

AMENDED PETITION

STATE OF MINNESOTA

DISTRICT COURT – JUVENILE DIVISION

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

IN THE MATTER OF THE WELFARE OF

Child: DARSHAWN CORNELIUS TURNER, (12/31/1998)
2942 KNOX AVE N
MINNEAPOLIS, MN 55411

Court Case No: 27-JV-16-632
C.A. Case No: 16J01171

CA of Record: STEPHANIE MORGAN
(272656)

Juvenile Felony Delinquency Age 16 Or Older

Mother: LURALL N MOORE
(SAME AS CHILD)

Presumptive Certification

Father: UNKNOWN

PO:

Amended: Petition amended to include a Presumptive Certification. Probable Cause Statement remains the same.

The Juvenile Court has jurisdiction by reason of the following allegations: The above-named juvenile is alleged to be delinquent pursuant to Minn. Stat. § 260B.007, Subd. 6(1) because said child has violated a state/local law as follows:

Count 1: BID31 Burglary-1st Deg-Assault Person In Build/On Property (Felony) (Aid/Abet)
MINN. STAT. 609.582.1(c), 609.582.1, 609.05.1, 609.05.2

That on or about January 22, 2016, in the City of Minneapolis, in Hennepin County, Minnesota, DARSHAWN CORNELIUS TURNER, acting alone or intentionally aiding, advising, hiring, counseling or conspiring with others, either directly or as an accomplice, entered a building, without consent and with intent to commit a crime or committed a crime, while in the building and assaulted N.E., a person within the building.

Count 2: N2010 Riot-3rd Degree-Unlawful Force or Violence (Gross Misdemeanor) (Aid/Abet)
MINN. STAT. 609.71.3, 609.71.3, 609.05.1, 609.05.2

That on or about January 22, 2016, in the City of Minneapolis, in Hennepin County, Minnesota, DARSHAWN CORNELIUS TURNER assembled with two or more other persons, disturbed the public peace by intentionally acting with unlawful force or violence to N.E. and J.P.

PROBABLE CAUSE STATEMENT

Your Petitioner is an Assistant County Attorney. In that capacity, Petitioner believes the facts and circumstances recited below establish probable cause:

On January 22, 2016, at approximately 12:15 p.m., Minneapolis Police Officer Loveland responded to an assault at Southwest High School located at 3414 West 47th Street in the City of Minneapolis, Hennepin County, Minnesota. An assistant principal told Officer Loveland that four suspects who were not students of Southwest High School had assaulted N.E., a Southwest High School student inside a classroom that was in session.

Officer Loveland spoke with N.E. Officer Loveland observed that N.E. had several abrasions on his face. N.E. stated that he was in class when four males entered the classroom and assaulted him.

J.P., a teacher at Southwest High School reported that he was teaching his 5th period class when some unknown individuals were in the hallway trying to get the attention of someone in his class. J.P. closed the door to the classroom and encouraged the individuals to get to class. A few minutes later, several individuals burst through the door to the classroom. Four individuals rushed past everyone else in the classroom and ran to the back of the classroom shouting at N.E. J.P. said that the four individuals were intent on only N.E. and that several punches were thrown in addition to verbal threats. J.P. went to the back of the room to try to keep the individuals apart. The individuals who were fighting moved into the lab area. J.P. attempted to block one of the individuals who was going after N.E. J.P. reported that he was hit in the process. This individual made threats but then backed off. N.E. and one of the attackers were wrestling on the floor and the others were trying to kick and punch the two on the floor. While J.P. was trying to restrain one of the attackers, J.P. believed that his left little finger was injured. N.E. ran out of the classroom, and the four attackers also ran out of the classroom. Staff from the school followed the four individuals into the community and they were last seen boarding a southbound Metro Transit bus at the intersection of West 47th Street and Xerxes Avenue South.

Investigators obtained surveillance video from the Metro Transit bus, which shows four suspects boarding the bus. The same four suspects are seen in surveillance video from inside Southwest High School. Officer Rocklin, the school resource officer at Henry High School reviewed the surveillance video and identified one of the suspects as a former Henry High School student, Respondent herein DARSHAWN CORNELIUS TURNER. Officer Rocklin identified another of the suspects as S.L.J., another former Henry High School Student who is currently enrolled at Washburn High School. Officer Hansen, the school resource officer at Washburn High School also identified this suspect as S.L.J. Officer Hansen identified another one of the suspects as J.L.K., a student at Washburn High School. Respondent and J.L.K. each boarded the Metro Transit Bus using their own GoTo Cards.

The Metro Transit Bus surveillance video has audio as well. While the suspects are walking to the back of the bus, the suspects are looking out of the windows. One suspect can be heard saying, "They ain't coming." The suspect identified as S.L.J. states "You know they got our faces on camera." One of the suspects then can be heard saying, "I clocked the teacher, didn't I clock the teacher."

Officer Loveland confirmed with the principal of Southwest High School that Respondent and the other three suspects did not have permission to enter Southwest High School. J.P. indicated that they did not have permission to enter J.P.'s classroom. There is only one designated point of entry to Southwest High School during regular school hours. Visitors are required to sign in and obtain a visitors badge. Based upon the investigation, it is believed that the suspects made entry through a door that is located off of a temporary walkway that connects the east and west sides of the school. The doors are locked to the outside, but can be opened from the inside. These doors are not designated as a point of entry for the public. There was no surveillance video operating in this area at the time. L.M., a known female student at Southwest High School, is observed in surveillance video in a hallway walking and directing the four suspects inside the school. L.M. said that she heard someone in the group ask where room eleven was located. L.M. said that she told the group that they were going in the wrong direction and she told them the correct way to get to the room. L.M. said that she knew the four suspects were not students at Southwest High School and she warned them that they would be kicked out if they were seen.

J.P. reported that his finger was broken during the incident.

During a post-Miranda interview, Respondent said, "I went and fought and that was it."

The offense enumerated in Count 1 is a presumptive prison offense.

PURSUANT TO M.S. 260B.125, THE STATE IS MOVING, BY SEPARATE MOTION, THAT THIS PROCEEDING BE CERTIFIED TO THE DISTRICT COURT FOR ACTION UNDER THE CRIMINAL LAWS.

I endorse this Petition as to form and verify that the contents are true to the best of my information and belief pursuant to MRJDP 6.03, Subd. 3.

I DECLARE UNDER PENALTY OF PERJURY THAT EVERYTHING I HAVE STATED IN THIS DOCUMENT IS TRUE AND CORRECT.

 02/02/2016

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