



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

POLICE NO. :	KC23070513
PROSECUTOR NO. :	095476341
OCN:	HU016244

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
DERRIUS L TOLSON)	
1422 N 48TH TER)	CASE NO. 2316-CR
KANSAS CITY, KS 66102)	DIVISION
DOB: [REDACTED])	
Race/Sex: B/M)	
S.S.N.: [REDACTED])	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Involuntary Manslaughter 1st Degree (565.024-001Y20200999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the class C felony of involuntary manslaughter in the first degree, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about October 14, 2023, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of [REDACTED] by causing an automobile crash with [REDACTED] in the vehicle.

The range 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 II. 565.024 - (565.024-001Y20200999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the class C felony of involuntary manslaughter in the first degree, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about October

State vs. DERRIUS L TOLSON, Case No.

14, 2023, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of ■■■ by causing an automobile crash with ■■■ in the vehicle.

The range 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.

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/ Kendall E. Foley
Kendall E. Foley (#74649)
Assistant Prosecuting Attorney
415 E. 12th Street
Kansas City, MO 64106
(816) 881-3293
kfoley@jacksongov.org

WITNESSES:

The State's witnesses as of 10/15/2023 are included on the "State's Witness List" filed contemporaneously with this Complaint.

PROBABLE CAUSE STATEMENT FORM

FILED DIVISION 1 15-Oct-2023 12:12 CIRCUIT COURT OF JACKSON COUNTY, MO BY <i>[Signature]</i> DCA
--

Date: 10/15/2023CRN: 23-070513I, **Det. Lawrence Pollard #5044**

(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 10/14/2023, at Bannister Road and I-435 in
 Kansas City, Jackson Missouri, DERRIUS L. TOLSON
 (County) (Name of Offender(s)) (Address) (Description of Identity)

committed one or more criminal offense(s).

DWI/DWR/CARELESS DRIVING/VEHICULAR HOMICIDE

The facts supporting this belief are as follows:

On 10/14/2023 at 1331 hours, a Kansas City Missouri Police Officer was on patrol in the area of I-435 and Bannister Road, Kansas City, Jackson County, Missouri, when he observed a light blue Dodge Challenger and a gray SUV traveling west on Bannister Road at a high rate of speed and appeared to be chasing or racing each other. At the exit ramp for southbound I-435 to Bannister Road, the Jeep failed to stop for a red traffic control signal colliding with a turning 2017 Honda Accord. The impact caused the Jeep to roll multiple times and the officer reported seeing the driver being ejected. The officer requests additional units and KCFD for treatment of the injured. The driver of the Jeep identified as **Darrius L. Tolson** sustained moderate injuries and was transported to an area hospital and the driver of the Honda had no complaint or signs of visible injuries.

The Kansas City Missouri Police Department Accident Investigation Section and Traffic Investigation Section took control of the scene. Evidence at the scene was consistent with the initial reporting officer's account of the crash. The Jeep was westbound on Bannister Road at a high rate of speed. A southbound Honda Accord driven by [REDACTED] was attempting an eastbound turn from the I-435 exit ramp onto Bannister Road. At approximately the lane divider line for the two westbound lanes of Bannister Road at the exit ramp, the Honda and Jeep collide. The Honda comes to an abrupt stop as the Jeep is forced into the high median curb and redirected sideways. The Jeep then begins to overturn multiple times and directions before coming to rest on its roof west of the intersection on the north sidewalk and grass area. A five-point front facing car seat was observed in the back seat of the Jeep but did not appear to be fastened to the vehicle seat appropriately. A female passenger identified as [REDACTED] was extricated from the vehicle and pronounced dead at the scene. A two-year-old female child identified as [REDACTED] had been ejected in the crash and was located to the west and slightly north of the Jeep in the grass; she too was pronounced dead at the scene from injuries sustained in the crash.

