

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

POLICE NO. :	KC19-051650
PROSECUTOR NO. :	095453883
OCN:	

STATE OF MISSOURI,

PLAINTIFF,)

VS.

KENYON A HARRINGTON

5445 Lydia Ave

Kansas City, MO 64110

DOB: 03/05/1989

Race/Sex: B/M

DEFENDANT.)

COMPLAINT
WARRANT REQUESTED

Count I. Delivery of Controlled Substance Except 35 Grams or Less of Marijuana or Synthetic Cannabinoid (579.020-004Y20173532.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 579.020, RSMo, committed the **Class C Felony of Delivery of a Controlled Substance**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 10, 2019, in the County of Jackson, State of Missouri, the defendant knowingly sold cocaine, a controlled substance, to Detective Wohlleber, knowing that it was a controlled substance.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

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Count II. Delivery of Controlled Substance Except 35 Grams or Less of Marijuana or Synthetic Cannabinoid (579.020-004Y20173599.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 579.020, RSMo, committed the **Class C Felony of Delivery of a Controlled Substance**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 15, 2019, in the County of Jackson, State of Missouri, the defendant knowingly sold cocaine, a controlled substance, to Detective Wohlleber, knowing that it was a controlled substance.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count III. Possession of Controlled Substance Except 35 Grams or Less of Marijuana/Synthetic Cannabinoid (579.015-001Y20173533.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 579.015, RSMo, committed the **Class D Felony of Possession of a Controlled Substance**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed methamphetamine, a controlled substance, knowing of its presence and nature.

The range of punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count IV. Possession of Controlled Substance Except 35 Grams or Less of Marijuana/synthetic Cannabinoid (579.015-001Y20173572.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 579.015, RSMo, committed the **Class D Felony of Possession of a Controlled Substance**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed cocaine, a controlled substance, knowing of its presence and nature.

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The range of punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count V. Unlawful Possession of a Firearm (571.070-001Y20175299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the **Class D Felony of Unlawful Possession of a Firearm**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed a firearm, to wit a Sig Sauer, .45 caliber semiautomatic handgun, and June 17, 2009 the defendant was convicted of the felony of Possession of Opiates, Opium or Narcotic Drugs, in the District Court of Wyandotte County, Kansas, in case number 07CR1820.

The range of punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count VI. Resisting/Interfering with Arrest for a Felony (575.150-001Y20174899.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo, committed the **Class E Felony of Resisting Arrest**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, officers Sandifer and Enderlin, law enforcement officers, were making an arrest of defendant for Delivery of a Controlled Substance, and the defendant knew or reasonably should have known that the officers were making an arrest, and, for the purpose of preventing the officers from effecting the arrest, resisted the arrest of defendant by using or threatening the use of violence or physical force.

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The range of punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed four (4) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count VII. Unlawful Use of Weapon - Subsection 4 - Exhibiting (571.030-010Y20175299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **Class E Felony of Unlawful Use of a Weapon**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, the defendant knowingly exhibited, in the presence of one or more persons a firearm, to wit a Sig Sauer .45 caliber handgun, a weapon readily capable of lethal use, in an angry or threatening manner.

Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of Section 571.030.1, RSMo, shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms or weapons-related felony offense.

The range of punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed four (4) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count VIII. Unlawful Use of Weapon - Subsection 11 - Possess Weapon and a Felony Controlled Substance (571.030-019Y20175299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **Class E Felony of Unlawful Use of a Weapon**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about July 22, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed a firearm, to wit a Sig Sauer, .45 caliber semiautomatic handgun, while also possessing a substance containing cocaine and heroin, controlled substances, knowing of its presence and nature.

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Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of Section 571.030.1, RSMo, shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms or weapons-related felony offense.

The range of punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed four (4) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, made a part hereof and submitted as a basis upon which this court may find the existence of probable cause.

Wherefore, the Prosecuting Attorney prays that an arrest warrant be issued as provided by law.

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Sarah A. Castle

Sarah A. Castle (#64770)
Assistant Prosecuting Attorney
415 East 12th Street, 11th Floor
Kansas City, MO 64106
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WITNESSES:

1. SGT Timothy S. Davis, 1125 Locust, Kansas City, MO 64106
2. DET Scott M. Emery, 1125 Locust, Kansas City, MO 64106
3. PO Erik B. Enderlin, 1125 Locust, Kansas City, MO 64106
4. DET Thomas M. Hammond, 1125 Locust, Kansas City, MO 64106
5. PO Jason M. Hennigh, 1125 Locust, Kansas City, MO 64106
6. SGT Anthony R Hernandez, 1125 Locust, Kansas City, MO 64106
7. DET Mary J Kincheloe, 1125 Locust, Kansas City, MO 64106
8. DET Scott P. Mullen, 1125 Locust, Kansas City, MO 64106
9. DET Hobart D. Price, 1125 Locust, Kansas City, MO 64106
10. PO Joshua M. Sandifer, 1125 Locust, Kansas City, MO 64106
11. DET Daniel G. Thomas, 1125 Locust, Kansas City, MO 64106
12. PO Alexander E. Wasser, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 07-23-2019

