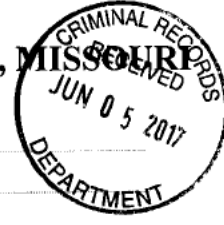


Filed 6/3/17
12:53pm
SMB

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



POLICE NO. : 17-047921
PROSECUTOR NO. : 095439697

STATE OF MISSOURI,)
)
 PLAINTIFF,)
)
 vs.)
)
 MARCUS A. BARRETT)
)
 5014 S. Benton Ave.,)
)
 Kansas City, MO - 64130)
)
 DOB: 03/08/1983)
)
 Race/Sex: B/M;)
)
 SSN: XXX-XX-)
)
 DEFENDANT.)

CASE NO. 1716-CR02411 wfp
DIVISION

COMPLAINT

**Count I. Assault 1st Degree or Attempt - Serious Physical Injury Or Special Victim
(565.050-001Y19841304.0)**

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 A Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about May 25, 2017, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [redacted] by shooting [redacted] with a gun.

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 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. Armed Criminal Action (571.015-001Y19755213.0)

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 571.015.2, RSMo, in that on or about May 25, 2017, in the County of Jackson, State of Missouri, the defendant committed the **Class A Felony of Assault in the First Degree**, charged in Count 1, all allegations of which are incorporated herein by reference,

State vs. Marcus A. Barrett

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, and

On or about January 2, 2001, in the 16th Circuit Court of Jackson County, Missouri, the defendant was convicted of the offense of Armed Criminal Action, Case Number 16CR00000322-01.

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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 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. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition 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.

Count III. Unlawful Possession of a Firearm (571.070-001Y20175212.)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the **Class D Felony of Unlawful Possession of a Firearm**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about May 25, 2017, in the County of Jackson, State of Missouri, the defendant knowingly possessed a handgun, a firearm, and on or about January 2, 2001, the defendant was convicted of the Felony offense of Robbery in the First Degree, a Class A Felony, Case Number 16CR00000322-01, in the 16th Circuit Court in Jackson County, Missouri.

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 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.

State vs. Marcus A. Barrett

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.

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Luke H. Alsobrook
Luke H. Alsobrook (#66442)
Assistant Prosecuting Attorney
415 E. 12th St., Floor 7M
Kansas City, MO - 64106
(816) 881-3550
lhalsobrook@jacksongov.org

WITNESSES:

[REDACTED]
PO Kevin A. Colhour, 1125 Locust, Kansas City, MO - 64106

DET Chason C. Crowell, 1125 Locust, Kansas City, MO - 64106
[REDACTED]

DET Andrew J. Henry, 1125 Locust, Kansas City, MO - 64106
[REDACTED]

[REDACTED]
PO Austin M. Reiter, 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 06/01/2017

CRN: 17-47921

I, Detective Austin Reiter #5707
(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 05/25/2017, at 4418 Flora Ave in
(Date) (Address)

Kansas City, Jackson Missouri Marcus Barrett
(County) (Name of Offender(s))

BM,03/08/1983:SSN [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

Aggravated Assault
Armed Criminal Action

The facts supporting this belief are as follows:

On 05/25/2017 at approximately 2014 hours, Officers of the Kansas City, MO Police Department were dispatched to **4418 Flora, Kansas City, Jackson County, Missouri** in regard to a shooting. Upon officers arrival they discovered VIC had been shot in the abdomen and was transported to an area hospital. Officers responded to the hospital but were unable to interview the victim due to his injuries.

Detectives interviewed Witness 1 who stated he had seen the suspect, **MARCUS BARRETT, B/M, 03/08/1983** and the resident of 4418 Flora get into an argument with the victim about parking his vehicle in front of his house. **BARRETT** produced a handgun from his waistband and fired it at the victim. Witness 1 said he saw **BARRETT** leave the area in a white Lincoln vehicle. Witness 1 was presented with a photo-line up consisting of 6 black males all similar in appearance with **BARRETT** in position 6. Witness 1 positively identified **BARRETT** as the person who shot the victim.

