

PROBABLE CAUSE STATEMENT FORM

Date: 10-14-22

CRN: KC22069237

I, Det. Lauren Montgomery Gist #5654, Kansas City Missouri Police Department, Assault Squad
(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 10-12-22, at E. Truman Rd/Manchester Ave in
(Date) (Address)

Kansas City, Jackson Missouri [REDACTED], James L. GANT
(County) (Name of Offender(s))

B/M 05-12-95, W/M 01-27-99, B/M 10-07-97 committed one or more criminal offense(s).
(Description of Identity)

- Felony Eluding***
- Aggravated Assault on LEO***
- UUW***
- ACA***
- FIP***

The facts supporting this belief are as follows:

On 10-12-22 at approximately 1037 hours, officers of the Kansas City Missouri Police Department were dispatched to the area of I-70 and I-435, in Kansas City, Jackson County, Missouri, to assist Independence PD in the pursuit of a vehicle which had fired shots at them. Upon arrival, KCPD officers assisted Independence officers in the capture of 3 suspects which fled from the scene on foot, leaving their vehicle (a 2007 black Lincoln Continental MKX bearing Missouri license XG0W3Y, VIN: 2LMDU88C87BJ08944) at the on ramp to I-435 NB from 40 Hwy. The driver of the vehicle, [REDACTED], was taken into custody by Independence officers at the vehicle and did not flee. A party subsequently identified as [REDACTED] was taken into custody by KCPD officers directly in front of 2906 Wallace Ave. At that time he was sweaty and had several minor abrasions to his elbows. He had a cellphone in his hands displaying a Google map navigation for 1621 Belmont Ave. [REDACTED] spontaneously told officers he had been in a fight earlier in the morning and broke his hand, and "they say I shot at him." [REDACTED] complained of a possibly broken hand and vomited, and was transported to a local hospital. A juvenile suspect [REDACTED] was also taken into custody with a Smith and Wesson M&P .380 handgun in his pocket, which was reported stolen out of KCMO. A fourth suspect (RAC) was taken into custody, but it was later discovered he was not an occupant of the suspect vehicle and had run from police due to existing warrants.

Detectives responded to the scene, and obtained surveillance video from 7014 E. Truman Rd, which depicts a portion of the car chase including a view of the right rear passenger, a black male wearing a dark colored hoodie and a gold watch, leaning out of the window firing a black handgun. Independence PD dashcam video was also obtained, which depicted the entire vehicular pursuit beginning with the attempted car stop and including multiple incidents of gunfire from the suspect vehicle towards officers. A silver 9mm Taurus handgun was recovered with the slide locked back on the ground just outside the suspect vehicle. An extensive area canvass

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with a K-9 revealed 3 spent 9mm shell casings and a live round along the pursuit path, and also revealed an additional black 9mm handgun which was thrown after the suspect vehicle stopped. Six 9mm shell casings and one live round were located within the suspect vehicle after service of a search warrant. An additional firearm was thrown from the vehicle during the pursuit when the vehicle was driving on I-435 Highway. That firearm has not yet been located.

Both Independence police officers who were shot at during the pursuit responded to KCPD headquarters to provide statements. No officers were injured and their vehicle was not struck by gunfire. In total, the course of the chase was approximately 3.4 miles (GPS approximation using a route from the start and end point). The pursuit began at speeds of 78 mph on city streets, reaching speeds of 86 mph at approximately Truman Rd/Oakland Ave and of 100 mph on E. 23rd St from Topping Ave. The suspect vehicle struck a curb while entering 435 SB from 23rd St, flattening the front passenger tire. Speeds on the highway reached 70 mph due to the vehicle being partially disabled, and it finally came to a stop on the on-ramp to 435 NB from US 40 Hwy.

