## IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI <u>AT INDEPENDENCE</u>

10.074671

E NO.:	19-0/40	0/1
R NO.:	095455	181
OCN:	QO0009	923
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<b>PLAIN</b>	NTIFF,	)
		)
		)
		) CASE NO. 1916-CR
		) DIVISION 28
		)
		)
		)
DEFENI	DANT.	)
	R NO.: OCN: PLAIN	<b>R NO.:</b> 095455

DOLLOE NO

# COMPLAINT WARRANT REQUESTED

Count I. Dwi - Physical Injury To Law Enforcement Or Emergency Personnel (577.010-026Y20175499.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 577.010, committed the **class D felony of driving while intoxicated**, punishable upon conviction under Sections 558.002, 558.011 and 577.010, RSMo, in that on or about September 26, 2019, at or near Truman Road and Swope Road, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol, and acted with criminal negligence by failing to yield the right of way to eastbound traffic on Truman Road and as a result caused physical injury to Jason Meadors, a law enforcement officer.

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.

### State vs. Devan C. Hindt

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/ Traci A. Stansell
Traci A. Stansell (#41903)
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#### **WITNESSES:**

- 1. PO Ron Baltzer, 223 N. Memorial Drive, Independence, MO 64050
- 2. PO Jeffrey Buck, 223 N. Memorial Drive, Independence, MO 64050
- 3. PO Todd Hargis, 223 N. Memorial Drive, Independence, MO 64050
- 4. PO Jason Harris, 223 N. Memorial Drive, Independence, MO 64050
- 5. ting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
- 6. PO Michael Pyle, 223 N. Memorial Drive, Independence, MO 64050

#### PROBABLE CAUSE STATEMENT

Date: 09-26-2019 Report: 19-74671

I, <u>Detective Todd Hargis</u>, 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 09-26-2019, Truman RD / Swope Drive, Devan C. Hindt, W/M, 06-19-1992, 11551 E. Felton, Sugar Creek, MO, 64054, committed one or more criminal offenses in Jackson County, Missouri.
- 2. The facts supporting this belief are as follows:

OCN: QO000923

On 09-26-2019 at approximately 0748 hours Independence Police Traffic Officer Jason Harris investigated an injury traffic collision which occurred at 0747 hours at Truman Rd and Swope Drive. Officer Harris's investigation showed the suspect vehicle (black, 2015 GMC, Sierra with MO 2021 license 0FB-Y60) was stopped north bound Swope Drive at Truman Rd at a posted stop sign. The Sierra pick-up failed to yield the right of way to east bound Truman RD traffic when he failed to make sure both lanes of Truman RD were clear before attempting a left turn onto west bound Truman RD.

The Sierra was making its left turn when it was struck by an Independence Police Motorcycle 415. Officer Jason Meadors was east bound in the left lane of Truman RD with a school bus in the right lane slowing to make a right turn onto Swope Drive. Officer Meadors had to lay his motorcycle on the ground before colliding into the Sierra which caused him to be ejected off the motorcycle. Officer Meadors sustained injury to his hip and had several areas of road rash.

Officer Harris met with Officer Michael Pyle who was riding to the left of Officer Meadors in the left lane. Officer Pyle stated both officers were starting to pass the turning school bus when Officer Pyle saw the Sierra starting to make a left turn from Swope Drive. Officer Pyle stated he started braking hard to avoid the Sierra and shouting to warn Officer Meadors.

Independence Police Officer Jeff Buck responded to the collision scene and met with the driver of the Sierra. Officer Buck identified the driver by his Missouri driver's license as Devan C. Hindt. Officer Buck smelled a strong odor of an intoxicating beverage on Mr. Hindt's breath. Officer Buck stated Mr. Hindt's had bloodshot eyes. Officer Buck administered the standard field sobriety tests to Mr. Hindt's who showed clues of impairment on all three tests. Officer Buck administered a preliminary breath test to Mr. Hindt's which showed a BAC level of 0.108.

In detention Officer Buck read to Mr. Hindt the Missouri Implied consent and requested a chemical sample of his breath. Mr. Hindt consented to the breath test. Mr. Hindt breath sample produced a BAC of 0.104.

Officer Buck read to Mr. Hindt his Miranda warning of rights. Mr. Hindt stated he understood his rights. In the interview Mr. Hindt stated he was involved in a traffic collision and he was the driver. He said he was not injured. He said he had not consumed any intoxicating beverages after the traffic collision. Mr. Hindt stated he had not been drinking. He said he was not under the influence of an intoxicating beverage.

Mr. Hindt had a valid driver's license at the time of the reported traffic collision. Mr. Hindt had no prior alcohol contacts.

Todd W. Hargis

Print Name Detective Todd W. Hargis

Independence MO Police

/s/ Todd W. Hargis

Signature