Detectives interviewed witness 2 who said on the evening of 05/25/2017 he observed suspect, raise a black handgun at victim and then heard shooting. Witness 2 described the suspect as a black male with dreadlocks. He then found the victim to have been shot and drove him to an area hospital.

Detectives interviewed witness 3 on scene who said he was at a friend's house in the area of 44th and Flora on the evening of 05/25/2017, when he observed the victim walking down the street. He heard the suspect tell the victim, "Get away from my car." The suspect then pulled out a gun and shot the victim.

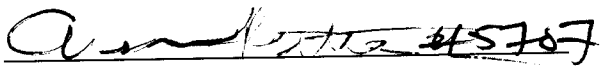
Detectives interviewed witness 4 who said she lives at 4418 Flora. On the evening of 05/25/2017, Witness 4 said she was in her driveway when she heard approximately four shots. Witness 4 said she did not actually see the shooting but said **BARRETT** was present when the shooting occurred. Witness explained that **BARRETT** is her sister's boyfriend and identified him by name. Witness 4 was presented with a single DOR photo of **BARRETT** which she positively identified.

On 05/31/2017 at 1939 hours **BARRETT** was placed under arrest at 5014 S Benton on a felony stop order in regard to this case and placed on a 24 hour investigative hold.

PROBABLE CAUSE STATEMENT FORM

CRN 17-47921

On 06/01/2017 at 0911 hours, Detectives interviewed **BARRETT** who was read his Miranda waiver and stated he understood, signing the waiver. **BARRETT** said he was at his children's mothers' residence at 5014 S Benton the entire day of 05/25/2017. **BARRETT** said the only time he left the residence was to get food from Captain D's on 63rd Street at about 1730 hours on 05-25. **BARRETT** said he then fell asleep at the residence until the next day. **BARRETT** denied being anywhere in the area of 44th and Flora and also denies driving his children's mothers, white Lincoln sedan on the evening of the shooting, which he stated was parked at 5014 S Benton when he was arrested.

Printed Name Detective Austin Reiter #5707 Signature 

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 KANSAS CITY**

POLICE NO. :	17-049831
PROSECUTOR NO. :	095439766

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
MARCUS A. BARRETT)	
5014 S. Benton Ave.,)	CASE NO. 1716-CR02436
Kansas City, MO - 64130)	DIVISION
DOB: 03/08/1983)	
Race/Sex: B/M;)	
SSN: XXX-XX-████)	
)	DEFENDANT.

SECOND AMENDED COMPLAINT

**Count I. Assault 1st Degree or Attempt - Serious Physical Injury Or Special Victim
(565.050-002Y19791306.0)**

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 June 2, 2017, in the County of Jackson, State of Missouri, the defendant choked █████ until she lost consciousness, and such conduct was a substantial step toward the commission crime of attempting to casue serious physical injury to █████, and was done for the purpose of committing such assault.

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. Tampering With a Witness In a Felony Prosecution (575.270-001Y20175006.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.270, RSMo, committed the **Class D Felony of Tampering With a Witness**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about June 2, 2017, in the County of Jackson, State of Missouri, the defendant, with the purpose to induce █████ to withhold evidence or information or to testify falsely as a prospective witness in the felony case of State of Missouri v. Marcus Barrett, Case number 1716-CR02411, charge of Assault

State vs. Marcus A. Barrett

1st degree, Armed Criminal Action and Unlawful Possession of a Firearm, that occurred on May 25, 2017, the defendant did so by threatening and causing harm to MH.

A person convicted of this offense shall not be eligible for parole.

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 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.

Count III. Unlawful Possession Of A Firearm (571.070-001Y20175212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the **Class D Felony of Unlawful Possession of a Firearm**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about June 2, 2017, in the County of Jackson, State of Missouri, the defendant knowingly possessed a handgun, a firearm, and on or about January 2, 2001, the defendant was convicted of the Felony offense of Robbery in the First Degree, a Class A Felony, Case Number 16CR00000322-01, in the 16th Circuit Court in Jackson County, Missouri.

