

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 16A09642
Court File No. 27-CR-16-21871

State of Minnesota,

Plaintiff,

vs.

JAMAL KAREEM NEWELL DOB: 03/04/1982

5232 Washburn Ave N
Brooklyn Center, MN 55430

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: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.11.5(a), 609.19.1

Maximum Sentence: 40 YEARS

Offense Level: Felony

Offense Date (on or about): 08/07/2016

Control #(ICR#): 16287472

Charge Description: That on or about August 7, 2016, in the City of Minneapolis, Hennepin County, Minnesota, JAMAL KAREEM NEWELL, caused the death of Victim 1, a human being, with intent to effect the death of that person or another, but without premeditation, while using or possessing a firearm.

Minimum Sentence: 3 YEARS

COUNT II

Charge: Murder - 2nd Degree - With Intent-Not Premeditated

Minnesota Statute: 609.19.1(1), with reference to: 609.11.5(a), 609.17.4(2), 609.19.1

Maximum Sentence: HALF OF, 40 YEARS

Offense Level: Felony

Offense Date (on or about): 08/07/2016

Control #(ICR#): 16287472

Charge Description: That on or about August 7, 2016, in the City of Minneapolis, Hennepin County, Minnesota, JAMAL KAREEM NEWELL, attempted to cause the death of Victim 2, a human being, with intent to effect the death of that person or another, but without premeditation, while using or possessing a firearm.

Minimum Sentence: 3 YEARS

STATEMENT OF PROBABLE CAUSE

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

On August 7, 2016, around 4:30 p.m., two adult males ("Victim 1") and ("Victim 2") walked out of a store located near the intersection of 35th Avenue North and Penn Avenue North in the City of Minneapolis, Hennepin County, Minnesota. Victim 1 got into the driver's seat of his parked vehicle, while Victim 2 got into the passenger seat. Victim 1's vehicle was parked facing westbound on 35th Avenue.

Around that time, another vehicle, described by Victim 2 and other witnesses as a distinct gold Monte Carlo with the front of the car being black, drove eastbound on 35th Avenue and stopped so that the driver's sides of the vehicles would have been facing each other. Without warning, five gunshots were fired into Victim 1's vehicle. One of the bullets passed through the shoulder of Victim 1, but another lodged in Victim 1's brain. Victim 2 was shot in the back with the bullet passing through. The gold Monte Carlo then fled eastbound on 35th Avenue.

Shot Spotter recorded 5 gunshots, which were described as slow and methodical. The bullet holes in Victim 1's driver side window were in a tight grouping. No discharged cartridge casings were found at the scene, indicating that the murder weapon may be a revolver.

Victim 1 was non-responsive at the scene and was declared brain dead at the hospital. Victim 1 died from his injuries on August 9, 2016. Victim 2 was treated at the hospital, but his injury was a non-life threatening gunshot wound.

Officers recovered video surveillance footage and saw a gold Monte Carlo with a black hood and black front quarter panels traveling eastbound on 35th Avenue North approaching Penn Avenue North. It was only seconds after that footage was recorded that shots were fired.

Victim 2 reported that he and Victim 1 had just gotten into the vehicle and it could not have been more than 30 seconds when the shots were fired. Victim 2 did not see the driver as Victim 2 had been shot and rolled out of the passenger side to avoid being shot again.

On August 9, 2016, officers from the Minneapolis Police Department responded to another shooting at a residence near 41st Avenue North and Dupont Avenue North, approximately a five minute drive from where the homicide occurred. In this second, unrelated, shooting, officers learned that a man in a black SUV had stopped outside the residence and began firing into a crowd of people. One of the persons present at the residence ("Witness 1") admitted to returning gunfire. A 13-year-old girl was shot in the process. A man, identified as JAMAL KAREEM NEWELL [(D.O.B. 3/4/1982); "Defendant"], and his girlfriend ["Witness 2"] were transporting the 13-year-old girl to the hospital in a distinct gold Monte Carlo with a black hood and black front quarter panels. Officers stopped this vehicle and rendered aid to the 13-year-old who was transported to the hospital via ambulance.

Witness 1, who had admitted to officers that he returned fire in the second shooting, led officers into the residence of the second shooting and showed them where he had placed his 9 mm semi-automatic firearm. Next to that firearm was a .38 revolver in plain view. Witness 1 said Defendant showed him the .38 revolver two days ago.

Officers learned that Witness 2 lived at the residence on 41st and Dupont, along with her adult son ("Witness 3"), another adult male ("Witness 4"), and Witness 3's cousin ("Witness 5"), along with several

others. The gold Monte Carlo belonged to Witness 2.

Officers learned the following information. On August 7, 2016, Witness 2 needed to go to her place of work near 35rd Avenue North and James Ave North. Defendant drove Witness 2 in the gold Monte Carlo to that location. Defendant left Witness 2 there and returned to the residence near 41st and Dupont. Defendant told Witness 2's son, Witness 3, to go pick Witness 2 up at 35th and Penn (the scene of the shooting, not where Witness 2 actually was). Witness 3 left to go pick up his mother. Defendant went into the bathroom. Witness 5 walked passed the bathroom and could smell a very strong odor of bleach. Witness 5 asked Defendant if he spilled bleach in there and Defendant said he hadn't, he was just washing his hands. Defendant then called for a cab and was picked up by a cab and taken to his home. In the meantime, Witness 3 had been driving to pick up his mother in the gold Monte Carlo. Witness 3 saw numerous police officers and left the area because he did not have a valid driver's license and had some marijuana on him. Witness 3 called Witness 2 and learned she was actually at her place of work on 35th and James Ave North, not where Defendant had sent him (to the scene of the shooting in the gold Monte Carlo).

On August 8, Witness 3, Witness 4, and many young children were outside in the yard playing "Ghosts in the Graveyard". One of the little children found the .38 revolver stuffed in a black sock in the window well in the back of their house. Witness 3 said he put the gun in the house so the children wouldn't be hurt by it.

Witness 3 reported to police that he overheard Defendant talking to another person when Defendant admitted to shooting Victim 1.

It should be noted that Witness 4 and 5 confirmed that Witness 3 had been at the house until Defendant came home and told Witness 3 to go pick up his mother at the scene of the shooting in the gold Monte Carlo. It should also be noted that Defendant's cell phone places him near the scene of the crime at the time Victim 1 and Victim 2 were shot.

Defendant admitted to police that he was with Witness 2 on August 7 in North Minneapolis in the gold Monte Carlo. However, Defendant claims Witness 2 drove him back to her residence on 41st and Dupont. Defendant says he went into the bathroom and called a cab to bring him home. Defendant admitted he had possession of his cell phone all day. When confronted with the phone records and the fact Defendant said he was in a completely different area at the time the crime occurred, Defendant could not provide an explanation. Defendant told police he knew Victim 1, that he and Victim 1 belonged to rival gangs, but Defendant denied being the shooter.

A forensic examiner with the Minneapolis Police Department Crime Lab test fired bullets from the .38 revolver and compared it to the fired bullets and fragments recovered from the shooting on August 7. The examiner determined that there was presence of matching features.

Defendant is in custody. Defendant has a lengthy criminal history including assaults, robberies, and being a prohibited person in possession of a firearm.

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

Ann Kjos
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 004898

Electronically Signed:
08/18/2016 11:44 AM
Hennepin County, Minnesota

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

Prosecuting Attorney

Justin Wesley
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
08/18/2016 11:28 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: \$2,000,000.00

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: August 18, 2016.

Judicial Officer

Herbert Lefler

Electronically Signed: 08/18/2016 11:52 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.

JAMAL KAREEM NEWELL

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: