

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT

POLICE NO. :	KC24003515
PROSECUTOR NO. :	095477684
OCN:	HU018641

STATE OF MISSOURI,	)	
	)	PLAINTIFF,
vs.	)	
	)	
BRIAN FAVELA	)	
2750 Swift Ave., Apt. 105	)	CASE NO.
Kansas City, MO 64116	)	DIVISION
DOB: [REDACTED]	)	
Race/Sex: W/M	)	
S.S.N.: [REDACTED]	)	
	)	DEFENDANT.

AMENDED COMPLAINT

Count I. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons, [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.

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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others,

committed the felony of unlawful use of a weapon charged in Count 1, all allegations of which are incorporated herein by reference,

and the defendant committed the foregoing felony of unlawful use of a weapon 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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons, [REDACTED]
[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.

Count IV. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful use of a weapon charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 V. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons [REDACTED]
[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.

Count VI. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful use of a weapon charged in Count 5, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 VII. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional

distress to [REDACTED] by shouting at him about being in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of harassment charged in Count 7, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 IX. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional distress to [REDACTED] by shouting at him about being in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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 X. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of harassment charged in Count 9, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 XI. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional distress to [REDACTED] by shouting at him that he was in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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 XII. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful charged in Count 11, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 XIII. Terrorist Threat - 1st Degree (574.115-004Y20201602.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class D felony of terroristic threat in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly communicated to the patrons of Crown Center, a threat to cause a shooting, an incident involving a danger to life, by indicating in a loud voice that he was in possession of a firearm and taunting others to produce a firearm.

The range 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 one (1) year 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 previously filed statement(s) of facts, incorporated herein and submitted as a basis upon which this court may find the existence of probable cause.

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Kristiane N. Bryant

Kristiane N. Bryant (#69524)
Assistant Prosecuting Attorney

State vs. Brian Favela, Case No.

415 E. 12th St.
Floor 7M
Kansas City, MO 64106
(816) 881-3597
KNBryant@jacksongov.org

WITNESSES:

The State's witnesses as of 2/23/2024 are included on the "State's Witness List" filed contemporaneously with this Amended Complaint.

PROBABLE CAUSE STATEMENT FORM

Date: January 26, 2024

CRN: 24-003515

I, Detective Dennis Paquette # 4848

(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 01/17/2024, at 2450 Grand Blvd. in
(Date) (Address)

Kansas City, Jackson County Missouri Brian FAVELA, H/M,
(County) (Name of Offender(s))

_____ committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

1. On January 17, 2024, at approximately 1740 hours Kansas City Missouri Police Officers were dispatched to Crown Center located at 2450 Grand Blvd., Kansas City, Jackson County, Missouri in regard to a shooting.
2. Upon arrival Officers located multiple victims in different parts of the location, along with approximately **thirteen (13) witnesses** that were present on the first floor during the shooting. Officers located the crime scene near the food court on the first floor of Crown Center. Officers cleared Crown Center to make sure there were no additional victims or suspects. Officers identified witnesses and transported them to a secure area. Crown Center closed for the night and parties that were not witnesses or victims were escorted out of the location. Officers secured the first floor as the crime scene. Officers were contacted by Crown Center Security who had [REDACTED] in custody with a 9mm handgun.
3. Upon my arrival I contacted Officers who provided me a brief overview of the situation. The identified witnesses were transported to Kansas City Missouri Police Department Headquarters to provide formal statements. Officers were also dispatched to area hospitals as I learned there were additional victims of the shooting that had transported themselves to various local hospitals. Due to the size, scope, and number of victims, Crime Scene Technicians responded to process the scene. Kansas City Missouri Crime Lab personnel responded to collect all available video surveillance. It was determined through witness statements and video surveillance the shooting involved two (2) groups of individuals. A total of **six (6)** people were wounded in the shooting, including three (3) victims that were that were not involved in the disturbance between the two (2) groups. More than ten people were present in Crown Center at the time of the shooting.
4. While processing the crime scene, Crime Scene Technicians located approximately **fifty-four (54) spent shell casings**. The spent shell casings were **9mm, 40 Caliber, and 7.62x39 rifle casings**. Crime Scene Technicians observed live rounds on the ground within the crime scene. Also located were approximately **eight (8) spent bullets**, and **approximately twenty-two (22) bullet fragments**. All the items were preserved as evidence and recovered. The shell casings were primarily located between The Coterie Theatre and Sheridan's Ice Cream

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on the first floor. The shell casings were located in front of multiple restaurants that sustained major damage from the gunfire.

5. [REDACTED] stated on January 17, 2024, at approximately 1735 hours she was working at [REDACTED] located on the second floor of Crown Center. She stated she observed a short Hispanic Male, approximately 5'8" to 5'9", with dark hair, a shorter haircut, smaller framed, dark eyes and dark eyebrows wearing a gray coat enter the store. He was later identified as **Joel OLIVAS-VILLANUEVA**. [REDACTED] originally thought **OLIVAS-VILLANUEVA** was going to steal clothing from the store. She observed **OLIVAS-VILLANUEVA** clutching at his waistband and groin area when he walked into the store. [REDACTED] stated as he walked into the store there were three other males later identified as [REDACTED] standing toward the front of the store. She stated **OLIVAS-VILLANUEVA** looked at [REDACTED] and they looked back at him. [REDACTED] described the look as not a friendly vibe, like they had a "beef" with one another. **OLIVAS-VILLANUEVA** walked through the shoe store and went to the clothing side of the business. She followed **OLIVAS-VILLANUEVA** to the clothing side and heard **OLIVAS-VILLANUEVA** on the phone talking to someone. [REDACTED] heard **OLIVAS-VILLANUEVA** tell the person on the other line to "unlock doors and pull car up." She stated as **OLIVAS-VILLANUEVA** was on the phone, he walked away from her, but remained in the store. [REDACTED] left the store and said goodbye to [REDACTED] co-worker. She stated **OLIVAS-VILLANUEVA** then walked out of the clothing area of the store and exited. [REDACTED] followed **OLIVAS-VILLANUEVA** as he walked quickly to catch up to [REDACTED] that had left the store prior to **OLIVAS-VILLANUEVA**. She stated another male later identified as **Brian FAVELA**, came from another direction and met up with **OLIVAS-VILLANUEVA** as he left the [REDACTED]. [REDACTED] stated the two groups both got on the escalator to go to the first floor and she could hear the two groups cussing and arguing with one another. [REDACTED] stated they could not make out what exactly was being said. She stated when the two groups got to the first floor, they were near the Sheridan's, while she was still on the second floor but able to see and hear the two groups. [REDACTED] stated she then heard shots being fired and thought she heard two (2) different sounds of shots from two (2) different firearms. She stated she observed three different sized shell casings on the ground. [REDACTED] stated the gunshots happened for approximately 30 seconds.
6. [REDACTED] stated she was at Crown Center [REDACTED], to meet up with some friends. She stated while they were on the main floor (1st floor) of the mall, near Starbucks, they observed several Hispanic males saying the "N Word and Eastside" before she heard several gunshots. [REDACTED] ran outside and realized she had been shot. She was not able to identify the suspects and did not see who had a gun. [REDACTED] was shot in the left shin and received medical treatment at North Kansas City Hospital.
7. [REDACTED] stated she was at Crown Center with [REDACTED], seated at a table near Taste of Philly, eating french fries. He stated he and [REDACTED] were talking when he heard a boom, which he immediately recognized as gunshots. [REDACTED] stated he "hit the deck" and told [REDACTED] to "hit the deck." He stated [REDACTED] was not getting down so he sat back up to help [REDACTED] get down. While doing this [REDACTED] felt something slap/ poke them in the chest. He stated a bullet went through glass and then struck him in the chest and that he saw the bullet laying in front of him after being hit. [REDACTED] stated he heard a lot of shots, but never saw where the shots were coming from or who was shooting. He lifted his shirt up and showed the Detective a red mark on his right rib cage from where the bullet struck them.