The Honda driver, [REDACTED], stated she had just purchased fuel at QT on 87th Street and I-435 and was driving to her residence. She had exited southbound I-435 and was stopped for the red traffic control signal at the end of the entrance ramp at Bannister Road. When the light cycled green, she looked left to make sure there was no traffic. McCowan stated it was clear when she proceeded into the intersection with the green signal. She then heard a loud "Boom" and saw a vehicle overturning to her right. [REDACTED] stated she saw no vehicles approaching from the east as she started her turn and was not even sure what had hit her vehicle.

Witness [REDACTED] stated he was driving his work vehicle, a Ford 350 Penske van, westbound on Bannister Road near Hillcrest Road; east of the crash scene. His vehicle was overtaken on the left by a blue colored Dodge Challenger that appeared to be being chased by a "gray'ish or brown" SUV. The vehicles passed his van on the left at a high enough rate of speed to cause his vehicle to rock. [REDACTED] stated just east of I-435, the Challenger turned south as the Jeep continued west at a high rate of speed. The Jeep failed to stop for a red traffic control signal at the end of the exit ramp for southbound I-435 at Bannister Road. A gray vehicle was attempting a turn when the vehicles collided. Bueno witnessed the Jeep roll multiple times and directions. Bueno added that near Bannister Road and Hillcrest Road, he observed a marked police car turn west on Bannister Road and appear to be attempting to catch up to the two speeding vehicles. Before the officer could attempt to stop the speeding Jeep, the crash occurred. Bueno checked the status of the Honda driver and waited at the scene to make a formal statement.

PROBABLE CAUSE STATEMENT FORM

CRN 23-070513

On 05/14/2023 at approximately 1800 hours, Traffic Investigation Detectives responded to Metro Patrol to speak to **Tolson** where he was being held after being treated at a medical facility and released. **Tolson** was escorted to an interview room where he was advised of his Miranda Rights. After acknowledging his rights and that he understood, **Tolson** agreed to speak with detectives. **Tolson** stated he had taken his girlfriend, daughter and step daughter to get pumpkins. He dropped his step daughter off at her father's house approximately one hour before the crash. He, his daughter [redacted] and girlfriend [redacted] then went to eat. He was driving to pick up his sister when he encountered a blue/gray Chrysler 300 with tinted windows and no license plate at Blue Ridge Boulevard and Bannister Road. A black Dodge Challenger was in front of the Chrysler. At the intersection, the driver of the Chrysler would "rev" the engine. When the light turned green, he felt the Chrysler was pacing him and sitting too close to him. Unsure of the Chrysler's intent, he accelerated to "60 or 65 MPH" in an attempt to get away. He was unsure if the Chrysler clipped his Jeep or what had occurred. He then recalled the Jeep overturning multiple times. **Tolson** did not recognize the vehicles and did not recall having any issues with anyone who drove those vehicles or similar style vehicles. **Tolson** acknowledged he failed to stop for red traffic signals during the incident. A loaded firearm as well as a backpack containing marijuana and scales were located strewn about the debris field where the Jeep had overturned multiple times. **Tolson** stated that those items were his and he was a recreational smoker of marijuana. **Tolson** believed that when he began operating the vehicle everyone was properly secured. He added that his daughter tends to undo the seatbelt in her car seat occasionally. **Tolson** denied the use of alcohol and admitted to smoking a "few hits" off a blunt earlier in the morning prior to going to pick out pumpkins. He denied the use of any other illicit drugs and that he was not prescribed any impairing medications.

The Jeep was examined under the authority of a Jackson County Search warrant. Data from the Airbag Control Module revealed the Jeep was traveling between 92 and 94 MPH at impact with the Honda in a posted 40 MPH zone. The accelerator was being fully depressed, the engine throttle was at a maximum of 99 percent and there were no brakes applied by **Tolson** during the event.

The medical examiner's reports for [redacted] and [redacted] are still pending.

A computer check of **Derrius L. Tolson** revealed a revoked operator's license through the Texas Department of Revenue as well as an outstanding traffic warrant. He has no prior alcohol contacts or convictions.

Printed Name Det. Lawrence Pollard #5044 Signature 

The Court finds probable cause and directs the issuance of a warrant this 15th day of October.


Judge

Circuit Court of Jackson County, State of Missouri.