

State of Minnesota,
Plaintiff,

COMPLAINT
Order of Detention

vs.

ROBERT JOHN KAISER DOB: 08/31/1982

30502 Clear Lake Road
Albany, MN 56307

Defendant.

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 - Without Intent - While Committing a Felony

Minnesota Statute: 609.19.2(1), with reference to: 609.19.2(1)

Maximum Sentence: Forty years imprisonment

Offense Level: Felony

Offense Date (on or about): 08/27/2014

Control #(ICR#): 14064512

Charge Description: That the defendant, Robert John Kaiser, then and there being did wrongfully, unlawfully, and feloniously, cause the death of a human being, to wit: Child A, without intent to effect the death of Child A, while committing or attempting to commit a felony offense, to wit: Assault in the Third Degree.

STATEMENT OF PROBABLE CAUSE

The Complainant states that the following facts establish probable cause:

On August 28, 2014, the Stearns County Sheriff's Office received information that Child A DOB: 6/24/14 (juvenile male fully identified in police reports) had been airlifted to Children's Hospital with a head injury and that child abuse was suspected. Deputies learned that Child A was brought to the Albany Hospital by his mother G.L.K. (adult female fully identified in police reports) and Robert John Kaiser, DOB: 8/31/1982, the defendant herein, on the evening of August 27, 2014 with difficulty breathing and seizures.

Over several conversations, the defendant acknowledged to Investigator Okerstrom that he was Child A's caregiver at their home in the Township of Farming, County of Stearns, State of Minnesota, at the time Child A was injured. Defendant initially denied any trauma to Child A, but later claimed the defendant fell while he was holding Child A on August 27, 2014. Defendant demonstrated on video how the alleged fall happened.

Dr. Mark Hudson, a board-certified child abuse pediatrician, reviewed the video and advised that Child A's injuries were inconsistent with the defendant's account.

Child A was diagnosed with bilateral subdural hemorrhages, bilateral retinal hemorrhages, and a brain injury. Child A passed away on September 3, 2014 due to his injuries. The Ramsey County Medical Examiner ruled Child A's cause of death as traumatic brain injury and manner of death as a homicide. The medical findings suggest that the mechanism of Child A's injury was shaking.

G.L.K. confirmed that the defendant was caring for Child A before he became symptomatic on August 27, 2014, noting that Child A seemed different when she returned home in the afternoon. G.L.K. advised that defendant sent her a text message earlier in the afternoon saying that Child A was not allowing him to sleep. Child A was transported to the Albany Hospital shortly after G.L.K returned home.

The autopsy and investigation have documented previous injuries to Child A including bruising and healing rib fractures which Dr. Hudson deemed suspect for child abuse.

Complainant has reason to believe and does believe the above information is true and correct.

The above facts constitute complainant's basis for believing that the above-named defendant, on or about the 27th day of August, 2014, in the Township of Farming, County of Stearns, State of Minnesota, committed the offense described herein:

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

Robert D. Dickhaus
Lieutenant
807 Courthouse Square
St. Cloud, MN 56303
Badge: 2505

Electronically Signed:
09/05/2014 10:09 AM

Subscribed and sworn to before the undersigned.

**Notary Public or
Judicial Official**

Barb Miller
Administrative Assistant, County
of Stearns
807 Courthouse Square
St. Cloud, MN 56303
Notary ID: 20393490

Commission expires: 01/31/2018
Electronically Signed:
09/05/2014 10:15 AM

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

Prosecuting Attorney

Meriel B. Lester
Assistant County Attorney
705 Courthouse Square
St. Cloud, MN 56303
(320) 656-3880

Electronically Signed:
09/05/2014 10:03 AM