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8. [REDACTED] was at Crown Center taking photos and video for a project. He stated he observed the two groups of males later identified as **FAVELA, OLIVAS-VILLANUEVA (Eastside Gang)**, [REDACTED] **(West Side Gang)** in a verbal disturbance with each other. [REDACTED] stated the groups went downstairs by Sheridan's and got into a loud argument. He stated he observed a uniformed security guard run past him towards the group and then he felt something bad was about to happen. [REDACTED] took cover behind some escalators and heard multiple gunshots before being hit. He stated after being shot he laid there and played dead until help arrived.
9. [REDACTED] is employed at Crown Center, and was getting a drink from a nearby vender during the shooting. She stated she heard what sounded like "firecrackers" and felt something hit her in the buttocks. [REDACTED] stated she dropped to the floor for cover until the gunfire stopped. She stated she did not observe who was shooting.
10. [REDACTED] stated she was with [REDACTED] to meet [REDACTED] on a double date. She stated her and [REDACTED] entered Crown Center through the southern second floor garage parking entrance and walked north toward the staircase. [REDACTED] stated this is where they met [REDACTED] before walking down the stairs. She stated she observed two groups later identified as **FAVELA, OLIVAS-VILLANUEVA (Eastside Gang)**, [REDACTED] **(West Side Gang)** walking in front of her. [REDACTED] stated the groups were yelling "East Side... West Side..." and other expletives. She stated she had joked about it, but largely did not think it was anything more than raucous behavior. [REDACTED] stated the groups moved south ahead of her group. She stated she suddenly heard the continued sounds of shots. [REDACTED] initially ran to the staircase for cover. She stated she ran to the East-facing doors to get out of the building. However, this was when [REDACTED] realized she had been shot. [REDACTED] stated she attempt to drag [REDACTED] out of the doors to cover. She stated [REDACTED] had gotten separated during the gunfire, but returned to them and picked up [REDACTED] and carried her to the Westin Hotel lobby where they found a doctor. [REDACTED] stated [REDACTED] transported [REDACTED] to North Kansas City Hospital for treatment. She stated there could have been four suspects, however she was not paying attention. [REDACTED] stated she remembered one was filming the incident.
11. Upon reviewing the video, I could clearly observe **FAVELA** shooting at [REDACTED] **(West Side Gang)** with what appeared to be a MAC10 assault rifle. I could also observe **OLIVAS-VILLANUEVA** shooting a handgun at [REDACTED] **(West Side Gang)**. [REDACTED] was struck by gunfire in the left side and [REDACTED] was struck by gunfire in the right shoulder. [REDACTED] would not provide statements. I could also observe [REDACTED] shoot back toward **FAVELA** and **OLIVAS-VILLANUEVA**.
12. Gang Squad Intelligence Detectives were able to identify one group of shooters as **OLIVAS-VILLANUEVA** and **FAVELA**. This group identifies as part of an **East Side Gang** and is currently feuding with [REDACTED] who are associated with a **West Side Gang**. In the video **OLIVAS-VILLANUEVA** and **FAVELA** were both observed shooting however no firearms were recovered at the scene. The video shows **OLIVAS-VILLANUEVA** video-recording the incident on his cellular telephone. The surveillance video shows **OLIVAS-VILLANUEVA** and **FAVELA** leave in a silver 2015 Jeep Grand Cherokee bearing Missouri license plate [REDACTED].

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13. Gang Squad Intelligence Detective reviewed the surveillance video recovered from Crown Center that captured the shooting advised the individuals involved in the shooting are associated with two different groups who engage in an ongoing pattern of violent activity in the metro area. These two groups have been known to feud with one another and to engage in confrontations. Detectives are aware of a previous violent feud in 2015 that **FAVELA**, some of his family members, and their associates had with several individuals who live in the West Side area of Kansas City, Jackson County Missouri, including [REDACTED]. Around that time (2015), **FAVELA** and his associates affiliated themselves with a self-named gang called "9Mob" or the "9th Street Mob," referring to the E. 9th St. corridor of Kansas City, Missouri, near Van Brunt Blvd. This geographic area is also commonly referred to as the "Eastside." Intelligence information developed in 2015 indicated their feud with individuals in the West Side neighborhood, began as a result of a dispute over a female and subsequently resulted in sporadic physical fights between the groups, assaults, reported threats, drive-by shootings, and other conflicts. Several graffiti applications in both geographic areas referencing the "9th Street Mob," "Eastside," and "West Side" have also been discovered by law enforcement over several years. Several affiliates of the "9th Street Mob" were later arrested for various violent offenses. Conflict between some of these individuals and those from the West Side neighborhood have continued at times, indicating the prior feud or rivalry remains active. Prior incidents and occurrences known to be or suspected of being related to the feud are listed as follows: KCPD CRNs 15-30629, 15-91921, 15-91929, 18-45744, 18-49014, 18-51552, 18-55140, 18-65384, 19-8937, 19-7471, KC19901025, and KC20033267. Based on the aforementioned feud, that if these individuals were to encounter one another in public, they would likely recognize one another on sight. Additionally, the use of cellular devices or social media applications are known to have previously been used on at least two occasions by persons associated with the feud to threaten, taunt, or disrespect one another.
14. On January 18, 2024, a search through an open-source license plate reader showed the silver 2015 Jeep Grand Cherokee bearing Missouri license plate [REDACTED] was captured and located in the area of [REDACTED], Kansas City, Jackson County, Missouri. On January 18, 2024 surveillance was initiated in the area of [REDACTED] in an attempt to locate **OLIVAS-VILLANUEVA**. Surveillance detectives observed **OLIVAS-VILLANUEVA** and **FAVELA** enter a dark colored Nissan bearing Missouri license plate [REDACTED]. Surveillance followed the dark colored Nissan and observed the Nissan take **OLIVAS-VILLANUEVA** to the Kansas City Missouri Airport where he was dropped off. Officers responded into the airport and took **OLIVAS-VILLANUEVA** into custody at the airport trying to fly from Kansas City, Missouri to Seattle. During **OLIVAS-VILLANUEVA**'s arrest, officers recovered two (2) Apple iPhone cellular telephones from his person. The cellular telephones were recovered as evidence and transported to Kansas City, Missouri Police Department Headquarters located at 1125 Locust, Kansas City, Jackson County, Missouri. Surveillance detectives continued to follow the dark colored Nissan. Surveillance detectives followed the dark colored Nissan to [REDACTED], Kansas City, Jackson County, Missouri. At [REDACTED], the vehicle parked next to a wooden fence in the alley way at the rear of the residence. No one exited the vehicle and the vehicle then left again. Surveillance detectives observed the silver 2015 Jeep Grand Cherokee bearing Missouri license [REDACTED] hidden in the rear of the residence through the wooden fence from the alley way. It appeared **FAVELA** and the driver of the Nissan were checking to make sure the silver 2015 Jeep Grand Cherokee was still at the location. This Jeep was identified as being the suspect vehicle in regard to the shooting that occurred at Crown Center. The Jeep was located inside of the back yard that was surrounded by a wooden fence. The Jeep was next to a gate and had fresh tire tracks in the snow leading into the back yard. Surveillance detectives continued to follow the Nissan and it responded to [REDACTED] Jackson County, Missouri. The driver exited the vehicle and went into the residence. **FAVELA** was taken into custody at the vehicle. The owner of the vehicle provided consent to search the vehicle and located on the

