

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21A08138
Court File No. 27-CR-21-14822

State of Minnesota,
Plaintiff,

COMPLAINT
Warrant

vs.

JAMES DAVID BLUE DOB: 12/27/1969

3017 NORTH SHORE DR
ORONO, MN 55391

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 Motor Vehicle with Alcohol Concentration .08 or Mor

Minnesota Statute: 609.2112.1(a)(3), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21005843

Charge Description: That on or about July 24, 2021, in Hennepin County, Minnesota, JAMES DAVID BLUE did, by operating a motor vehicle while having an alcohol concentration of .08 or more, cause the death of Victim 1.

COUNT II

Charge: Criminal Vehicular Homicide - Operate Motor Vehicle with Alcohol Concentration .08 or Mor

Minnesota Statute: 609.2112.1(a)(3), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21005843

Charge Description: That on or about July 24, 2021, in Hennepin County, Minnesota, JAMES DAVID BLUE did, by operating a motor vehicle while having an alcohol concentration of .08 or more, cause the death of Victim 2.

COUNT III

Charge: Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21005843

Charge Description: That on or about July 24, 2021, in Orono, Hennepin County, Minnesota, JAMES DAVID BLUE did, by operating a motor vehicle in a grossly negligent manner, cause the death of Victim 1.

COUNT IV

Charge: Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner

Minnesota Statute: 609.2112.1(a)(1), with reference to: 609.2112.1(a)

Maximum Sentence: 10 YEARS AND/OR \$20,000

Offense Level: Felony

Offense Date (on or about): 07/24/2021

Control #(ICR#): 21005843

Charge Description: That on or about July 24, 2021, in Orono, Hennepin County, Minnesota, JAMES DAVID BLUE did, by operating a motor vehicle in a grossly negligent manner, cause the death of Victim 2.

STATEMENT OF PROBABLE CAUSE

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

On or about July 24, 2021, at approximately 11:23 p.m., officers from the Orono Police Department responded to a car crash near the 3100 block of North Shore Drive in the City of Orono, Hennepin County, Minnesota. 911 callers reported they had observed a single vehicle crash at approximately 100 miles per hour. When officers arrived, they observed a 2017 Bentley Flying Spur located in a wooded area next to North Shore Drive.

The vehicle was extremely damaged, having uprooted a tree that was still lying on top of it. There were two adult males still inside of the Bentley. The first adult male was 24 years old and is referred to herein as Victim 1. He was in the front passenger seat, in his seatbelt, and was obviously deceased when officers arrived. The second adult male was 20 years old and is referred to herein as Victim 2. He was trapped in the back seat on the driver's side and also in his seatbelt. He was unconscious and struggling to breathe when officers arrived. Medical personnel transported Victim 2 to the hospital, but he later died from his injuries.

Approximately 10 feet in front of the vehicle, officers located the driver and owner of the vehicle, Defendant JAMES DAVID BLUE (12/27/1969). Defendant had apparently been ejected from the vehicle and was lying amidst some small trees. He was injured but conscious and repeatedly stated to responding officers, "I'm sorry." While on scene, he admitted to having consumed alcohol and being "guilty" of this offense. He was taken to the hospital.

An adult female referred to herein as Witness 1 approached officers while on scene. She explained that Victim 1 is her boyfriend and Victim 2 is her brother. They had been at a small party at Defendant's house, where Defendant was showing Victim 1 and Victim 2 his Bentley. Witness 1 had advised Defendant and Victims that it would not be safe to go for a ride.

Hospital staff found suspected THC gummies in Defendant's pocket, along with several crushed up white pills and five green capsules. Officers later interviewed multiple witnesses from the party who stated that Defendant was taking shots of liquor and had consumed THC gummies.

Officers obtained a search warrant to draw Defendant's blood and have it analyzed by toxicologists at the Bureau of Criminal Apprehension. On August 3, 2021, the BCA determined that Defendant's blood alcohol content was 0.175.

Officers also obtained a search warrant for the airbag control module (ACM) from Defendant's Bentley. Preliminary analysis of the ACM shows that Defendant was driving between 94 and 99 miles per hour at the time of the crash. The speed limits in the relevant area are 35 and 45 miles per hour and the roadway has many curves.

Defendant is not 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

Brad Schoenherr
Police Officer
2730 Kelley Parkway
Orono, MN 55356
Badge: 527

Electronically Signed:
08/09/2021 03:03 PM
HENNEPIN County, 15431

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:
08/09/2021 02:23 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 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: \$500,000.00

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: August 9, 2021.

Judicial Officer

Ivy S. Bernhardson
District Court Judge

Electronically Signed: 08/09/2021 03:14 PM

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

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

JAMES DAVID BLUE

Defendant

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

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: JAMES DAVID BLUE
DOB: 12/27/1969
Address: 3017 NORTH SHORE DR
ORONO, MN 55391

Alias Names/DOB:

SID: MN93002397

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 #: 94385

SILS Tracking No. 3237330

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	7/24/2021	609.2112.1(a)(3) Criminal Vehicular Homicide - Operate Motor Vehicle with Alcohol Concentration .08 or Mor	Felony	J1511		MN0271500	21005843
	Penalty	7/24/2021	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1511		MN0271500	21005843
2	Charge	7/24/2021	609.2112.1(a)(3) Criminal Vehicular Homicide - Operate Motor Vehicle with Alcohol Concentration .08 or Mor	Felony	J1511		MN0271500	21005843
	Penalty	7/24/2021	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1511		MN0271500	21005843
3	Charge	7/24/2021	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A11		MN0271500	21005843
	Penalty	7/24/2021	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1A11		MN0271500	21005843
4	Charge	7/24/2021	609.2112.1(a)(1) Criminal Vehicular Homicide - Operate Motor Vehicle in Grossly Negligent Manner	Felony	J1A11		MN0271500	21005843
	Penalty	7/24/2021	609.2112.1(a) Criminal Vehicular Homicide - Penalty	Felony	J1A11		MN0271500	21005843