

1 STATE OF MINNESOTA DISTRICT COURT  
 2 COUNTY OF HENNEPIN FOURTH JUDICIAL DISTRICT

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4 State of Minnesota, )  
 5 Plaintiff, ) First Appearance  
 6 vs. ) Case No. 27-CR-20-12953  
 7 J. Alexander Kueng, )  
 8 Defendant.)

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10 The above-entitled matter came on for hearing before  
 11 the Honorable Paul Scoggin, one of the judges of the  
 12 above-named court, in Courtroom 141 of the Public Safety  
 13 Facility, city of Minneapolis, county of Hennepin, state  
 14 of Minnesota, on the 4th day of June, 2020, at 1:04 p.m.

14 APPEARANCES

15 MATTHEW FRANK, Assistant Attorney General, appeared  
 16 for and on behalf of the plaintiff;

17 THOMAS PLUNKETT, ESQ., Attorney at Law, appeared for  
 18 and on behalf of the defendant;

19 J. ALEXANDER KUENG, Defendant, was personally present.

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 25 REPORTED BY: Lisa Iaria Knisley, Official Court Reporter

1 P R O C E E D I N G S

2 THE CLERK: Your Honor, calling line 1, J.  
3 Kueng, here on a first appearance, needs ID, and he  
4 has private counsel present.

5 THE COURT: Appearances, please.

6 MR. FRANK: Good afternoon, Your Honor,  
7 Assistant Attorney General Matthew Frank on behalf of  
8 the State.

9 MR. PLUNKETT: Good afternoon, Your Honor,  
10 Thomas Plunkett, P-L-U-N-K-E-T-T, on behalf of Mr.  
11 Kueng, who is present before the Court.

12 THE COURT: Good afternoon, Counsel, and good  
13 afternoon, sir.

14 Mr. Plunkett, you're asserting that the  
15 identification as its held in district court records  
16 is correct?

17 MR. PLUNKETT: Yes, Your Honor.

18 THE COURT: All right. With that, Mr. Frank.

19 MR. FRANK: Thank you, Your Honor. As I  
20 indicated previously, obviously, this is a very  
21 serious charge stemming from a very serious incident  
22 with a very concerned community and much notoriety.  
23 Of course, that presents an opportunity or incentive  
24 to flee, to not be present, and to be difficult to  
25 find and because of that, we think that it does --

1 this raises a significant concern about flight risk.  
2 And with the severity of the charges, we would ask the  
3 Court to impose one million dollars bail,  
4 unconditional, with \$750,000 conditional bail. We  
5 would ask, specifically, for conditions that the  
6 defendant surrender any firearms; that if he does have  
7 a firearms permit, that that be surrendered; that he  
8 not work in any law enforcement or security capacity;  
9 and that he sign a waiver of extradition in addition  
10 to all the usual, standard conditions.

11 THE COURT: Mr. Plunkett.

12 MR. PLUNKETT: Thank you, Your Honor. Before  
13 we talk about bail, I do want to acknowledge Mr. Floyd  
14 and the Floyd family, and to them we offer our  
15 sincerest condolences.

16 Your Honor, who is Mr. Kueng? Mr. Kueng is a  
17 young, African-American male from North Minneapolis.  
18 He grew up with an absentee father and a single  
19 mother. As a child growing up in that community, he  
20 saw the problems developing around him in the  
21 community, and he turned to law enforcement because he  
22 wanted to make that community a better place. He has  
23 a genuine desire to give back to his community.

24 Where do these values come from? Mr. Kueng,  
25 his whole family has a long of history of service to

1 the community. His maternal grandparents, both 84,  
2 have been missionaries in three different African  
3 countries. Mr. Kueng himself has traveled to Haiti  
4 where he worked in a mission, providing -- working  
5 with children, providing medical care, and building a  
6 school.

