross Misdemeanor; Second or Subsequent - Felony	Gross Misdemeanor	W2628		MNMHP0400	18507257
	Penalty	6/11/2018	609.03.2 Punishment When Not Otherwise Fixed-Gross Misdemeanor	Gross Misdemeanor	W2628		MNMHP0400	18507257