Independence PO Gena stated the following: Today, he and his partner PO Stewart (driving) were dispatched to 1234 S. Franklin Ave in Independence for a reported aggravated assault. They contacted a female victim who stated she saw a black male in his 20s or 30s with a white hoodie and a white male with long blond curly hair inside her brother's truck, and yelled at them. The black male pulled a gun and pointed it at her, and both suspects ran from the scene, dropping 9mm and 22 caliber ammunition boxes. The officers also contacted the owner of the truck who stated he believed his Sig Sauer 9mm pistol was missing, but he was not certain if he had left it in his vehicle or not. Later, PO Stewart received information from an informant that the two suspects from the assault were back on Franklin Ave. They returned to the area and conducted surveillance before receiving further information that the suspects had just been picked up by a black SUV. They immediately saw a black SUV which passed them, and a black male with dreads in the front passenger seat saw them and turned his head away to avoid eye contact. In the back middle seat, they saw a white male with long blond hair. There appeared to be 4-5 occupants total. PO Gena and PO Stewart decided to stop the vehicle due to two occupants matching the description of the suspects, and the fact that the driver was not wearing a seatbelt. They activated emergency lights and initiated a vehicle stop on Truman Rd and Menown Ave (Independence, Jackson County, Missouri). The vehicle began to pull over, then took off, and they initiated a pursuit with lights and sirens activated. At approximately the same time, a black male occupant in the right rear passenger seat stuck a black handgun out the window and fired a single shot in the air. As they pursued the vehicle westbound on Truman Rd, the same party shot in the air approximately 3 more times. The initial shots seemed directed straight up and not at them. However, on the Truman bridge (approximately Truman Rd/Manchester Ave in Kansas City, Jackson County, Missouri), the same suspect shot directly at them a couple of times, leaning out of the window. They fell behind to create more distance, and continued to pursue the suspect vehicle over the bridge. It then turned southbound into the neighborhood, and there were no more shots fired for some time. The vehicle turned southbound onto Topping Ave, and turned eastbound onto 23rd St. At this point the same suspect began shooting at them again, an unknown number of times. The suspect vehicle then attempted to turn onto 435 Hwy southbound, but popped the right rear tire on a curb. They continued southbound on 435, with the suspect firing at them repeatedly, with bullets audibly passing them. PO Gena had his gun drawn but decided against firing due to the potential danger to oncoming traffic and any other vehicles in the area. Just north of the 40 Highway exit, the suspect threw an object which appeared to be a black handgun out of the window. They continued to pursue the vehicle as it continued on 40 Hwy. The suspect vehicle then got on the on-ramp to 435 (northbound), and all passengers

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bailed out of the vehicle and fled. The driver remained in the vehicle and was taken into custody by other Independence officers. They did not return fire at any point. PO Gena wished to press charges and felt his life was in danger during the pursuit. He described the suspect firing shots as a black male in his 20s to 30s, wearing all dark clothing including a blue or black sweater (possibly a hoodie), with dreads and a dark complexion. He was unsure if he would recognize him. PO Gena was in full uniform with his Independence Police Department badge displayed. His vehicle was a fully marked Independence police vehicle and their lights and sirens were activated throughout the chase, from the time the suspect vehicle fled from them.

Independence PO Stewart stated the following: He and PO Gena were riding as a two person crew in a marked patrol vehicle. He stated an aggravated assault had occurred earlier in the day at 1234 S Franklin St, Independence, Mo. He was advised by a source that the suspects of the aggravated assault were driving a black SUV and were back at 1234 S Franklin Dr, and while conducting surveillance at the residence, he observed a black Lincoln MKX SUV leave. PO Stewart began following the suspect vehicle in his marked patrol vehicle, and turned on his overhead lights to conduct an investigative stop. The vehicle initially pulled over as if it was going to stop but then fled. He turned on his sirens and initiated a vehicle pursuit. Near the intersection of Truman Rd/Stark Ave. He observed the suspect on the rear passenger side of the vehicle point a black handgun out of the window and fire the gun to the north, not at him. PO Stewart continued to pursue the vehicle when he observed the rear passenger, a black male, lean out of the vehicle and point a black handgun at them and began shooting in his direction. He continued to pursue the vehicle at SB I-435 Hwy/23rd St when he observed the rear passenger lean out of the vehicle and began shooting at them, firing 10 to 12 shots. The pursuit ended at EB 40 Hwy/Donnelly Ave, and he observed several people flee from the vehicle and run into a tree line. PO Stewart stated he was in fear of his life when the suspect was shooting at him, and would like to prosecute.