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floor by where **FAVELA** was sitting was a black Samsung cellular telephone. The cellular telephone was recovered as evidence and transported to Kansas City, Missouri Police Department Headquarters located at 1125 Locust, Kansas City, Jackson County, Missouri.

15. On January 19, 2024, search warrants for the two Apple iPhones recovered from **OLIVAS-VILLANUEVA** and one Samsung phone recovered from **FAVELA** when they were arrested were requested. Search warrants were granted and the cellular telephones were immediately taken to Heart-America Regional Computer Laboratory for examination. Examiners were able to unlock one of the Apple iPhones recovered from **OLIVAS-VILLANUEVA** and located a text string at approximately 1601 hours on January 17, 2024 where **OLIVAS-VILLANUEVA** states "I was gettn off Istg" which investigators believe is a reference to locating [REDACTED] (**West Side Gang**) on Instagram. At approximately 1636 hours there was an Apple map entry starting at [REDACTED] Kansas City, Jackson County, Missouri (**FAVELA's** residence) to Crown Center. At approximately 1735 hours **OLIVAS-VILLANUEVA** starts recording video with audio on his phone while he is following [REDACTED] and yelling obscenities, gang language, and stating he was ready because he had a switch referring to an automatic handgun in an attempt to incite [REDACTED] (**West Side Gang**). It appears to me in the video that the constant harassment from **FAVELA** and **OLIVAS-VILLANUEVA** was done in an attempt to get [REDACTED] (**West Side Gang**) to start something with them to include drawing a weapon. The video shows **FAVELA** and **OLIVAS-VILLANUEVA** following [REDACTED] (**West Side Gang**) through Crown Center making the threats. The video also shows **OLIVAS-VILLANUEVA** walking past a multitude of people in Crown Center who are innocently enjoying their time at Crown Center. The main altercation takes place in the food court of Crown Center which is one of more crowed spots at Crown Center. Also located in the phone were text messages where **OLIVAS-VILLANUEVA** says "I was smackin it out w succas in crown cenctwr" referencing the shooting at Crown Center.
18. In my experience I believe **FAVELA** and **OLIVAS-VILLANUEVA** pose a danger to the public due to their blatant disregard for anyone's safety by opening fire in a crowded mall. The mall had more than ten (10) people in the vicinity of the shooting, including families and children. **FAVELA** and **OLIVAS-VILLANUEVA** went to Crown Center with the intent to shoot at [REDACTED] (**West Side Gang**). If they did not have the intent, they would have not been tracking them on Instagram and would have not responded to Crown Center armed. I believe their intent was to shoot [REDACTED] (**West Side Gang**) and that **FAVELA** and **OLIVAS-VILLANUEVA** gave absolutely no thought to the fact the location would contain innocent people that could get hurt.

Printed Name Dennis Paquette # 4848 Signature /s/Det. Dennis Paquette # 4848

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

Judge

Circuit Court of _____ County, State of Missouri.

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT

POLICE NO. :	KC24003515
PROSECUTOR NO. :	095477685
OCN:	HU018642

STATE OF MISSOURI,	)	
	)	
vs.	)	
	)	
JOEL OLIVAS	)	
1221 Bales Ave.	)	CASE NO.
Kansas City, MO 64127	)	DIVISION
DOB: [REDACTED]	)	
Race/Sex: W/M	)	
S.S.N.: [REDACTED]	)	
DEFENDANT.	)	

AMENDED COMPLAINT

Count I. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons, [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.

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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others,

committed the felony of unlawful use of a weapon charged in Count 1, all allegations of which are incorporated herein by reference,

and the defendant committed the foregoing felony of unlawful use of a weapon 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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons, [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.

Count IV. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful use of a weapon charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 V. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 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 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly discharged a firearm at another person or persons [REDACTED]
[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.

Count VI. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful use of a weapon charged in Count 5, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 VII. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional

distress to [REDACTED] by shouting at him about being in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of harassment charged in Count 7, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 IX. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional distress to [REDACTED] by shouting at him about being in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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 X. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of harassment charged in Count 9, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 XI. Harassment - 1st Degree (565.090-003Y20205309.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class E felony of harassment in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, without good cause, engaged in an act with the purpose to cause emotional distress to [REDACTED] by shouting at him that he was in possession of a firearm and such act did cause [REDACTED] suffer emotional distress.

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) 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 XII. 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 January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, committed the felony of unlawful charged in Count 11, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 XIII. Terrorist Threat - 1st Degree (574.115-004Y20201602.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.090, RSMo, committed the class D felony of terroristic threat in the first degree, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about January 17, 2024, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with others, knowingly communicated to the patrons of Crown Center, a threat to cause a shooting, an incident involving a danger to life, by indicating in a loud voice that he was in possession of a firearm and taunting others to produce a firearm and defendant did so for the purpose of frightening ten or more people.

The range 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 one (1) year 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 previously filed statement(s) of facts, incorporated herein and submitted as a basis upon which this court may find the existence of probable cause.

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Kristiane N. Bryant
Kristiane N. Bryant (#69524)

State vs. Joel Olivas, Case No.

Assistant Prosecuting Attorney
415 E. 12th St.
Floor 7M
Kansas City, MO 64106
(816) 881-3597
KNBryant@jacksongov.org

WITNESSES:

The State's witnesses as of 2/23/2024 are included on the "State's Witness List" filed contemporaneously with this Amended Complaint.

PROBABLE CAUSE STATEMENT FORM

Date: January 26, 2024

CRN: 24-003515

I, Detective Dennis Paquette # 4848

(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 01/17/2024, at 2450 Grand Blvd. in
(Date) (Address)

Kansas City, Jackson County Missouri Joel OLIVAS-VILLANUEVA, H/M,
(County) (Name of Offender(s))

_____ committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

1. On January 17, 2024, at approximately 1740 hours Kansas City Missouri Police Officers were dispatched to Crown Center located at 2450 Grand Blvd., Kansas City, Jackson County, Missouri in regard to a shooting.
2. Upon arrival Officers located multiple victims in different parts of the location, along with approximately **thirteen (13) witnesses** that were present on the first floor during the shooting. Officers located the crime scene near the food court on the first floor of Crown Center. Officers cleared Crown Center to make sure there were no additional victims or suspects. Officers identified witnesses and transported them to a secure area. Crown Center closed for the night and parties that were not witnesses or victims were escorted out of the location. Officers secured the first floor as the crime scene. Officers were contacted by Crown Center Security who had [REDACTED] in custody with a 9mm handgun.
3. Upon my arrival I contacted Officers who provided me a brief overview of the situation. The identified witnesses were transported to Kansas City Missouri Police Department Headquarters to provide formal statements. Officers were also dispatched to area hospitals as I learned there were additional victims of the shooting that had transported themselves to various local hospitals. Due to the size, scope, and number of victims, Crime Scene Technicians responded to process the scene. Kansas City Missouri Crime Lab personnel responded to collect all available video surveillance. It was determined through witness statements and video surveillance the shooting involved two (2) groups of individuals. A total of **six (6)** people were wounded in the shooting, including three (3) victims that were that were not involved in the disturbance between the two (2) groups. More than ten people were present in Crown Center at the time of the shooting.
4. While processing the crime scene, Crime Scene Technicians located approximately **fifty-four (54) spent shell casings**. The spent shell casings were **9mm, 40 Caliber, and 7.62x39 rifle casings**. Crime Scene Technicians observed live rounds on the ground within the crime scene. Also located were approximately **eight (8) spent bullets**, and **approximately twenty-two (22) bullet fragments**. All the items were preserved as evidence and recovered. The shell casings were primarily located between The Coterie Theatre and Sheridan's Ice Cream

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on the first floor. The shell casings were located in front of multiple restaurants that sustained major damage from the gunfire.

