

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 16A10475
Court File No. 27-CR-16-23877

State of Minnesota,

Plaintiff,

vs.

HOWARD WILLIAM AMOS DOB: 07/06/1980

1212 S 9TH ST
Minneapolis, MN 55404

Defendant.

COMPLAINT

Warrant

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 Death

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

Maximum Sentence: 40 YEARS AND/OR \$80,000

Offense Level: Felony

Offense Date (on or about): 09/02/2016

Control #(ICR#): 16321213

Charge Description: That on or about September 2, 2016, in the City of Minneapolis, Hennepin County, Minnesota, HOWARD WILLIAM AMOS, while fleeing a peace officer in a motor vehicle, caused the death of a known female with initials D.A.

COUNT II

Charge: Simple Robbery

Minnesota Statute: 609.24, with reference to: 609.24, 609.17.4(2)

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

Offense Level: Felony

Offense Date (on or about): 09/02/2016

Control #(ICR#): 16321213

Charge Description: That on or about September 2, 2016, in Minneapolis, Hennepin County, Minnesota, HOWARD WILLIAM AMOS attempted to take personal property, a motor vehicle, from the person or in the presence of victim K.R., knowing that he was not entitled to the property and used and/or threatened the imminent use of force against the victim to overcome her resistance or powers of resistance to or to compel acquiescence in the attempted taking or carrying away of the property.

STATEMENT OF PROBABLE CAUSE

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

The defendant in this complaint, HOWARD WILLIAM AMOS, is being charged with one count of felony fleeing in a motor vehicle resulting in death and one count of felony attempted simple robbery. The investigation is ongoing and additional charges may be filed.

On September 2, 2016, at approximately 9:55 p.m., Minneapolis Police Officers Kelly and Miller were on patrol with Police Cadet Hane in the area of 33rd Avenue North and Emerson Avenue North, Minneapolis, Hennepin County, Minnesota. There they saw a black sport utility vehicle (MN Lic. No. 963 UKW) turn northbound off Emerson Avenue North and run over the center isle at 33rd Avenue North while traveling at high speed. Due to that traffic violation and public safety risk, officers activated both emergency lights and siren and began to pursue the vehicle in an attempt to stop it. The suspect vehicle then accelerated to a higher speed of approximately 55 to 60 miles per hour, which exceeds the posted speed limit, and it continued northbound on Emerson Avenue North, running the stop sign at the intersection with 34th Avenue North.

Officers continued pursuit as the suspect vehicle fled north on Emerson Avenue North through the intersection with 35th Avenue North. At the intersection with 36th Avenue North, officers saw the suspect vehicle hit the center "roundabout" island and then collide with the curb on the east side of Emerson Avenue North, ultimately proceeding forward until colliding with parked vehicles. As the vehicle was still in motion, the driver, later identified as Defendant AMOS, jumped out and began fleeing from officers on foot. Defendant AMOS was wearing a white t-shirt and shorts and he ran away toward Fremont Avenue North.

Officer Kelly chased Defendant AMOS, while Officer Miller cleared the suspect vehicle noting that no one else was inside. Officer Miller then heard a man, J.M., calling out for help and Officer Miller saw that a female pedestrian, later identified as D.A., had been stricken by the suspect vehicle driven by Defendant AMOS. The pedestrian was obviously injured seriously. Officer Miller directed Cadet Hanes to render aid to D.A., called for back-up and emergency medical personnel, and then Officer Miller responded to calls for help from Officer Kelly.

Officer Kelly only briefly lost sight of Defendant AMOS as he chased him through the neighborhood commanding him to stop. He caught up with him on the 3600 block of Fremont Avenue North and attempted to take him down, but Defendant AMOS continued to flee. Officer Kelly also attempted to use his Taser to stop Defendant AMOS, but it had little effect.

Officer Kelly saw Defendant AMOS then race to a parked, but running vehicle occupied by three adult women and two children. Defendant AMOS got into the car and tried to take it while the women and children were inside. Officer Kelly arrived and struggled with Defendant AMOS to get him out of the car. Officer Connor, who arrived with others to assist Officer Kelly, noted that it appeared that Defendant AMOS was pushing the female driver, K.R., out of the driver's seat. K.R. later told police that although she and the other occupants were not physically assaulted, Defendant AMOS sat right on top of her as he attempted to take her car by grabbing the steering wheel and saying, "let me borrow this." K.R. and the other occupants screamed for help and told police that they were extremely afraid they were going to be hurt or kidnapped.

Several police officers struggled forcibly to dislodge Defendant AMOS from K.R.'s vehicle, as he kept his hands on the steering wheel, the shifter, and his foot on the gas pedal. Defendant AMOS continued to resist officers' attempts to get him under control after he was pried from K.R.'s vehicle. He was then

arrested at the scene.

Cadet Hanes, another officer, and paramedics who arrived at the scene of the pedestrian collision rendered aid to D.A. after Defendant AMOS had stricken her down. D.A. was barely breathing, coughing up blood, and had obviously broken legs and internal injuries. Paramedics took her to the hospital where she died shortly thereafter. Doctors told police that, before she died, D.A. had been paralyzed from the neck down and that she was approximately 12 weeks pregnant.

Police interviewed J.M., a native Spanish speaker, at the scene of the collision. Through tears, J.M. told police that he and his girlfriend, D.A., had gone to the corner store to get milk. They were on their way home when they could hear sirens and they saw the police coming in their direction. As they were crossing the street and were on the grassy roundabout in the middle of the intersection they saw a vehicle coming with no headlights followed by police with lights and sirens. He said they both got scared. J.M. tried to hold onto D.A., but she panicked, pulled away, ran across the street and made it to the curb of Emerson Avenue North. He then saw the vehicle without headlights on strike her, sending her forward and the vehicle continued on. He told police she was two months pregnant.

Police later found a loaded .40 caliber, Glock semi-automatic pistol on the floor of the driver's side of the suspect vehicle driven by Defendant AMOS. The firearm will be the subject of future forensic testing. Defendant AMOS is a person prohibited from possessing a firearm, at least as a result of a prior felony conviction in Hennepin County for burglary in the third degree, MNCIS No. 27-CR-01-48016.

As a result of his behavior and resistance, officers suspected Defendant AMOS as being under the influence of a controlled substance. Prior to learning his specific identity, Hennepin County District Court Judge Karasov signed a "John Doe" search warrant to obtain a blood sample from the driver of the vehicle involved in the pedestrian collision in this incident. Defendant AMOS was taken to the hospital and, pursuant to the warrant, a blood sample was taken from him. Police brought the blood sample to the BCA for further analysis.

Police also learned that Defendant AMOS had open arrest warrants in Hennepin and Ramsey Counties. The Hennepin warrant was for third degree burglary and possession of stolen property, and the Ramsey warrant was for fleeing in a motor vehicle. He is presently in custody in Ramsey County. The State seeks a warrant to maintain him in custody as he is viewed as both an ongoing public safety risk and a flight risk.

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

Scott Grabowski
Officer
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 2366

Electronically Signed:
09/09/2016 09:57 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Brad Johnson
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
09/09/2016 08:44 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 Fourth Avenue S, Minneapolis, MN 55415 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: \$300,000.00

Conditions of Release: No Possession of Weapons; No use of drugs/alcohol; Random UAs; No Driving without a License; Surrender Passport; Other: Sign waivers of extradition; No Contact with Victim; No Contact with Witnesses

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: September 9, 2016.

Judicial Officer Liza K. Janzen Electronically Signed: 09/09/2016 10:02 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.

HOWARD WILLIAM AMOS

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: