State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 21A06064
Court File No. 27-CR-21-11252

State of Minnesota,

Plaintiff,

vs.

NICHOLAS DAVID KRAUS DOB: 11/29/1985

[redacted]

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: 609.19.1, 609.11.9
Maximum Sentence: 40 YEARS
Offense Level: Felony

Offense Date (on or about): 06/13/2021

Control #(ICR#): 21128997

Charge Description: That on or about June 13,2021, in Minneapolis, Hennepin County, Minnesota, NICHOLAS DAVID KRAUS caused the death of Victim 1, a human being, with intent to effect the death of that person or another, but without premeditation.

COUNT II

Charge: Assault-2nd Degree-Dangerous Weapon
Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4, 609.101.2
Maximum Sentence: 7 YEARS AND/OR $4,200-$14,000
Offense Level: Felony

Offense Date (on or about): 06/13/2021

Control #(ICR#): 21128997

Charge Description: That on or about June 13, 2021, in Minneapolis, Hennepin County, Minnesota, NICHOLAS DAVID KRAUS assaulted J.B., using a dangerous weapon.

COUNT III

Charge: Assault-2nd Degree-Dangerous Weapon
Minnesota Statute: 609.222.1, with reference to: 609.222.1, 609.11.4, 609.101.2
Maximum Sentence: 7 YEARS AND/OR $4,200-$14,000

Offense Level: Felony

Offense Date (on or about): 06/13/2021

Control #(ICR#): 21128997

Charge Description: That on or about June 13, 2021, in Minneapolis, Hennepin County, Minnesota, NICHOLAS DAVID KRAUS assaulted P.D., using a dangerous weapon.

STATEMENT OF PROBABLE CAUSE

Complainant, a licensed peace officer with the Minneapolis Police Department, has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On June 13, 2021, Minneapolis Police Officers were dispatched to the area of Lake Street West and Girard Avenue South in the City of Minneapolis, Hennepin County, Minnesota, regarding a vehicle striking a number of pedestrians. Officers quickly arrived at the location, where a peaceful protest had been ongoing. Upon arrival, officers located a female victim (“Victim 1”) down in the street. The victim had severe trauma to her head. The victim was unresponsive and was transported to the hospital via ambulance. The victim was pronounced dead at the hospital.

Additional officers located the driver of the vehicle who had been detained by citizens. The driver was identified as NICHOLAS DAVID KRAUS, the defendant herein. Officers noted that the defendant appeared visibly intoxicated.

Officers observed that the defendant’s vehicle, a Jeep SUV, was stopped in the middle of the street and had sustained major front-end damage. Officers canvassed the area and located witnesses and additional victims. A second victim, J.B., suffered leg and rib injuries. J.B. reported that he was standing next to the deceased victim when he saw the vehicle coming towards them. J.B. reported that the vehicle struck another vehicle which had been set up to act as a barricade and that the barricade vehicle was pushed back, striking the victims.

Officers also spoke to P.D., another person who sustained injuries. P.D. reported that he was on the sidewalk behind the semaphore pole when he heard people yelling "Car" over and over. P.D. stated that he looked up and saw the car driving at him. According to P.D., the car seemed to accelerate as it approached the group. P.D. described how the suspect vehicle then struck another car, and one of the two vehicles struck him, pushing him into the chain-link fence behind him.

Surveillance video shows the defendant’s vehicle crashing into a parked vehicle and driving the vehicle back into the crowd of people. The video confirms the eyewitness accounts that the vehicle was accelerating.

The defendant, who initially gave a false name to law enforcement, was interviewed the next day. Post-Miranda, the defendant acknowledged driving a motor vehicle in the Uptown area. The defendant stated that he saw the barricade, that it was a car, and that he believed he needed to get over it. The defendant admitted that there were a number of people in the area, including a couple of people next to the barricade. The defendant stated that he accelerated in order to try and jump the barricade and acknowledged that he did not attempt to brake. The defendant admitted that he floored the accelerator because he thought that would help him jump the barricade. The defendant further admitted that he did not clear the barricade but rather struck the vehicle. The defendant also admitted that he thought he might have hit a person or people as he was driving at the barricade.

When asked about the vehicle, the defendant explained that the vehicle was in another person’s name because he had gotten into trouble, had no license due to drinking, and needed to use a loophole to get the car. The defendant has multiple prior DWI convictions, including a conviction for Felony DWI. Defendant’s blood test results are pending.

The defendant is currently 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

Jeremy Brodin
Police Officer
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 0764

Electronically Signed:
06/16/2021 12:11 PM
Hennepin County, Minnesota

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

Prosecuting Attorney

Dan Allard
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
06/16/2021 11:44 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 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: $1,000,000.00
Conditions of Release: No use of drugs/alcohol

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: June 16, 2021.

Judicial Officer Luis Bartolomei
District Court Judge

Electronically Signed: 06/16/2021 12:17 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.

NICHOLAS DAVID KRAUS

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:

DEFENDANT FACT SHEET

Name:	NICHOLAS DAVID KRAUS
DOB:	11/29/1985
Address:	[redacted]
Alias Names/DOB:	
SID:	MN04010306
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 #:	575211
SILS Tracking No.	3231001
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	6/13/2021	609.19.1(1) Murder - 2nd Degree - With Intent-Not Premeditated	Felony	H2043		MN0271100	21128997
	Modifier	6/13/2021	609.11.9 Minimum Sentences of Imprisonment - Applicable Offenses	No-Level	H2043		MN0271100	21128997
	Penalty	6/13/2021	609.19.1 Murder - 2nd Degree	Felony	H2043		MN0271100	21128997
2	Charge	6/13/2021	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2343		MN0271100	21128997
	Definition	6/13/2021	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A2343		MN0271100	21128997
	Penalty	6/13/2021	609.11.4 Minimum Sentences of Imprisonment-Use Dangerous Weapon	Felony	A2343		MN0271100	21128997
	Penalty	6/13/2021	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2343		MN0271100	21128997
3	Charge	6/13/2021	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2343		MN0271100	21128997
	Definition	6/13/2021	609.101.2 Minimum Fines – Victim Assistance Programs	No-Level	A2343		MN0271100	21128997
	Penalty	6/13/2021	609.11.4 Minimum Sentences of Imprisonment-Use Dangerous Weapon	Felony	A2343		MN0271100	21128997
	Penalty	6/13/2021	609.222.1 Assault-2nd Degree-Dangerous Weapon	Felony	A2343		MN0271100	21128997