█'s clothing was recovered for evidence, and a ferrotrace test was conducted on his hands, which was positive. This test is for any iron particles on the hands consistent with firing a metal gun but is a preliminary test and cannot be considered conclusive. Gunshot residue tests were not conducted due to all parties within the vehicle being close in proximity to repeated gunfire.

█ was transported to Headquarters after being released from the hospital, and detectives contacted him there and read him his Miranda rights. █ stated he understood his rights and immediately requested an attorney.

█, the driver, was interviewed, and stated the following: He was contacted by his friend, █, " who asked him to come pick him up and drive him home. When he arrived █ two other black males, and a white male entered his vehicle. █ was sitting in the front passenger seat. The white male was sitting in the rear seat in the middle with the other black males on either side of him. He has known █ for approximately a year and is friends with him. He does not know who the other three males are but knows the back passenger on the right side was either named "JP" or "JB". When they left the residence he noticed police were in the area already and started following him. The police tried to pull them over and he wanted to stop. All of the passengers told him to run because they were armed with guns, so he decided to flee. While he was driving he heard shots coming from behind him. He believed both passengers near the windows in the rear were shooting at the police, but does not know if the white male in the rear shot. The two black males in the rear of the vehicle shot at the police multiple times during the pursuit. Once they reached the area of 23rd

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and Manchester Avenue he hit a curb and punctured a tire. He wanted to stop but the passengers told him to keep going. Once they got onto 435 south from 23rd Street he observed [REDACTED] lean out of the front passenger window and fire 5 to 10 shots at the police. [REDACTED] was leaning out of the window and turned back towards the police while he was firing his handgun, a silver or grey handgun of unknown caliber. Once the vehicle stopped at the end of the pursuit all of the passengers left the vehicle and ran. He observed police approaching and he knew he had a 9mm black handgun in his middle console, and threw it from the vehicle before the police arrived. [REDACTED] was shown a photographic lineup containing a photo of [REDACTED], and immediately made a positive identification of [REDACTED]. [REDACTED] statement is consistent with the black unknown make 9mm handgun found in the grass by the K-9 unit near the end point of the pursuit.

The juvenile suspect, [REDACTED] was interviewed with his mother and a [REDACTED] present, and stated the following: Yesterday, he was hanging out at a duplex on Franklin St in Independence, Missouri where he was staying for a few days. He denied any involvement with breaking into a truck. He got picked up along with several other males (his friend [REDACTED], a shorter black male with dreads, and a taller black male with face tattoos known as [REDACTED]), by a "Mexican" male with a beanie in a black SUV. The black male with dreads was in the front passenger seat, [REDACTED] was in the right rear seat, [REDACTED] was in the middle rear seat, and Austin [REDACTED] was in the left rear seat. They were going to the area of "16th and Truman," which [REDACTED] clarified was near the Quiktrip. Shortly after getting on Truman, they saw the police behind them and the driver started to pull over. J-Dot told the driver to run since he had guns and "Percs", and immediately passed guns to the black male with dreads and [REDACTED]. [REDACTED] received a Smith and Wesson M&P and the black male with dreads received a silver and black Taurus 9mm, and [REDACTED] had a black Glock 43. [REDACTED] started shooting at police, and yelled, "shoot, nigga, shoot!" [REDACTED] stated "I did what I did," which he clarified to mean he shot too. [REDACTED] fired repeatedly during the first portion of the chase and emptied his clip. [REDACTED] fired approximately 3-4 shots shortly after they got on the highway, after popping their tire, and later advised he did not know how many shots he fired and believed the gun did not have a full clip. The black male with the dreads shot the whole clip from the silver and black Taurus 9mm at the end of the chase. When their car stopped, [REDACTED] jumped out and ran, tripped, lost his shoes, and went under a vehicle to hide before being taken into custody. [REDACTED] stated the Smith and Wesson .380 found in his waistband upon arrest was the same one he had used. Austin [REDACTED] and the driver never fired. [REDACTED] stated he was shooting out of the left side rear window, and shot behind him not necessarily directly at police. He demonstrated a physical position of leaning far to the side and pointing a gun back behind him. [REDACTED] denied knowing the Smith and Wesson M&P was stolen. He described [REDACTED] as a black male in his 20s approximately 6 feet tall, muscular, with face tattoos, wearing a black hoodie. He had met him approximately a month and a half ago and had seen him every 2-3 weeks since then. He did not know the name of the black male with dreads, but described him as shorter, in his 20s, wearing a white hoodie. He stated [REDACTED] had shown him approximately 100 "Percs" in his possession. [REDACTED] stated his friend Austin [REDACTED] was a former neighbor, who currently lives in Grandview. [REDACTED] was a white male, about to turn 20. [REDACTED]s Facebook account's profile picture included [REDACTED]. [REDACTED] positively identified James GANT B/M 10-07-97 as [REDACTED]," from a photographic lineup, and positively identified [REDACTED] as the black male with dreads from another photographic lineup. Both lineups were presented in a double blind fashion in accordance with current department policy. It should be noted that on a break in the interview, [REDACTED] used his mother's phone to video call someone and stated that he "clapped at" the police while making a shooting motion, and that police had the gunshot residue on his hands.

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█'s criminal history is as follows: On or about 08-15-2016, in Wyoming, Rawlins second district court, █ was convicted of felony destruction/defacement of property, and sentenced to 3-5 years (#CR-2016-0039). He has several misdemeanor and city convictions through Missouri, and is currently on supervised release through Probation/Parole district 19 with an ankle monitor for unlawful possession of a firearm. █ is currently in Clay County Detention on a detainer, and also has a Platte County warrant for failure to appear. █ refuses to abide by the conditions of his supervised release to the extent of obtaining a firearm and shooting at police, I am requesting a warrant be issued for █ and a high or no bond be associated with that warrant, in order to protect the community.

█'s criminal history includes the following: On or about 08-04-2022, in Jackson County Circuit Court, he was convicted of leaving the scene of an accident, a class D felony, and was sentenced to 3 years probation SIS. He also has a suspended license. Since █ was the driver of a vehicle on an extended vehicle pursuit, and he had full knowledge that his passengers were shooting at officers, I am requesting a warrant be issued for █ and a high or no bond be associated with that warrant, in order to protect the community.

James GANT's criminal history is as follows: On or about 05-22-19, in Johnson County KS district court, GANT was convicted of theft by deception, a felony, and sentenced to prison for 12 months (#19CR00207). On or about 01-15-21, in Johnson County KS district court, he was convicted of aggravated escape from custody, a felony, and sentenced to a \$194.50 fine (#20CR02449). On or about 08-04-21, in Jackson County Circuit Court, he was convicted of 2nd degree robbery and sentenced to 7 years confinement suspended, and 5 years probation, which was suspended on 02-22-22 (#1816CR0095701). GANT currently has a warrant for probation violation through Jackson County as well as a Johnson County, Kansas warrant for possession of methamphetamine. Since GANT is a felon with an extensive criminal history and current warrants including a probation violation, and since he initiated firing at police, I am requesting a warrant be issued for GANT and a high or no bond be associated with that warrant, in order to protect the community.

Printed Name Det. Lauren Montgomery Gist #5654 Signature /s/ Det. Lauren Montgomery Gist #5654

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

Judge

Circuit Court of _____ County, State of Missouri.