

State vs. Derek C Jones

Count II. Armed Criminal Action (571.015-001Y20205213.0)

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 on or about March 12, 2023, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the second degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The punishment imposed pursuant to Section 571.015, RSMo shall be in addition to and consecutive 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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.1, RSMo. is imprisonment by the department of corrections for a term of not less than three years and not to exceed fifteen years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not less than five years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.2, RSMo. as a second offense is imprisonment by the department of corrections for a term of not less than five years and not to exceed thirty years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less than fifteen years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.3, 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.

Count III. Violation Of Order Of Protection For Adult - 1st Offense (455.085-002Y20205016.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Sections 455.010 and 455.085, RSMo, committed the class A misdemeanor of violation of order of protection, punishable upon conviction under Sections 455.085, 558.002 and 558.011 in that on or about March 12, 2023, the defendant, having knowledge of an order of the Circuit Court of Jackson County that prohibited the defendant from being within 1000 feet of [REDACTED], knowingly violated the terms and conditions of the order by being within 1000 feet of [REDACTED].

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The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed two thousand dollars (\$2,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

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/ Daniel Portnoy

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WITNESSES:

1. PO De'Andre L. Allen, 1125 Locust, Kansas City, MO 64106
2. [REDACTED] Office, Kansas City, MO 64106
3. PO Michele R. Cassidy, 1125 Locust, Kansas City, MO 64106
4. DET Brian C. Cowan, 1125 Locust, Kansas City, MO 64106
5. PO Frank DeMarco, 1125 Locust, Kansas City, MO 64106
6. CST Marena C Draskovich, 2645 Brooklyn, Kansas City, MO 64127
7. PO Demetric A. McDowell, 1125 Locust, Kansas City, MO 64106
8. CST Pamela Owens, 1125 Locust, Kansas City, MO 64106
9. SGT Mathew R Stillman, 1125 Locust, Kansas City, MO 64106
10. PO Dakota A. Welch, 1125 Locust, Kansas City, MO 64106
11. [REDACTED]

PROBABLE CAUSE STATEMENT FORM

Date: 03-13-2023

CRN: KC23015470

I, Detective Brian Cowan #5114 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 03-12-2023, at 8316 Highland Avenue in
(Date) (Address)

Kansas City, Jackson Missouri DEREK C. JONES
(County) (Name of Offender(s))

B/M DOB: 10-22-1998 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 03-12-2023 at 2015 hours, Officers of the Kansas City, Missouri Police Department were dispatched to 8312 Highland Avenue Kansas City, Jackson County, Missouri in regard to a sound of shots call. While enroute to the call, Officers were updated that there was a reported shooting. Upon arrival, Officers were directed to 8316 Highland Avenue Kansas City, Jackson County, Missouri where they encountered the male victim on the floor just inside the front door of the residence. The victim was unresponsive and suffering from apparent trauma. KCFD Medic #30 responded to the scene and pronounced the victim deceased at 2026 hours. A homicide investigation was initiated and members of the 1020 Homicide Squad responded to the scene.

While at the scene, Officers obtained information that the listed Offender (**Derek C. JONES B/M 10-22-1998**) was the shooting suspect and that he had fled the scene in a dark blue or black GMC Terrain. Officers conducted a computer check of **JONES** which resulted in him being listed in nine (9) prior reports in Niche at 8316 Highland Avenue Kansas City, Jackson County, Missouri. **JONES** showed an address of 6344 South Benton Avenue Kansas City, Jackson County, Missouri and Officers responded to the area to conduct surveillance. While positioned in the area, Officers observed a black GMC Terrain approaching the location and park in the street outside the South Benton address. Officers activated their emergency equipment and conducted a car check on the GMC Terrain in regard. **JONES** exited the driver’s side of the vehicle and was taken into custody at 2046 hours without incident. The black 2019 GMC Terrain (VIN: 3GKALPEV2KL308919, CU5W1R/MO) was towed from the scene to the secured tow lot located at 7750 Front Street Kansas City, Jackson County, Missouri with an investigative hold placed on the vehicle.

A search warrant for the crime scene located at 8316 Highland Avenue Kansas City, Jackson County, Missouri was obtained through the 16th Judicial Circuit Court, Jackson County, Missouri. During the execution of the search warrant, Investigators located eleven (11) shell casings, two (2) firearms and four (4) bullet fragments. The shell casings were located in the following locations: Seven (7) shell casings (6-Blazer .40 S&W, 1-Federal .40 S&W) on the front porch, one (1) shell casing (Federal .40 S&W) in the front yard (north side of porch), one (1) shell casing (Federal .40 S&W) inside the front door in apparent blood, one (1) shell casing (Blazer .40

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S&W) under the couch just inside the front door and one (1) shell casing (Federal .40 S&W) on the floor by the television in the living room. The bullet fragments were located in the following locations: two (2) bullet fragments were collected from inside the couch in the living room, one (1) bullet fragment was under the couch near the victim and one (1) fragment near the right side of the victim's head. The firearms were located and recovered from the following locations: The red Glock 43 (9x19 S/N-BYPG795) was inside of a gray diaper bag and was loaded with 9mm Luger ammunition (10-Ammo INC) in the magazine and chamber. The black Taurus G2C (9mm S/N-ACB535118) was found under the cushion of the couch in the living room and was loaded with 9mm Luger ammunition (4-FC, 3-GFL, 3-Tulammo) in the magazine with an empty chamber.

