

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

Filed
12/3/2016
P. 1



Police# 16-070752
Prosecutor# 095436480
1616-CR04797 @.q.
OCN#

COMPLAINT

STATE OF MISSOURI

vs.

Rodney V. Rodgers
9809 E. 61st Street Apt. 6
Kansas City, MO 64133
DOB: 05/03/1993; Race/Sex: B/M;
SS# [REDACTED]
Defendant.

Count I. Attempted Robbery 1st Degree (569.020-001Y19791207.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.020, RSMo, committed the **class B felony of attempted robbery in the first degree**, punishable upon conviction under Section 564.010, 558.011, RSMo, in that on or about September 21, 2016, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, pointed a gun at the victim and such conduct was a substantial step towards the commission of the crime of Robbery in the First Degree and done with the purpose to commit such Robbery in the First Degree.

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 (571.015-001Y19755212.)

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 September 21, 2016, in the county of Jackson, State of Missouri, the defendant committed the felony of Attempted Robbery in the First Degree charged in Count One, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Attempted Robbery in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

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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. Burglary 1st Degree (569.160-001Y19792202.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.160, RSMo, committed the **class B felony of burglary in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about September 21, 2016, in the County of Jackson, State of Missouri, the defendant knowingly entered unlawfully in inhabitable structure, located at 605 W. 87th St., Kansas City MO and possessed by [REDACTED], for the purpose of committing stealing therein, and while in such inhabitable structure the defendant or another participant in the crime was armed with a deadly weapon.

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. Involuntary Manslaughter 1st Degree (565.024-001Y19840999.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **class C felony of involuntary manslaughter in the first degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 21, 2016, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of T.G. by operating the vehicle in which T.G. was the passenger at an excessive high rate of speed, losing control of the vehicle, striking a tree and rolling the vehicle which ejected the victim several feet from the vehicle.

The range punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than 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).

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Count V. Resisting Arrest/detention/stop By Fleeing - Creating A Substantial Risk Of Serious Injury/death To Any Person (575.150-002Y20054801.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo, committed the **class D felony of resisting a lawful stop**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 21, 2016, in the county of Jackson, State of Missouri, Detective Michael Helvie and Detective Paul Williams, law enforcement officers, were attempting to make a lawful stop of defendant, and the defendant knew or reasonably should have known that the officers were making a lawful stop, and, for the purpose of preventing the officers from effecting the stop, resisted the stop of defendant by fleeing from the officers and the defendant fled in such a manner that created a substantial risk of serious physical injury or death to other persons in that the defendant drove at speeds between 80-105 mph, made rapid lane changes, failed to yield for traffic control devices, drove into oncoming traffic causing other motorists to take evasive action.

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 two (2) years 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 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 VI. Unlawful Possession Of A Firearm (571.070-001Y20085212.)

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 September 21, 2016, in the County of Jackson, State of Missouri, the defendant knowingly possessed a black Taurus 9mm handgun, a firearm, and in May 6, 2016, the defendant was convicted of the felony of Tampering with a Motor Vehicle, in case number 1416-CR01939-01 in the Circuit Court of Jackson County, Missouri.

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).

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Count VII. Leaving Scene Of Motor Vehicle Accident - Injury, Property Damage Or 2nd Offense (577.060-001Y19795401.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 577.060, RSMo, committed the **class D felony of leaving the scene of a motor vehicle accident**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 21, 2016, the defendant, while operating a motor vehicle on 90th Terrace and Raytoen Road, a highway generally open for use by the public, at or near 605 W. 87th St. in the County of Jackson, State of Missouri, was a party to an accident that caused other persons to sustain physical injury and property damage in excess of one thousand dollars, and the defendant knew that such injury or damage had occurred, and the defendant left the scene of the accident without stopping and giving sufficient information by which the defendant could be readily identified and located to such person(s) or to a police officer in the vicinity or to the nearest police station or judicial officer.

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 two (2) years 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 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 VIII. Driving While Revoked/suspended - 1st Offense (302.321-003Y20115405.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 302.321, RSMo, committed the **unclassified misdemeanor of driving while license was suspended**, punishable upon conviction under Sections 302.321, 558.011 and 560.016, RSMo, in that on or about September 21, 2016, in the county of Jackson, State of Missouri, the defendant operated a motor vehicle on a highway, 605 W. 87th St., during a time when the defendant's operator's license was suspended under the laws of this state, and acted with criminal negligence with respect to knowledge of the fact that the defendant's operator's license was suspended.

