

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21A03996
Court File No. 27-CR-21-7717

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

COLE LEON VENABLES DOB: 03/29/1993

3817 Huntingdon Dr
Minnetonka, MN 55305

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: Criminal Vehicular Homicide - Operate Vehicle with Negl-Und Infl Ctrl Substance

Minnesota Statute: 609.2112.1(a)(2)(ii), with reference to: 609.2112.1(b)

Maximum Sentence: 15 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 04/16/2021

Control #(ICR#): 21007236

Charge Description: That on or about April 16, 2021, Mainstreet and 15th Avenue South in the City of Hopkins, in Hennepin County, Minnesota, COLE LEON VENABLES did, by operating a motor vehicle in a negligent manner while under the influence of a controlled substance, cause the death of O.M.D.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about April 16, 2021, at approximately 6:55 p.m., Hopkins Police responded to the area of Mainstreet and 15th Avenue South in the City of Hopkins, Hennepin County, Minnesota, for a motor vehicle crash with injury. There, officers located COLE LEON VENABLES, DOB 3/29/1993, Defendant, who indicated he had been driving a white Dodge Charger with heavy front-end damage and had fallen asleep while driving. Defendant was wearing a shirt associated with a pizza restaurant, and his vehicle had a car-topper for the same restaurant indicating it was acting as a delivery vehicle. O.M.D., a known adult female, was partially underneath Defendant's vehicle which had come to rest near a tree.

O.M.D. was pronounced deceased at the scene a short time later. S.C.K., a known adult female, told police she witnessed the incident. She stated that she saw Defendant's vehicle go up onto the curb striking a light pole before running over O.M.D. as she walked on the sidewalk. Officers also spoke to M.K.B., a known female, who stated she was in a vehicle behind the Charger, and saw it swerve before hitting a light pole that fell down before prior to the accident. She ran up to assist and had contact with Defendant. She told police she believed he was intoxicated because of his slurred speech and the fact that he was physically shaking.

In a Mirandized statement, Defendant told investigators he fell asleep while driving down Mainstreet in Hopkins before hearing loud noises that woke him up. Defendant admitted to taking Suboxone earlier that day, and indicated it was pursuant to a prescription. He further admitted that he had taken 3 or 4 "benzos" at approximately 4:00 a.m. that morning before going to bed, and another "Xanax" at the beginning of his shift that afternoon. He further admitted that he'd purchased these pills illegally. He also stated that prior to the accident, his manager had attempted to send him home from work early for being "too tired."

A Drug Recognition Evaluator conducted an evaluation of Defendant to look for signs of impairment. After conducting a series of tests, the Evaluator opined that Defendant was under the influence of a narcotic analgesic and unable to safely operate a motor vehicle. A search warrant for a sample of Defendant's blood was obtained and executed, toxicology testing is not complete at the time of the writing of this complaint.

Complainant is aware that Suboxone is a trade name for a prescription drug that contains buprenorphine, a Schedule III controlled substance, and naloxone, a Schedule II controlled substance. Complainant is aware that "benzos" are a slang term for benzodiazepines, a category of controlled substance that includes Xanax, a trade name for alprazolam, a Schedule IV controlled substance. Complainant is also aware that Defendant was convicted of Fourth Degree Driving While Impaired on July 25, 2016 for an incident occurring on November 13, 2015 in case 27-CR-15-33486.

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

Adam Seamans
Officer
1010 1st St S
Hopkins, MN 55343
Badge: 25

Electronically Signed:
04/19/2021 11:21 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Kevin Biegling
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
04/19/2021 11:15 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 as directed in the Notice of Hearing before the above-named court 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: \$150,000.00

Conditions of Release: No use of drugs/alcohol; Random UAs; Remain Law Abiding

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: April 19, 2021.

Judicial Officer

Luis Bartolomei
District Court Judge

Electronically Signed: 04/19/2021 11:25 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.

COLE LEON VENABLES

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: COLE LEON VENABLES
DOB: 03/29/1993
Address: 3817 Huntingdon Dr
Minnetonka, MN 55305

Alias Names/DOB:

SID: MN15HV1289

Height:

Weight:

Eye Color:

Hair Color:

Gender: MALE

Race: White

Fingerprints Required per Statute: Yes

Fingerprint match to Criminal History Record: Yes

Driver's License #:

SILS Person ID #: 779974

SILS Tracking No. 3223541

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	4/16/2021	609.2112.1(a)(2)(ii) Criminal Vehicular Homicide - Operate Vehicle with Negl-Und Infl Ctrl Substance	Felony	J1C11		MN0270900	21007236
	Penalty	4/16/2021	609.2112.1(b) Criminal Vehicular Homicide - Increased penalty w/in 10 years of a qualified prior driving offense	Felony	J1C11		MN0270900	21007236