One of the female witnesses (█████) was located at the scene and transported to Police Headquarters where a formal statement was taken. During the interview, █████ stated the following: █████ heard a knock at the door and the victim and █████ went to the door. They asked who was at the door and there was no answer. █████ looked out the window and the victim got a gun which █████ described as an "AR Pistol" from the laundry room. The victim and █████ both opened the door, part of the way. █████ stated the way the door was opened the gun was in the victim's right hand, but it was behind the door. █████ stated JONES was forcing open the door by pushing through it. █████ and the victim were trying to push the door closed. JONES got his hand inside and started firing. █████ let go of the door and they got to cover. █████ stated █████ attempted to give the victim CPR. █████ believed that the victim shot his weapon one or two times and advised JONES shot first. She also described the victim as having a smaller 9mm that he kept somewhere in the house, but she did not know where. █████ stated she had a custom Chiefs Glock in her gray diaper bag that at the scene. █████ denied anyone else firing a weapon at the scene other than the victim or JONES. During the interview, █████ was shown two (2) photographs. █████ identified the first photograph as the victim. █████ was shown the second photograph and she identified him as "the killer" and "fuckin Derek". █████ did not wish to sign the photographs.

The other female witness (█████) located at the scene was also transported to Police Headquarters where a formal statement was taken. During the interview, █████ stated the following: █████ stated she was at her residence with her friend █████, her boyfriend (victim), and her six children. █████ was in the living room with █████, the victim and two of the children. The two children were in the dining room, right next to the living room, and the rest of the children were in the bedrooms. █████ stated there was a knock at the door and they yelled "who's there" as they weren't expecting anyone. █████ looked out the window and observed someone wearing a white and lime green windbreaker standing at the door but could not see who it was as they were standing very close to the door. Also while looking out the window, █████ observed JONES' grandmother's GMC Terrain sitting across the street from her house. █████ and the victim, who had a firearm, went to the door and █████ unlocked the door. As soon as she unlocked the door, it was pushed open and she observed the father of two of her children, Derek JONES, standing there. JONES stepped one foot inside the residence and discharged a firearm several times at the victim, who was standing right next to her. JONES backed up and re-approached the door, discharging several more rounds at the victim. JONES backed up a third time and re-approached the door again, discharging several more rounds at the victim. JONES then ran to his vehicle and fled northbound. █████ stated JONES has assaulted her several times in the past and shot up her residence in August 2022. She stated she has an Order of Protection against JONES but they still had contact with each other.

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On 03-12-2023 at 2046 hours, **Derek C. JONES, B/M, 10-22-1998** was arrested at 6344 South Benton Avenue Kansas City, Jackson County, Missouri in regard to this offense and he was transported to Police Headquarters. **JONES** provided a formal statement to Detectives after being advised of his Miranda Rights. **JONES** initially denied any knowledge of the offense but ultimately stated he had driven to 8316 Highland Avenue Kansas City, Jackson County, Missouri, the address of his ex-girlfriend [REDACTED], with whom he has two children. **JONES** admitted he was aware [REDACTED] had an Order of Protection against him and he was not supposed to be at the location. Upon arrival, **JONES** stated he stood on the front porch and looked through one of the front windows and observed the victim yelling at his (**JONES'**) son. **JONES** advised he had walked up to the front porch with his handgun which he described as a .40 caliber XD tucked under his left armpit. **JONES** advised he knocked softly on the front door and [REDACTED] opened it. When she did so, **JONES** observed the victim to be holding an AR pistol which he had pointed at his (**JONES'**) face. **JONES** stated he produced his gun and fired several shots at the victim. **JONES** believed the victim fired two rounds at him. **JONES** advised after he fired his shots, he retrieved the victim's AR pistol and took it to his vehicle. He then drove from the location, picked up a friend at an apartment complex near 63rd Street and Blue Ridge Boulevard. They stopped at a nearby QuikTrip to get gas and then drove to his grandmother's house (6344 South Benton Avenue) where he was arrested. **JONES** told detectives his handgun and the victim's AR pistol were still in his vehicle in a backpack.

An arrest warrant is being sought for **JONES** based on the nature of the offense, the danger he poses to the community and his documented contact with involved parties.

Missouri Casenet reveals that **JONES** is the subject of two full orders of protection,

1. Under case number 2216-FC02255 , Respondent: Jones, Derek C. B/M 10-22-1998, is prohibited from contact with Petitioner: [REDACTED], 8316 Highland Avenue Kansas City, Jackson County, Missouri 64131, he is further prohibited from coming within 1000 ft of petitioner [REDACTED]
2. Under case number 2216-FC05626 Respondent: Jones, Derek C. B/M 10-22-1998, is prohibited from contact with 4 minor children, 2 of whom are [REDACTED] children, from coming within 1000 ft of those minor children and from entering any residence where those children may be.

Printed Name Detective Brian Cowan #5114 Signature /s/Detective Brian Cowan #5114

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

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Judge

Circuit Court of _____ County, State of Missouri.