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.

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JEAN PETERS BAKER

Prosecuting Attorney

Jackson County, Missouri

by



Julia A. Hamilton (#45429)

Assistant Prosecuting Attorney

415 East 12th Street

Kansas City, Missouri 64106

WITNESSES:

DET Anthony L. Castelletto , 1125 Locust, Kansas City, MO 64106

PO Timothy L. Harms , 1125 Locust, Kansas City, MO 64106

DET Michael P. Helvie , 1125 Locust, Kansas City, MO 64106

PO Robert A. Martin , 1125 Locust, Kansas City, MO 64106

DET Paul A. Oxler , 1125 Locust, Kansas City, MO 64106

PO Matthew T. Sevier , 1125 Locust, Kansas City, MO 64106

DET Kevin M. White , 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 12-03-2016

16-070752
CRN: 16-070749

I, Detective Anthony Castelletto #4831, 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 09-21-2016, at 605 W. 87th Street (16-070752)
(Date) (Address) 90 Terr & Raytown RD (16-070749) in

Kansas City, Jackson Missouri Rodney V. Rodgers
(County) (Name of Offender(s))

B/M 05-03-1993, SSN# [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

Attempted Armed Robbery
1st Degree Burglary
Armed Criminal Action
FIP
Felony Murder
Eluding
Leaving the scene of an accident
Driving while suspended

On 09-21-2016 at approximately 1054 hours, members of the Kansas City Missouri Police Department responded to 605 W. 87th Street, Kansas City, Jackson County, Missouri on a reported armed residential robbery. Upon arrival officers contacted [REDACTED], a male victim, who stated that he was asleep inside his residence when he heard someone ringing his door bell several times. [REDACTED] looked out his bedroom window at which time he observed a white Pontiac G6 sedan with its hood up parked on the street in front of his residence. [REDACTED] observed an unknown black male suspect with dread locks and dark clothing standing next to the vehicle. This suspect would later be identified as **Rodney V. Rodgers B/M 05-03-1993**. [REDACTED] looked out another window and observed a heavy set black male suspect, also with dread locks and a white shirt, standing at the front door ringing the door bell. This suspect would later be identified as Terrance M. Gates B/M 02-25-1990. [REDACTED] did not recognize the suspects and grabbed his baseball bat as he walked toward the living room. As [REDACTED] walked into his living room, Gates forced open the front door to [REDACTED]'s residence and entered the living room. [REDACTED] swung his baseball bat at Gates several times and continued swinging at him until they both were outside the residence in the driveway. At the end of the driveway [REDACTED] fell to the ground and was injured. While [REDACTED] was getting off of the ground, he observed Gates pull out a black semi-automatic handgun and point it at him. Behind Gates, [REDACTED] observed that **Rodgers** also had a black semi-automatic handgun pointed at him. [REDACTED] started walking backwards away from the suspects and ran to his neighbors house for help. While [REDACTED] was looking for help, he observed both suspects enter the front door of his residence however less than a minute later both suspects exited the residence without any property and fled the scene in the white Pontiac G6. [REDACTED] walked through his residence and did not observe anything missing.

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At witness (ER) who was in the area at the time of the robbery, observed the white Pontiac G6 in the street and observed **Rodgers** enter the driver seat of the vehicle as Gates entered the passenger seat of the vehicle. ER then observed the vehicle flee the area at a high rate of speed.

At approximately 1058 hours, 5 minutes after the robbery call was dispatched, officers in the area observed a white Pontiac G6 with a temporary license plate (VIN#1G2ZG57B694195071) driving east on Bannister Road away from the robbery incident location. The vehicle matched the description of the suspect vehicle given by [REDACTED] and was observed to be occupied by two black male subjects who both had dread locks. As the vehicle drove past the officers, they observed **Rodgers** driving the vehicle and Gates as the front seat passenger. Officers started to follow the Pontiac while they waited for helicopter assistance. While following the vehicle, **Rodgers** accelerated in speed and attempted to elude the officers that were following. Officers activated their emergency lights and sirens and a vehicle pursuit was initiated. During the vehicle pursuit, **Rodgers** lost control of the vehicle and struck a tree in the area of 90th Terrace and Raytown Road causing the vehicle to flip over and eject both **Rodgers** and Gates. **Rodgers** fled from the vehicle on foot into a wooded area east of the accident location and was not apprehended. Gates was located a few feet from the suspect vehicle and was apprehended. Located next to Gates, officers observed a black semi-automatic handgun. Gates was transported to a local hospital to be treated for his injuries and later died at the hospital due to his injuries he sustained in the accident (#16-070749). A second semi-automatic handgun was located at the accident scene next to the suspect vehicle.