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 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.

Count IV. Unlawful Use of Weapon - Subsection 4 - Exhibiting (571.030-010Y20175212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **Class E Felony of Unlawful Use of a Weapon**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about June 2, 2017, in the County of Jackson, State of Missouri, the defendant knowingly exhibited, in the presence of one or more persons a handgun, a weapon readily capable of lethal use, in an angry or threatening manner.

State vs. Marcus A. Barrett

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 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 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 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.

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Luke H. Alsobrook
Luke H. Alsobrook (#66442)
Assistant Prosecuting Attorney
415 E. 12th St., Floor 7M
Kansas City, MO - 64106
(816) 881-3550
lhalsobrook@jacksongov.org

WITNESSES:

██
██
██

PO Johnathan VanHoecke, 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 06/02/2017

CRN: 17-49831

I, Detective Andrew Henry #5404, 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 06/02/2017, at 5014 SOUTH BENTON AV in
(Date) (Address)

Kansas City, JACKSON Missouri BARRETT, MARCUS A
(County) (Name of Offender(s))

B/M, DOB#03/08/1983, SS [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 06/02/2017 officers of the Kansas City Missouri Police Department were dispatched to 5014 South Benton Ave., Kansas City, Jackson County, Missouri in regard to a disturbance. Officers discovered, per the victim's & witness's statement, that the suspect (**BARRETT, MARCUS A, B/M, DOB#03/08/1983**) had choked the victim until she lost consciousness and brandished a gun, chambering a round, afterward when she confronted him about choking her.

The victim was contacted by detectives and a formal interview was conducted. The victim stated she was sleeping at 5014 South Benton, which is her sister's, the witness's, residence. She was awoken because the witness and **BARRETT** were arguing. At that point, **BARRETT** stated "Bitch I'll leave yellow tape." **BARRETT** was yelling at the victim and witness stating he was going to kill them for "snitching." **BARRETT** also made statements stating he would do anything to keep out of trouble. The victim told **BARRETT** they did not tell anyone anything, at which point **BARRETT** struck her in the face with a closed fist, causing her to fall to the ground. **BARRETT** got on top of the victim, straddling her, and began to choke her, cutting off her airway. **BARRETT** used two hands and placed them around her throat, causing her to lose consciousness. She woke up and her nose was bleeding. **BARRETT** left the residence towards a Gold Lincoln, which was parked in the street in front of the house. The victim followed **BARRETT** out of the house towards the car asking why he just assaulted her. At that time, Barrett opens the driver's side car door of the vehicle and grabbed a black, possibly 9mm, semi-auto handgun from the driver door. Barrett loaded, "cocks" the gun, putting a round in the chamber. Barrett held the gun pointed towards the ground stating "Get the fuck on" to the victim. She went back into the residence as **BARRETT** got into the Lincoln and left the scene southbound.

The victim stated she believes Barrett assaulted her because he thinks she told people he had something to do with a shooting that took place at her residence on 05-25-2017. **BARRETT** made statements to her stating "You Bitches are working together and before I go to jail I'm going to kill everyone." **BARRETT** made these statements in regard to the shooting at 44th St. and Flora.

The witness was contacted by detectives and a formal interview was conducted. The witness stated she was sleeping in her bed at 5014 South Benton, her residence, when she woke to **BARRETT** standing over her.

PROBABLE CAUSE STATEMENT FORM

CRN 17-49831

BARRETT began to curse at her saying "You and your sister ratted on me!" & "I'll have this motherfucker yellow taped off!" The victim then approached BARRETT saying that no one was talking about him or telling on him. BARRETT rushed towards the victim and got on top of her with his hands on her throat. The witness ran out of the residence to hide a couple houses down. While she was hiding, she observed her vehicle, a Gold Lincoln, leaving the area southbound.

Printed Name Det. Andrew Henry #5404

Signature *Det. Andrew Henry #5404*

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

Judge

Circuit Court of _____ County, State of Missouri.