5. [REDACTED] stated on January 17, 2024, at approximately 1735 hours she was working at [REDACTED] located on the second floor of Crown Center. She stated she observed a short Hispanic Male, approximately 5'8" to 5'9", with dark hair, a shorter haircut, smaller framed, dark eyes and dark eyebrows wearing a gray coat enter the store. He was later identified as **Joel OLIVAS-VILLANUEVA**. [REDACTED] originally thought **OLIVAS-VILLANUEVA** was going to steal clothing from the store. She observed **OLIVAS-VILLANUEVA** clutching at his waistband and groin area when he walked into the store. [REDACTED] stated as he walked into the store there were three other males later identified as [REDACTED] standing toward the front of the store. She stated **OLIVAS-VILLANUEVA** looked at [REDACTED] and they looked back at him. [REDACTED] described the look as not a friendly vibe, like they had a "beef" with one another. **OLIVAS-VILLANUEVA** walked through the shoe store and went to the clothing side of the business. She followed **OLIVAS-VILLANUEVA** to the clothing side and heard **OLIVAS-VILLANUEVA** on the phone talking to someone. [REDACTED] heard **OLIVAS-VILLANUEVA** tell the person on the other line to "unlock doors and pull car up." She stated as **OLIVAS-VILLANUEVA** was on the phone, he walked away from her, but remained in the store. [REDACTED] left the store and said goodbye to [REDACTED] co-worker. She stated **OLIVAS-VILLANUEVA** then walked out of the clothing area of the store and exited. [REDACTED] followed **OLIVAS-VILLANUEVA** as he walked quickly to catch up to [REDACTED] that had left the store prior to **OLIVAS-VILLANUEVA**. She stated another male later identified as **Brian FAVELA**, came from another direction and met up with **OLIVAS-VILLANUEVA** as he left the [REDACTED]. [REDACTED] stated the two groups both got on the escalator to go to the first floor and she could hear the two groups cussing and arguing with one another. [REDACTED] stated they could not make out what exactly was being said. She stated when the two groups got to the first floor, they were near the Sheridan's, while she was still on the second floor but able to see and hear the two groups. [REDACTED] stated she then heard shots being fired and thought she heard two (2) different sounds of shots from two (2) different firearms. She stated she observed three different sized shell casings on the ground. [REDACTED] stated the gunshots happened for approximately 30 seconds.
6. [REDACTED] stated she was at Crown Center, with [REDACTED], to meet up with some friends. She stated while they were on the main floor (1st floor) of the mall, near Starbucks, they observed several Hispanic males saying the "N Word and Eastside" before she heard several gunshots. [REDACTED] ran outside and realized she had been shot. She was not able to identify the suspects and did not see who had a gun. [REDACTED] was shot in the left shin and received medical treatment at North Kansas City Hospital.
7. [REDACTED] stated she was at Crown Center with [REDACTED], seated at a table near Taste of Philly, eating french fries. He stated he and [REDACTED] were talking when he heard a boom, which he immediately recognized as gunshots. [REDACTED] stated he "hit the deck" and told [REDACTED] to "hit the deck." He stated [REDACTED] was not getting down so he sat back up to help [REDACTED] get down. While doing this [REDACTED] felt something slap/ poke them in the chest. He stated a bullet went through glass and then struck him in the chest and that he saw the bullet laying in front of him after being hit. [REDACTED] stated he heard a lot of shots, but never saw where the shots were coming from or who was shooting. He lifted his shirt up and showed the Detective a red mark on his right rib cage from where the bullet struck them.

