

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 16A12351
Court File No. 27-CR-16-27482

State of Minnesota,

Plaintiff,

vs.

RASHAD RAHIYM AUSTIN DOB: 03/18/1991

1209 JAMES AV N
MINNEAPOLIS, MN 55411

Defendant.

COMPLAINT

Order of Detention

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: Aiding an Offender - Accomplice After the Fact

Minnesota Statute: 609.495.3, with reference to: 609.495.3

Maximum Sentence: 1/2 statutory maximum for underlying crime

Offense Level: Felony

Offense Date (on or about): 10/09/2016

Control #(ICR#): 16367327

Charge Description: That on or about 10/9/2016, in, Hennepin County, Minnesota, RASHAD RAHIYM AUSTIN aided JQUAN LEEARTHUR MCINNIS, a person RASHAD RAHIYM AUSTIN knew or had reason to know had committed a criminal act, by destroying or concealing evidence of that crime, or providing false or misleading information about that crime, by receiving proceeds of that crime or obstructing the investigation or prosecution of that crime.

STATEMENT OF PROBABLE CAUSE

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

That on October 9, 2016, officers were dispatched to 26th Street East and 11th Avenue South in Minneapolis, Hennepin County, Minnesota, to investigate a homicide. Upon arrival, a deceased adult male was found with multiple gunshot wounds. Officers also learned an eight month old infant was also struck by gunfire and had already been transported to Children's Hospital and was pronounced dead. During the course of investigation, officers identified the person who fired the shots killing both victims as JQUAN LEEARTHUR MCINNIS. MCINNIS has been charged with multiple counts of first-degree murder and is currently in custody (MNCIS File No.: 27-CR-16-26893).

Investigation revealed MCINNIS was in a vehicle immediately prior to and after the double homicide. Investigation revealed other persons were also in the vehicle and present with MCINNIS before and after the homicides. One of these individuals was identified as RASHAD RAHIYM AUSTIN, hereafter defendant.

Investigation revealed that after the homicides, MCINNIS obtained a transportation ticket to leave town. Following the arrest of MCINNIS, officers initiated efforts to recover that ticket and supporting documentation. Officers learned these items were in the possession of identified persons. Officers learned that MCINNIS engaged in communication with defendant about the transportation ticket and supporting documentation and requested defendant take possession of these items. Officers learned that after this conversation with MCINNIS, defendant contacted the identified individuals who were in possession of these items, obtained access to these items, and took several items. Officers confirmed defendant took these evidence items knowing law enforcement was seeking to recover them as part of their criminal investigation. Officers eventually recovered a duffel bag and backpack from the identified individuals but noted several items were missing (the transportation ticket and supporting documentation). The identified individuals confirmed defendant rummaged through MCINNIS' property and removed several items prior to law enforcement recovering the bags. Officers later arrested defendant. Defendant was found to be in possession of MCINNIS' supporting documentation but not the transportation ticket that was identified to be previously taken by him.

Officers also became aware of communications between MCINNIS and defendant wherein MCINNIS directed defendant to contact several cooperating witnesses and direct them to cease conversations with law enforcement. Officers learned defendant contacted these witnesses at MCINNIS' request, and on his own volition, to dissuade them from cooperating.

The above-described conduct committed by defendant occurred between October 9 and 18, 2016 in Hennepin County, Minnesota. At present, 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

Darcy Klund
SERGEANT
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 3728

Electronically Signed:
10/20/2016 11:26 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Darren Borg
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
10/20/2016 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 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: \$1,000,000.00

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: October 20, 2016.

Judicial Officer

Rosanne Nathanson

Electronically Signed: 10/20/2016 11:32 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.

RASHAD RAHIYM AUSTIN

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: