

**IN THE CIRCUIT COURT
OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

Police# 16-002147
Prosecutor# 095433100
1616-CR
OCN# cw003359

COMPLAINT

STATE OF MISSOURI

vs.

**Arnett W McNeal Jr.
8406 E. 114th Ter.
Kansas City, MO 64134
DOB: 06/06/1971; Race/Sex: B/M;
SS# [REDACTED]
Defendant.**

**Count I. Assault/attempt Assault 1st Degree On Law Enforcement Officer, Corrections
Officer, Emergency Personnel, Highway Worker, Utility Worker, Cable Worker, Or
Probation And Parole Officer (565.081-001Y19891310.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.083, RSMo, committed the **class A felony of assault of a law enforcement officer in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about July 3, 2016, in the county of Jackson, State of Missouri, the defendant attempted to cause serious physical injury to [REDACTED] a law enforcement officer, by grabbing and point a handgun at him.

The range of punishment for a class A felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years and not to exceed thirty (30) years, or life imprisonment.

Count II. Burglary 2nd Degree (569.170-001Y19792202.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.170, RSMo, committed the **class C felony of Burglary in the Second Degree**, punishable upon conviction under Sections

558.011 and 560.011, RSMo, in that on or about July 3, 2016, in the County of Jackson, State of Missouri, the defendant knowingly entered unlawfully in an inhabitable structure, located at 6245 Ralston Ave., Raytown MO and owned by [REDACTED], for the purpose of committing stealing therein.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, 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.

STATEMENT OF PROBABLE CAUSE

Date: 07-04-2016

Report # 16-2147

I, Nancy Willis, an Investigator with the Raytown, Missouri Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that on 07-03-2016 at 6243 Ralston Ave., Jackson County, Missouri, Arnett Waymon McNeal Jr. a black male, born 06-06-1971, committed one or more criminal offenses in Jackson County, Missouri.
2. The facts supporting this belief are as follows:

On 07-03-2016 at 2141 hours, Raytown Police were dispatched to 6245 Ralston Avenue on a residential burglar alarm. Police Officer [REDACTED] and Officer [REDACTED] arrived at the residence. Officer [REDACTED] went to the rear of the house while Officer [REDACTED] checked the front of the house.

Officer [REDACTED] advised he heard Officer [REDACTED] yell and then heard a single gunshot. Officer [REDACTED] ran to the back of the residence and entered a back door. Officer [REDACTED] saw broken glass on the floor inside the entry way. Officer [REDACTED] saw Officer [REDACTED] standing over two black males who were lying on the kitchen floor wearing blue latex gloves. Officer [REDACTED] saw a handgun lying on the kitchen table. Officer [REDACTED] said the house was in disarray with papers and coins lying all over the kitchen floor. Officer [REDACTED] placed one of the males, later identified as Saintino Garner a black male born, 03-18-1996, in handcuffs and then searched him. Officer [REDACTED] located coins (US Currency) in his sweatshirt.

Officer [REDACTED] contacted the resident at 6243 Ralston Ave., [REDACTED] who said he saw a maroon car earlier in the day (07-03-2016) around 1700 hours parked in the driveway of 6245 Ralston Ave. [REDACTED] saw a black male walk up to the front door of 6245 Ralston then walk back to the maroon car and leave. [REDACTED] later saw the same car drive by 6245 Ralston Ave. around 2100 hours the same day (07-03-2016). [REDACTED] said later when the ambulance was taking the injured suspect identified as Arnett Waymon McNeal Jr. (McNeal) to the ambulance he thought McNeal was the same person that walked up to the front door earlier in the day.

Sergeant Ed Freese conducted an area canvas and located a maroon colored Honda Accord 4-door bearing the license plate of HL3N9T parked in the driveway of 6301 Hedges Avenue. The residence was vacant. Officers were able to see inside the home through the windows and see it was vacant.

Sergeant Freese saw a path (trail) leading from the bottom of the deck steps of 6245 Ralston Ave. diagonally to the southeast corner of the back yard then went to the area of 63rd and Hedges. Sergeant Freese looked inside the maroon colored Honda Accord and latex gloves in plain view.

Detective Nancy Willis applied for a search warrant of 6245 Ralston Ave. and was granted the search warrant from Jackson County Circuit Court Judge Jeffrey Busher. Kansas City Missouri Police Crime Scene Technicians responded to 6245 Ralston and processed the scene.

A 40 cal. Smith and Wesson semi-automatic handgun was found in the kitchen.

Detective Willis applied for a search warrant for the Honda and was granted the search from Judge Jeffrey Busher. Kansas City Missouri Police Crime Scene Technicians had the Honda towed to their

Detective Willis viewed the body camera that was worn by Officer [REDACTED] at the time of the shooting. The time stamp of the video started at 21:45:33. The video was dark because Officer [REDACTED] was outside with no direct light. Officer [REDACTED] walked to the front of a house. The house was illuminated by light bulbs that were illuminating the attached garage. Officer [REDACTED] then walked to the side of the house. He notified Officer [REDACTED] who was responding to the call as well, that two males were inside and told Officer [REDACTED] to go to the front door. Officer [REDACTED] and then shines a green colored light and went through a gate to the back yard.

Officer [REDACTED] walked up to a door that led inside the house. Inside the house the lights were illuminated. Det. Willis saw an entry way with what appeared to be a washer and dryer just inside and to the left. Det. Willis saw what appeared to be broken glass on the entry way floor and a single broken window pane out of the door. Officer [REDACTED] walked inside the threshold. Det. Willis immediately saw two black males inside a kitchen that was directly inside the entryway. The two black males had items in their hands. One male wearing a red colored sweatshirt appeared to be holding clothing while the other male wearing a grey colored sweatshirt appear to be holding a jar of some sort.