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8. [REDACTED] was at Crown Center taking photos and video for a project. He stated he observed the two groups of males later identified as **FAVELA, OLIVAS-VILLANUEVA (Eastside Gang)**, [REDACTED] **(West Side Gang)** in a verbal disturbance with each other. [REDACTED] stated the groups went downstairs by Sheridan's and got into a loud argument. He stated he observed a uniformed security guard run past him towards the group and then he felt something bad was about to happen. [REDACTED] took cover behind some escalators and heard multiple gunshots before being hit. He stated after being shot he laid there and played dead until help arrived.
9. [REDACTED] is employed at Crown Center, and was getting a drink from a nearby vender during the shooting. She stated she heard what sounded like "firecrackers" and felt something hit her in the buttocks. [REDACTED] stated she dropped to the floor for cover until the gunfire stopped. She stated she did not observe who was shooting.
10. [REDACTED] stated she was with [REDACTED] to meet [REDACTED] and [REDACTED] on a double date. She stated her and [REDACTED] entered Crown Center through the southern second floor garage parking entrance and walked north toward the staircase. [REDACTED] stated this is where they met [REDACTED] before walking down the stairs. She stated she observed two groups later identified as **FAVELA, OLIVAS-VILLANUEVA (Eastside Gang)**, [REDACTED] **(West Side Gang)** walking in front of her. [REDACTED] stated the groups were yelling "East Side... West Side..." and other expletives. She stated she had joked about it, but largely did not think it was anything more than raucous behavior. [REDACTED] and [REDACTED] initially ran to the staircase for cover. She stated she ran to the East-facing doors to get out of the building. However, this was when [REDACTED] realized she had been shot. [REDACTED] stated she attempt to drag [REDACTED] out of the doors to cover. She stated [REDACTED] had gotten separated during the gunfire, but returned to them and picked up [REDACTED] and carried her to the Westin Hotel lobby where they found a doctor. [REDACTED] stated [REDACTED] transported [REDACTED] to North Kansas City Hospital for treatment. She stated there could have been four suspects, however she was not paying attention. [REDACTED] she remembered one member of the gang was filming the incident.
11. Upon reviewing the video, I could clearly observe **FAVELA** shooting at [REDACTED] **(West Side Gang)** with what appeared to be a MAC10 assault rifle. I could also observe **OLIVAS-VILLANUEVA** shooting a handgun at [REDACTED] **(West Side Gang)**. [REDACTED] was struck by gunfire in the left side and [REDACTED] was struck by gunfire in the right shoulder. [REDACTED] not provide statements. I could also observe [REDACTED] shoot back toward **FAVELA** and **OLIVAS-VILLANUEVA**.
12. Gang Squad Intelligence Detectives were able to identify one group of shooters as **OLIVAS-VILLANUEVA** and **FAVELA**. This group identifies as part of an **East Side Gang** and is currently feuding with [REDACTED] who are associated with a **West Side Gang**. In the video **OLIVAS-VILLANUEVA** and **FAVELA** were both observed shooting however no firearms were recovered at the scene. The video shows **OLIVAS-VILLANUEVA** video-recording the incident on his cellular telephone. The surveillance video shows **OLIVAS-VILLANUEVA** and **FAVELA** leave in a silver 2015 Jeep Grand Cherokee bearing Missouri license plate [REDACTED].

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13. Gang Squad Intelligence Detective reviewed the surveillance video recovered from Crown Center that captured the shooting advised the individuals involved in the shooting are associated with two different groups who engage in an ongoing pattern of violent activity in the metro area. These two groups have been known to feud with one another and to engage in confrontations. Detectives are aware of a previous violent feud in 2015 that **FAVELA**, some of his family members, and their associates had with several individuals who live in the West Side area of Kansas City, Jackson County Missouri, including [REDACTED]. Around that time (2015), **FAVELA** and his associates affiliated themselves with a self-named gang called "9Mob" or the "9th Street Mob," referring to the E. 9th St. corridor of Kansas City, Missouri, near Van Brunt Blvd. This geographic area is also commonly referred to as the "Eastside." Intelligence information developed in 2015 indicated their feud with individuals in the West Side neighborhood, began as a result of a dispute over a female and subsequently resulted in sporadic physical fights between the groups, assaults, reported threats, drive-by shootings, and other conflicts. Several graffiti applications in both geographic areas referencing the "9th Street Mob," "Eastside," and "West Side" have also been discovered by law enforcement over several years. Several affiliates of the "9th Street Mob" were later arrested for various violent offenses. Conflict between some of these individuals and those from the West Side neighborhood have continued at times, indicating the prior feud or rivalry remains active. Prior incidents and occurrences known to be or suspected of being related to the feud are listed as follows: KCPD CRNs 15-30629, 15-91921, 15-91929, 18-45744, 18-49014, 18-51552, 18-55140, 18-65384, 19-8937, 19-7471, KC19901025, and KC20033267. Based on the aforementioned feud, that if these individuals were to encounter one another in public, they would likely recognize one another on sight. Additionally, the use of cellular devices or social media applications are known to have previously been used on at least two occasions by persons associated with the feud to threaten, taunt, or disrespect one another.
14. On January 18, 2024, a search through an open-source license plate reader showed the silver 2015 Jeep Grand Cherokee bearing Missouri license plate [REDACTED] was captured and located in the area of [REDACTED], Kansas City, Jackson County, Missouri. On January 18, 2024 surveillance was initiated in the area of [REDACTED] in an attempt to locate **OLIVAS-VILLANUEVA**. Surveillance detectives observed **OLIVAS-VILLANUEVA** and **FAVELA** enter a dark colored Nissan bearing Missouri license plate [REDACTED]. Surveillance followed the dark colored Nissan and observed the Nissan take **OLIVAS-VILLANUEVA** to the Kansas City Missouri Airport where he was dropped off. Officers responded into the airport and took **OLIVAS-VILLANUEVA** into custody at the airport trying to fly from Kansas City, Missouri to Seattle. During **OLIVAS-VILLANUEVA**'s arrest, officers recovered two (2) Apple iPhone cellular telephones from his person. The cellular telephones were recovered as evidence and transported to Kansas City, Missouri Police Department Headquarters located at 1125 Locust, Kansas City, Jackson County, Missouri. Surveillance detectives continued to follow the dark colored Nissan. Surveillance detectives followed the dark colored Nissan to [REDACTED] Kansas City, Jackson County, Missouri. At [REDACTED] the vehicle parked next to a wooden fence in the alley way at the rear of the residence. No one exited the vehicle and the vehicle then left again. Surveillance detectives observed the silver 2015 Jeep Grand Cherokee bearing Missouri license [REDACTED] hidden in the rear of the residence through the wooden fence from the alley way. It appeared **FAVELA** and the driver of the Nissan were checking to make sure the silver 2015 Jeep Grand Cherokee was still at the location. This Jeep was identified as being the suspect vehicle in regard to the shooting that occurred at Crown Center. The Jeep was located inside of the back yard that was surrounded by a wooden fence. The Jeep was next to a gate and had fresh tire tracks in the snow leading into the back yard. Surveillance detectives continued to follow the Nissan and it responded to [REDACTED], Jackson County, Missouri. The driver exited the vehicle and went into the residence. **FAVELA** was taken into custody at the vehicle. The owner of the vehicle provided consent to search the vehicle and located on the floor by where **FAVELA** was sitting was a black Samsung cellular telephone. The cellular telephone was