7 He has close ties to the community, one of the  
8 most important things that we can consider when trying  
9 to determine if someone is going to show up in the  
10 future. He's never lived more than ten miles from the  
11 home where he grew up, Your Honor. More than that, he  
12 grew up in a caring and conscientious home where, at  
13 age 5, his single mother adopted four additional  
14 children, at risk children from the community. He  
15 actively participated in their care. From a very  
16 young age, he's taken on responsibility.

17 His ties to the community are his entire life.  
18 He's a high school graduate from Patrick Henry where  
19 he was the captain of the soccer team. He has coached  
20 youth soccer and youth baseball through the community  
21 center. He's assisted with child care since he was  
22 age 5. Is he a risk to reappear? When he was called  
23 by the Bureau of Criminal Apprehension to turn himself  
24 in, he appeared at the Bureau of Criminal Apprehension  
25 within 15 minutes of being told they want to arrest

1 him.

2 The events of this case are horrific. The  
3 tragedy that flows from those events continues to  
4 grow. I'm asking the Court to set bail on the  
5 individual, on the person and not on an institution  
6 that has lost its guidance, being the police  
7 department. Mr. Kueng hadn't even completed his third  
8 shift as a full-fledged police officer when this  
9 occurred. One of the co-defendants was his field  
10 training supervisor for almost all of his training.  
11 At multiple times, Mr. Kueng and Mr. Lane directed  
12 their attention to that 19-year veteran and said, You  
13 shouldn't do this. Mr. Kueng said, "I can't find a  
14 pulse." He was trying to -- they were trying to  
15 communicate that this situation needs to change  
16 direction.

17 Mr. Kueng is not a threat to the community.  
18 He's not a threat to anyone. He's no risk for failure  
19 to appear. We have no objection to the request of  
20 conditions, Your Honor, but we would request that bail  
21 be set at 200,000 with conditions and \$50,000 with --  
22 pardon me. I got that backwards -- 200,000 without  
23 conditions; 50,000 with conditions. Thank you, Your  
24 Honor.

25 THE COURT: Sir, I'm going to set bail in the

1 amount of a million dollars with no conditions;  
2 \$750,000 with conditions. The conditions be that you  
3 remain law abiding; that you make all your court  
4 appearances, including your next appearance on 6/29 at  
5 9:00 in the morning; that you not be in possession of  
6 a firearm or ammunition; if you post, your release  
7 will be supervised, including signing a waiver of  
8 extradition; no security work; surrender any permit to  
9 carry, if that is applicable in this case.

10 MR. PLUNKETT: Thank you, Your Honor. May I  
11 approach my client to get a signature?

12 THE COURT: Sure can. The record should  
13 reflect that I am signing a -- or countersigning a  
14 signed waiver of extradition.

15 MR. PLUNKETT: Your Honor, I think that we've  
16 already discussed a court date of June 29th at 9:00  
17 a.m. at --

18 THE COURT: Sir, I am ordering you back on  
19 June 29th at 9:00 in the morning. It will be across  
20 the street at the main courthouse. Thank you.

21 THE DEFENDANT: Thank you, Your Honor.

22 (The proceedings were concluded at 1:11 p.m.)  
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1 STATE OF MINNESOTA )

2 )

3 COUNTY OF HENNEPIN )

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5 REPORTER'S CERTIFICATE

6 I, Lisa Iaria Knisley, Official Court  
7 Reporter, do hereby certify that I reported the  
8 foregoing proceedings as a Remote Stenographic Court  
9 Reporter via CourtSmart recording and thereafter  
10 transcribed the same, as evidenced by the foregoing  
11 transcript, and that the same is a true and correct  
12 transcription to the best of my ability of said matter  
13 heard before the Honorable Paul Scoggin, one of the  
14 judges of the Fourth Judicial District, city of  
15 Minneapolis, county of Hennepin, state of Minnesota,  
16 on the 4th day of June, 2020.

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22 Dated and signed this 4th day of June, 2020.

23  
24 /s/ Lisa Iaria Knisley  
25 Lisa Iaria Knisley  
Official Court Reporter