The male in the red colored sweatshirt was later identified as Saintino J. Garner a black male born, 03-18-1996. The male in the grey colored sweatshirt was later identified as Arnett Waymon McNeal Jr. a black male born, 06-06-1971.

Officer [REDACTED] yelled "Hands! Get on the ground! Get on the ground both of you! "As Officer [REDACTED] was giving commands McNeal grabbed what appeared to be a black colored handgun from the kitchen table that he was standing next to. McNeal grabbed the gun with his left hand and pointed it at Officer [REDACTED]. Officer [REDACTED] fired one gunshot at McNeal. McNeal dropped the gun and remained standing. Officer [REDACTED] gave both McNeal and Garner commands to get on the ground. Both complied and laid down on the floor. Officer [REDACTED] notified Police Headquarters that "shots were fired". McNeal said, "You shot me". Officer [REDACTED] asked where McNeal was shot. McNeal responded with, "In the stomach". Officer [REDACTED] notified he needed an ambulance.

Officer [REDACTED] placed McNeal in handcuffs. Officer [REDACTED] asked someone if they could handcuff Garner. Det. Willis then saw Officer [REDACTED] in the kitchen placing handcuffs on Garner.

Officer [REDACTED] and Officer [REDACTED] searched both McNeal and Garner. Officer Freeland stayed with McNeal and Garner. Det. Willis then saw Sergeant Freese enter the kitchen. Officer [REDACTED] stood McNeal up and walked him through the house and then outside.

On 07-04-2013 at 0453 hours, Detective Willis and Detective Shawn Didde interviewed Saintino Garner. Det. Willis read Garner his Miranda Waiver Warning. Garner stated he understood and was willing to talk to her. Garner said he left a girls house in Raytown and missed the bus home. Saintino said he was at an unknown gas station asking people to take him home. Saintino said he met two guys who said they would take Saintino home if Saintino helped them with something. Saintino got into the unknown man's car. They drove to a neighborhood where he went into a house with the two men. Saintino said he grabbed a change jar and some jackets from the house and was in the kitchen with the driver of the car when a Police Officer came into the house. Saintino said he saw a gun next to him that the driver had and then heard a gunshot and saw the Police Officer shoot the driver. Saintino said he did not know where the gun the driver was holding came from. Saintino said he never saw anyone with a gun before entering the house.

Saintino said he entered the house through a back door that was already open.

On 07-04-2016 at 0551 hours, Det. Willis and Det. Didde interviewed Arnett McNeal. Det. Willis read McNeal his Miranda Warning. McNeal stated he understood and was willing to talk to her. McNeal said he had his lady friend's car who he identified as [REDACTED]. Arnett said her car was a Honda. He said he picked up Saintino (Tino) from the Apple Market on 63rd Street. They drove to the neighborhood of 6245 Ralston Ave. Arnett said he parked the car and he walked to the front door of 6245 Ralston. No one answered. Arnett and Saintino went to the back door where Arnett said the back door was open with broken glass in the door. Arnett and Saintino went inside the house. Saintino went upstairs to a bedroom where he found a handgun under a mattress. He took the handgun downstairs and put in on the kitchen table. He was in the table holding a change jar when he heard someone come in. He said he turned around and saw someone at the door. He did not know the person was a Police Officer at first but then did. He said he panicked and picked up the gun that was on the table. He said he tried to slide the gun off the table so the Police Officer would not see it. Det. Willis advised him that the body camera worn by Officer [REDACTED] showed him (Arnett) grabbing the gun off the table, raising it up and pointing it at Officer [REDACTED]. Det. Willis showed Arnett the video. Arnett denied pointing the gun at Officer [REDACTED] and. Arnett denied wanting to shoot Officer [REDACTED].

Det. Nancy Willis
Detective (printed)

Det. Willis
Signature

THE COURT FINDS PROBABLE CAUSE.

DATE

JUDGE

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Police# 16-002147
Prosecutor# 095433101
1616-CR
OCN# cw003357

COMPLAINT

STATE OF MISSOURI

vs.

**Saintino J Garner
5127 Indiana Ave.
Kansas City, MO 64130
DOB: 03/18/1996; Race/Sex: B/M;
SS# [REDACTED]
Defendant.**

Count I. Accessory Burglary 2nd Degree (569.170-001Y19792202.2)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.170, RSMo, committed the **class C felony of Burglary in the Second Degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about July 3, 2016, in the County of Jackson, State of Missouri, the defendant, acting alone or in concert with another, knowingly entered unlawfully in a building an inhabitable structure, located at 6245 Ralston Ave., Raytown MO and owned by [REDACTED], for the purpose of committing stealing therein.

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THE STATE OF MISSOURI

VS.

Saintino J Garner

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

LaceShionna N. Cline (#68000)
Assistant Prosecuting Attorney
415 E. 12th St. 11th Floor
Kansas City, Missouri 64106
LCline@jacksongov.org

WITNESSES:

PO Shawn Dide , 10000 E. 59th Street, Raytown, MO 64133

PO Lucas Freeland , 10000 E. 59th St., Raytown, MO 64133

SGT Edward Freese , 10000 E. 59th St., Raytown, MO 64133

C.A.L., 415 E. 12th Street, 11th Floor, Kansas City, MO 64106

DET Nancy Willis , 10000 E. 59th Street, Raytown, MO 64133

PO Lonnie Wood , 10000 E. 59th Street, Raytown, MO 64133

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Det. Nancy Willis
Detective (printed)

Det. Willis
Signature

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