

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

Police# 16-058484
Prosecutor# 095433899
1616-CR
OCN# C0051221

COMPLAINT

STATE OF MISSOURI

vs.

Bertram L Brown
2303 E. 9th
Kansas City, MO 64110
DOB: 09/15/1987; Race/Sex: B/M;
SS# [REDACTED]
Defendant.

Count I. Assault 1st Degree (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **Class B Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant shot at [REDACTED] and such conduct was a substantial step toward the commission of the crime of attempting to kill or cause serious physical injury to [REDACTED], and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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 (571.015-001Y19755299.0)

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 August 10, 2016, in the county of Jackson, State of Missouri, the

defendant committed the felony of Assault in the First Degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years.

Count III. Assault 1st Degree (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **Class B Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant shot at [REDACTED] and such conduct was a substantial step toward the commission of the crime of attempting to kill or cause serious physical injury to [REDACTED], and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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 (571.015-001Y19755299.0)

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 August 10, 2016, in the county of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years.

Count V. Assault 1st Degree (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **Class B Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of

Missouri, the defendant shot at [REDACTED] and such conduct was a substantial step toward the commission of the crime of attempting to kill or cause serious physical injury to [REDACTED], and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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 (571.015-001Y19755299.0)

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 August 10, 2016, in the county of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years.

Count VII. Assault 1st Degree (565.050-002Y19791304.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **Class B Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant shot at [REDACTED] and such conduct was a substantial step toward the commission of the crime of attempting to kill or cause serious physical injury to [REDACTED], and was done for the purpose of committing such assault.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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 VIII. Armed Criminal Action (571.015-001Y19755299.0)

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 August 10, 2016, in the county of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count VII, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years.

Count IX. Stealing A Motor Vehicle - 1st Offense (570.030-008Y19192404.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.030, RSMo, committed the **Class C Felony of Stealing**, punishable upon conviction under Sections 571.015.1, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant appropriated a motor vehicle which property was in the possession of [REDACTED] nters, and the defendant appropriated such property without the consent of [REDACTED] and with the purpose to deprive him thereof .

The range punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

Count X. Unlawful Possession Of A Firearm (571.070-001Y20085212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 571.070, RSMo, committed the **Class C Felony of Unlawful Possession of a Firearm**, punishable under Sections 558.011 and 560.011, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant knowingly possessed a black handgun, a firearm, and on April 6, 2007, the defendant was convicted of the felony of Robbery in the Second Degree in Jackson County Circuit Court case number 0616-CR05231-01.

The range punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

Count XI. Possession Of Up To 35 Grams Of Marijuana (195.202-003Y20093562.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 195.202, RSMo, committed the **Class A Misdemeanor of Possession of a Controlled Substance**, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about August 10, 2016, in the County of Jackson, State of Missouri, the defendant possessed marijuana, a controlled substance, knowing of its presence and nature.

The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed one thousand dollars (\$1,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

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.

THE STATE OF MISSOURI

vs.

Bertram L Brown

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by,

Ashleigh A. Ragner (#63694)
Assistant Prosecuting Attorney
415 E. 12th St. 11th Floor
Kansas City, Missouri 64106
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ARagner@jacksongov.org

WITNESSES:

PO Charles F. Barbosa, 1125 Locust, Kansas City, MO 64106

DET Michael E. Buckley, 1125 Locust, Kansas City, MO 64106

[REDACTED]

[REDACTED]

DET Jennifer D. Jacobs-Weyrauch, 1125 Locust, Kansas City, MO 64106

Deborah McIntosh, 4611 Olive St., Kansas City, MO 64130

[REDACTED]

[REDACTED]

DET Terrence D. Owens, 1125 Locust, Kansas City, MO 64106

PO Timothy W. Roberts, 1125 Locust, Kansas City, MO 64106

[REDACTED]

PROBABLE CAUSE STATEMENT FORM

Date: 08/10/2016

CRN: 16-58484

I, Det. Jennifer Jacobs-Weyrauch, #4921
(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 08/10/2016, at E 8 St/Park Ave. in
(Date) (Address)

Kansas City, Jackson Missouri BERTRAM BROWN
(County) (Name of Offender(s))

B/M, 09/15/1987 committed one or more criminal offense(s).
(Description of Identity)

- Assault
- Armed Criminal Action

The facts supporting this belief are as follows:

On 08/10/2016 at 0730 hours Officers of the Kansas City Missouri Police Department were dispatched to **8th and Park, Kansas City, Jackson County, Missouri** in regard to an aggravated assault involving a firearm.

Victim #1 stated the following: He was working on a job site at 8th and Park Ave for the City of Kansas City, when he heard a shot down the street. He observed a black male, later identified as, **BROWN, BERTRAM, B/M, 09/15/1987**, walking down the street with no shirt on and a bulge on the right side of his pants. **BROWN** then yelled something to the fact "Get off this corner" and pointed a firearm at him and the other victims. **BROWN** fired approximately eight to nine shots from what appeared to be a chrome/black handgun. **BROWN** then jumped into one of their dump trucks, got out and got into a city pickup truck and drove away. The victim did not see what direction **BROWN** fled in. An area canvass was conducted by Officers and **BROWN** was located and taken into custody. The vehicle was recovered and processed for DNA. The victim drove by **BROWN** and observed him being taken into custody.

Victim #2-6 statements were all the same as victim #1.

The witness stated the following: She is [REDACTED] of Olive Park Village which is located at 8th and Olive. She stated she has had previous contacts with **BROWN** on the property. She stated on today's date, 08/10/2016 she observed **BROWN** on the property again **BROWN** did not have a shirt on, black shorts, and his blue checkered boxers were hanging out of his shorts. She heard what she believed to be gunshots so she looked out to see. She observed **BROWN** hold a black in color semi-automatic pistol and he fired it six or seven times. She stated the handgun was pointed at eye level, but she did not know **BROWN** was aiming. She stated Officers later contacted her and she positively identified **BROWN**.

PROBABLE CAUSE STATEMENT FORM

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BROWN was taken into custody and was belligerent and aggressive with Officers. **BROWN** further refused to provide information on his identity. **BROWN** was unable to be interviewed due to the fact he was extremely belligerent and refused to cooperate. A clear plastic baggie containing a green leafy substance was discovered on his person while taking inventory of his property during booking. The substance was field tested and showed positive for THC the main component in marijuana. It should be noted **BROWN** is a convicted felon.

Printed Name Det Jennifer Jacobs Weyrauch Signature Det Jennifer Jacobs Weyrauch #4921
#4921

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

Judge

Circuit Court of _____ County, State of Missouri.