

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

POLICE NO. :	KC20005688
PROSECUTOR NO. :	095457234
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
DARCELL J. CLARK)	
5600 Wabash Ave)	CASE NO. 2016-CR
Kansas City, MO 64130)	DIVISION
DOB: 08/13/1991)	
Race/Sex: B/M)	
████████████████████)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Assault 1st Degree Or Attempt (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **class B felony of assault in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about January 23, 2020, in the County of Jackson, State of Missouri, the defendant shot at ██████████, and such conduct was a substantial step toward the commission of the offense of assault in the first degree of ██████████, and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

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Count II. Armed Criminal Action (571.015-001Y19755213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about January 23, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of assault in the first degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of assault in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) calendar years. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition to any punishment provided by law for the crime committed by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon.

Count III. Assault 1st Degree Or Attempt (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **class B felony of assault in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about January 23, 2020, in the County of Jackson, State of Missouri, the defendant shot at [REDACTED], and such conduct was a substantial step toward the commission of the offense of assault in the first degree of [REDACTED], and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

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Count IV. Armed Criminal Action (571.015-001Y19755213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about January 23, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of assault in the first degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of assault in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) calendar years. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition to any punishment provided by law for the crime committed by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon.

Count V. Unlawful Use Of Weapon - Subsection 9 - Shoot At/from Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20145213.0)

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 B Felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about January 23, 2020, at 5600 Wabash, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm at another person or persons, namely [REDACTED] and [REDACTED].

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years. Pursuant to Section 571.030.9, RSMo, for the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony; for any violation by a prior offender as defined in Section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony

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without the possibility of parole, probation, or conditional release for a term of ten (10) years; and for any violation by a persistent offender as defined in Section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release.

Count VI. Armed Criminal Action (571.015-001Y19755213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about January 23, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of assault in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) calendar years. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition to any punishment provided by law for the crime committed by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon.

Count VII. Unlawful Possession Of A Firearm (571.070-001Y20175212.0)

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 January 23, 2020, in the County of Jackson, State of Missouri, the defendant knowingly possessed a an AR-15 rifle, a firearm, and on December 8, 2010, the defendant was convicted of the felony of robbery in the second degree in the Circuit Court of Jackson County, Missouri.

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

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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 VIII. Unlawful Possession Of A Firearm (571.070-001Y20175212.0)

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 January 23, 2020, in the County of Jackson, State of Missouri, the defendant knowingly possessed a revolver, a firearm, and on December 8, 2010, the defendant was convicted of the felony of robbery in the second degree in the Circuit Court of Jackson County, Missouri.

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.

The facts that form the basis for this information and belief are contained in the statement(s) of facts filed contemporaneously herewith, 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/ Jamie K. Hunt
Jamie K. Hunt (#50401)
Assistant Prosecuting Attorney
415 E. 12th Street
Kansas City, MO 64106
(816) 881-4622
jhunt@jacksongov.org

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WITNESSES:

1. DET Nicole M. Anderson, 1125 Locust, Kansas City, MO 64106
2. PO Sarah Bedel, 1125 Locust, Kansas City, MO 64106
3. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO
64106
4. [REDACTED]
[REDACTED]
[REDACTED], Kansas City, MO 64106
7. PO D. Haskell, 1125 Locust, Kansas City, MO 64106
8. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO
64106
9. DET Daniel A. Porter, 1125 Locust, Kansas City, MO 64106
10. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO
64106
11. PO Kelsey S. Wingate, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 01/24/2020

CRN: KC20005688

I, Detective Daniel Porter #5382, of the Kansas City, Missouri Police Department
(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 01/23/2020, at 5600 Wabash Ave in
(Date) (Address)

Kansas City, Jackson Missouri Darcell J. Clark
(County) (Name of Offender(s))

R:B S:M DOB:08/13/1991 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 01/23/2020, at 1706 hours, officers of the Kansas City Missouri Police Department were dispatched to the area of **56th Street/Bellefontaine Avenue Kansas City, Jackson County Missouri**, regarding the sound of shots in the area. While en route, officers were flagged down a short distance away from the scene. There they located a vehicle with two victims suffering from gunshot wounds. A short time later, officers were notified a third victim had been driven to the hospital by private conveyance.

Victim # 1 () was contacted at the hospital and stated that he was in the area of 56th and Bellefontaine when an unknown suspect (later determined to be **Darcell Clark**) walked up and shot him. Victim #1 admitted he shot back at **Clark**.

Victim #2 () was contacted and stated he was standing by victim #1's car when **Clark** walked up and started yelling and began firing at him and victim #1. Victim #2 stated after **Clark** ran out of ammunition, he began walking back to his residence, and as he did so, someone began shooting at **Clark**. **Clark** went inside his residence briefly and then returned with a rifle and began firing at victim #1 and #2 again.

Victim #3 (DOB 5/28/67) did not provide a statement given her age. She suffered from a gunshot wound to her shoulder.

Witness #1 () stated victim #1 and #2 were coming over to his residence to visit. The witness observed **Clark** exit his residence, walk up to victim #1's vehicle, and begin shooting a gun. **Clark** then went back to his residence, open his door, and then begin firing again from his front porch.

Witness #2 () stated she, victim #3, and **Clark** were inside the residence when their house was shot into. Witness #2 stated victim #3 was in the living room, which is at the front of the residence, during the shooting.

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Clark was taken into custody and read his Miranda and agreed to speak with detectives. **Clark** stated he and victim #3 and witness #2 were inside his residence when someone began firing into the residence. **Clark** stated victim #3 was struck, and they drove her to the hospital.

A search warrant was executed on **Clarks**'s residence. Two firearms were located inside the residence — one, an AR-15 rifle that was loaded with a single round of ammunition. The round of ammunition matched the spent shell casings located outside at the crime scene. A second firearm, a revolver, was located with five spent rounds inside the cylinder. The revolver was located on the living room floor, where victim #3 was reported to be at the time of the shooting.

A records check of **Clark** showed him to have the following felony convictions:

Jackson County Circuit Court case 1016CR0196601 Robbery Second Degree

Due to the above-mentioned facts documented during the course of the investigation, we believe that the suspect represents a clear danger to the community.

Printed Name Detective Daniel Porter #5382 Signature /S/ Detective Porter #5382

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

Judge

Circuit Court of _____ County, State of Missouri.