CRN: 19-051650

I, Det. Scott Mullen #5431

(Name and identify law enforcement officer, or person having information as probable cause.)

knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

I have probable cause to believe that on 07-22-2019, at 631 Grand Ave in
(Date) (Address)

Kansas City, Jackson Missouri Kenyon A. Harrington B/M 03-05-1989
(County) (Name of Offender(s))

[REDACTED] committed one or more criminal offense(s).
(Description of Identity)

Distribution of Controlled Substance
Possession of Controlled Substance
Assault
ACA

The facts supporting this belief are as follows:

On 07-10-2019 at 1555 hours, an undercover narcotics detective from the Kansas City Missouri Police Department using pre-recorded "buy money" purchased 1.0 grams of cocaine for \$40 from an unknown B/M who identified himself with the moniker "Keyys" near 4815 Independence Ave, Kansas City, Jackson County, Missouri. "Keyys" who was occupying a Black Nissan bearing MO license plates JC1F4S, provided the detective his contact number as 816-714-4[REDACTED].

On 07-15-2019 at 1230 hours, after communicating with "Keyys" using the phone number he previously provided, the same undercover narcotics detective responded to 5445 Lydia Ave, Kansas City, Jackson County, Missouri at the direction of "Keyys". Upon arrival there, the detective using \$40 of pre-recorded "buy money" purchased .7 grams of cocaine from "Keyys". "Keyys" also provided the detective a "sample" of .7 grams of marijuana.

On 07-22-2019 at 1238 hours, the same undercover narcotics detective communicated with "Keyys" via cell phone to set up a narcotics transaction. The transaction was set up to take place at Grand Slam Liquor (631 Grand Ave, Kansas City, Jackson County, Missouri) and was for \$40 worth of cocaine. On 07-22-2019 at 1348 hours, "Keyys" sent a text message to the undercover narcotics detective stating, "I'm here".

Through the previous mentioned narcotics transactions with "Keyys", he was known to drive a Black Nissan Maxima bearing MO license plates JC1F4S. After the transaction was set up to take place at Grand Slam Liquor, other undercover detectives conducted surveillance of the area located at 631 Grand. The surveillance team observed the Black Nissan Maxima bearing the same license plate pull into the lot just east of store. The vehicle was observed backing into a parking space on the south side of the lot putting the vehicle facing north, thus able to see any approaching vehicles or people on foot.

After the vehicle was confirmed as "Keyys" vehicle, members of the SNU Tactical Unit entered the parking lot and attempted to take "Keyys" into custody. "Keyys" attempted to flee by ramming through the police vehicles which was unsuccessful. "Keyys" exited the vehicle with a firearm while attempting to flee. The firearm in

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"Keyys" possession was pointed in the direction of the officers, and one of the officers discharged their firearm striking "Keyys". "Keyys" was transported to an area hospital for treatment of his injuries.

When the crime scene was processed, the firearm "Keyys" dropped after he was shot was identified as a black Sig Sauer .45 semi-auto handgun bearing serial #58B040892. The gun was loaded with 1 round in the chamber and 7 rounds in the magazine thus making the weapon readily capable of lethal force. Two cell phones were recovered on the ground near where "Keyys" was taken into custody.

A Detective responded to the area hospital to check on "Keyys'" condition. Hospital personnel had removed property from "Keyys" to include \$541 and a BHG identification card with the name **Kenyon Harrington B/M 03-05-1989**. **Harrington** confirmed his identity to the detective and asked the detective if he could just give his money to someone rather than have it seized. **Harrington** also asked the detective if his car was being seized. Located within the \$541 was pre-recorded "buy money" from a previous narcotics transaction between **Harrington** and the undercover narcotics detective.

A photo line-up containing **Harrington** and 5 unrelated fillers was presented to the undercover narcotics detective who did not identify Harrington or any of the fillers in the line-up.

The Black Nissan Maxima was towed to the City Tow Lot and placed in the Vehicle Processing Facility. A search warrant was obtained for the Nissan. During the search of the vehicle 4 plastic bags containing a white powder substance were located inside the vehicle. A Missouri ID belonging to **Harrington** was also located inside the vehicle.

The purported cocaine from the two transactions the undercover narcotics detective made with **Harrington** were field tested using the TRUNARC system and both reacted positive for Cocaine HCL. The white substance in the four plastic bags recovered from **Harrington's** vehicle were tested at the KCPD Crime Lab. One bag weighed 17.9309 grams and the substance tested positive for Cocaine HCL. One bag weighed 4.7283 grams and tested positive for Cocaine & Heroin. One bag weighed .4021 grams and tested positive for methamphetamine. One bag weighed .1700 grams of Cocaine HCL.

Printed Name Det. Scott Mullen #5431 Signature /s/Det. Scott Mullen #5431

The Court finds probable cause and directs the issuance of a warrant this _____ day of _____.

Judge

Circuit Court of _____ County, State of Missouri.