

PROBABLE CAUSE STATEMENT FORM

Date: 04/09/2024

CRN: KC24022002

I, Detective K. Mutschler #5702 Kansas City, Missouri Police Department
(Name and identify law enforcement officer, or person having information as probable cause.)

knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

I have probable cause to believe that on 4/8/24, at 4601 Benton Boulevard in
(Date) (Address)

Kansas City, Jackson County Missouri Barnes, Dwayne A.
(County) (Name of Offender(s))

B/M 6/30/82 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 4/8/24 at approximately 2218 hours, uniformed Officers of the Kansas City, Missouri Police Department were patrolling in a marked police vehicle, when they observed a white GMC Sierra truck bearing Missouri license plate HN7R4K with a 2018 registration sticker. A computer check of the license plate responded back with no record. Officers conducted a traffic violation on the aforementioned GMC Sierra in front of **4601 Benton Boulevard Kansas City, Jackson County, Missouri 64130**. Officers contacted the driver, who was identified as **Barnes, Dwayne A. B/M 6/30/82**, and determined he was operating the vehicle while under the influence. As Officers attempted to place **BARNES** under arrest for driving under the influence, **BARNES** resisted by tensing up and pulling away and was subsequently taken to the ground. After more Officers responded to the scene, **BARNES** was placed in handcuffs. Upon standing **BARNES** up onto his feet, shots were fired, striking an Officer standing in front of **BARNES**. The Officer was struck near the elbow and was transported to an area hospital in a police vehicle, where his injuries were determined to be non-life-threatening. In the grass near where **BARNES** was standing, Officers located a silver Smith and Wesson .357 revolver, which contained 3 live rounds and 2 spent shell casings.

Video surveillance was collected from Officers' in-car dash cameras, as well as, Officers' body worn cameras. A review of body camera video revealed Officers assisting **BARNES**, who is handcuffed behind his back, to his feet. Immediately, a silver handgun appears from under **BARNES'** shirt, near his right hip, and he fires one (1) round toward Victim #2, who then falls to the ground. **BARNES** then turns toward Victim #1 and fires one (1) round before he is taken to the ground.

A preliminary interview of Victim #2 was conducted at the hospital and revealed he and his partner responded to assist Officers on a traffic stop in the area of 46th and Benton. When they arrived, Officers had **BARNES** pinned on the ground, so he and his partner assisted in getting **BARNES** into handcuffs. Once he was in handcuffs, Officers stood **BARNES** up in front of Victim #2. Victim #2 stated **BARNES** produced a concealed handgun in the "combat tuck" position and shot him in the right arm. Victim #2 attempted to draw his service weapon, but

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was unable to due to his injuries. Victim #2 stated he fell back and heard one (1) or two (2) more gunshots and then ran across the street.

Victim #1 stated he and his partner responded to assist officers who were out on a traffic stop in the area of 46th and Benton Boulevard. When they arrived, he observed **BARNES** on the ground and Officers were placing him in handcuffs. Victim #1 stated he and his partner were checking to see if their assistance was needed as Officers were standing **BARNES** up from the ground. Once the suspect was standing, Victim #1 stated he heard a loud bang, which startled him, and as he was trying to ascertain where it came from, he heard a second loud bang and observed **BARNES**' hands off to his right hip holding a weapon. Victim #1 stated **BARNES** was then taken to the ground by several Officers.

BARNES was transported to an area hospital due to appearing to be under the influence of Phencyclidine (PCP). After receiving medical treatment, **BARNES** was transported to a KCPD Detention Facility, where he was booked on a 24-hour investigative hold.

A computer check of **BARNES** revealed no felony convictions in Missouri.

Printed Name Detective K. Mutschler #5702 Signature /S/ Detective K. Mutschler #5702

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

Judge

Circuit Court of _____ County, State of Missouri.