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recovered as evidence and transported to Kansas City, Missouri Police Department Headquarters located at 1125 Locust, Kansas City, Jackson County, Missouri.

15. On January 19, 2024, search warrants for the two Apple iPhones recovered from **OLIVAS-VILLANUEVA** and one Samsung phone recovered from **FAVELA** when they were arrested were requested. Search warrants were granted and the cellular telephones were immediately taken to Heart-America Regional Computer Laboratory for examination. Examiners were able to unlock one of the Apple iPhones recovered from **OLIVAS-VILLANUEVA** and located a text string at approximately 1601 hours on January 17, 2024 where **OLIVAS-VILLANUEVA** states "I was gettn off Istg" which investigators believe is a reference to locating [REDACTED] (**West Side Gang**) on Instagram. At approximately 1636 hours there was an Apple map entry starting at [REDACTED] Kansas City, Jackson County, Missouri (**FAVELA's** residence) to Crown Center. At approximately 1735 hours **OLIVAS-VILLANUEVA** starts recording video with audio on his phone while he is following [REDACTED] and yelling obscenities, gang language, and stating he was ready because he had a switch referring to an automatic handgun in an attempt to incite [REDACTED] (**West Side Gang**). It appears to me in the video that the constant harassment from **FAVELA** and **OLIVAS-VILLANUEVA** was done in an attempt to get [REDACTED] (**West Side Gang**) to start something with them to include drawing a weapon. The video shows **FAVELA** and **OLIVAS-VILLANUEVA** following [REDACTED] (**West Side Gang**) through Crown Center making the threats. The video also shows **OLIVAS-VILLANUEVA** walking past a multitude of people in Crown Center who are innocently enjoying their time at Crown Center. The main altercation takes place in the food court of Crown Center which is one of more crowed spots at Crown Center. Also located in the phone were text messages where **OLIVAS-VILLANUEVA** says "I was smackin it out w succas in crown cenctwr" referencing the shooting at Crown Center.
16. In my experience I believe **FAVELA** and **OLIVAS-VILLANUEVA** pose a danger to the public due to their blatant disregard for anyone's safety by opening fire in a crowded mall. The mall had more than ten (10) people in the vicinity of the shooting, including families and children. **FAVELA** and **OLIVAS-VILLANUEVA** went to Crown Center with the intent to shoot at [REDACTED] (**West Side Gang**). If they did not have the intent, they would have not been tracking them on Instagram and would have not responded to Crown Center armed. I believe their intent was to shoot [REDACTED] (**West Side Gang**) and that **FAVELA** and **OLIVAS-VILLANUEVA** gave absolutely no thought to the fact the location would contain innocent people that could get hurt.

Printed Name Dennis Paquette # 4848 Signature /s/Det. Dennis Paquette # 4848

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

Judge

Circuit Court of _____ County, State of Missouri.