On 09-21-2016 at approximately 1607 hours, KP, the owner of the suspect vehicle, responded to Police Headquarters and reported that her vehicle was stolen earlier in the day from the area of 87th and Troost. KP stated that she and her boyfriend, **Rodgers**, parked her vehicle in the area of 87th and Troost after the vehicle started having mechanical issues. KP stated that when she returned to her vehicle later in the day, the vehicle was stolen.

On 09-22-2016, detectives showed photo lineups containing **Rodgers** and Gates to [REDACTED] who positively identified Gates as the suspect who forced open his door however was unable to identify **Rodgers**.

On 09-22-2016, detectives interviewed [REDACTED] regarding her stolen auto report who admitted that she lied about the vehicle being stolen. [REDACTED] stated that on 09-20-2016, she stayed the night at **Rodgers** mothers apartment with **Rodgers** and Gates and when she woke up in the morning, **Rodgers** and Gates had left the apartment and her vehicle was missing along with her car keys. [REDACTED] stated that she talked to **Rodgers** after seeing her vehicle involved in an accident on the news at which time **Rodgers** told her that he was sorry that he wrecked her car and would buy her another one. [REDACTED] further stated that **Rodgers** told her that he had a broken leg as a result of the accident.

On 09-22-2016, officers were contacted by a citizen in the area of accident scene who advised officers that he located a pool of blood behind his garage on his property located at 10307 E. 87th Street, Kansas City, Jackson County, Missouri. The scene was processed and the location of the blood was in the path that **Rodgers** was observed running after fleeing the accident. Another citizen

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in the area of the accident scene contacted officers and stated that he had pictures on his trail camera of a subject walking down a trail in the back of his property located at 11999 Military Club Road, Kansas City, Jackson County, Missouri. This location is east of the accident location and in the path that **Rodgers** was observed running after fleeing the accident. Detectives obtained the photos from the trail camera and observed that the subject in the photos was **Rodgers**.

On 09-25-2016, detectives were contacted by a witness who lives in the area of where the robbery occurred (8515 Bellevue, KCMO) and advised detectives that just prior to the robbery on 09-21-2016 two subjects in a white vehicle parked in front of his residence and a subject knocked on his door and asked to mow his lawn. The witness had a surveillance video mounted at his front door which recorded the encounter and forwarded the video to detectives. Detectives reviewed the video which was time stamped 09-21-2016 at 1027 hours and observed that **Rodgers** was the subject who knocked on the witnesses door. **Rodgers** was wearing a black shirt with black shorts as well as red socks with black shoes. This clothing matched the clothing worn by **Rodgers** that was captured on the trail cameras after **Rodgers** fled the scene of the accident. Detectives also observed a white four door sedan parked on the street in front of the witnesses residence and observed a heavy set subject wearing a red shirt exit the vehicle and walk to a residence across the street from the witnesses residence.

On 09-29-2016, a stop order was issued for **Rodgers** and on 12-02-2016, **Rodgers** was arrested by another Police agency for an unrelated charge and transported to the Jackson County Jail.

On 12-03-2016, detectives interviewed **Rodgers**, who after waiving his Miranda rights, admitted to being at the residence with Gates where the robbery occurred however denied having a weapon. **Rodgers** also admitted that he fled from officers when they tried to pull him over because he was on probation and was not supposed to be driving a vehicle. **Rodgers** admitted that he was driving the vehicle when he became involved in the accident that resulted in Gates death and admitted to fleeing the scene of the accident.

A check of **Rodgers** criminal history revealed that on 5-06-2016, under Jackson County case number 1416-CR01939-01, **Rodgers** pled guilty to Tampering with a motor vehicle and Stealing.

Printed Name Det. Anthony Castelletto #4831

Signature



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

Judge

Circuit Court of _____ County, State of Missouri.