

State vs. Richard W. Duncan

the foregoing felony of robbery 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. 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. Kidnapping - Facilitating A Felony - Inflicting Injury - Terrorizing - 1st Degree (565.110-002Y19501006.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.110, RSMo, committed the **class B felony of kidnapping in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 28, 2018, in the County of Jackson, State of Missouri, defendant, acting alone or purposefully in concert with others, unlawfully confined [REDACTED] for a substantial period, without [REDACTED] consent for the purpose of facilitating the commission of the felony of robbery in the first degree and/or flight after the commission of the felony of robbery in the first degree.

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 (571.015-001Y19755212.0)

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 28, 2018, in the County of Jackson, State of

State vs. Richard W. Duncan

Missouri, the defendant committed the felony of kidnapping 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 kidnapping 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. 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 V. 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 August 28, 2018, in the County of Jackson, State of Missouri, the defendant knowingly possessed a firearm, and on April 1, 1999, the defendant was convicted of the felony of murder in the second degree in the circuit court of Jackson County, Missouri (16CR-98005471-01) .

The range of 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.

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.

State vs. Richard W. Duncan

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/ Jennifer S Tatum
Jennifer S Tatum (#70789)
Assistant Prosecuting Attorney
415 E. 12th Street
Floor 7M
Kansas City, MO 64106
(816) 881-3628
jtatum@jacksongov.org

WITNESSES:

1. PO Sarah Baldwin, 1125 Locust, Kansas City, MO 64106
2. 
3. DET Todd A. Dolato, 1125 Locust, Kansas City, MO 64106
4. PO John P. Mahoney, 1200 E. Linwood, Kansas City, MO 64106
5. DET Gwendolyn S. Merino, 1125 Locust, Kansas City, MO 64106
6. PO Christopher J. Theison, 1125 Locust, Kansas City, MO 64106
7. DET Kevin M. White, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 08/28/2018

CRN: 18-066233

I, Det. Gwen Merino #4908, Kansas City 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 8/28/2018, at 6224 E 13th Street in
(Date) (Address)

Kansas City, Jackson Missouri Richard W. Duncan
(County) (Name of Offender(s))

W/M 02/18/1977 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 8/28/2018 at 0111 hours, officers with the Kansas City Police Department were dispatched to 6641 Truman Road regarding an armed robbery. Upon arrival, officers contacted the victim who stated he was held against his will and robbed at a nearby residence, later determined to be **6224 E. 13th Street, Kansas City, Jackson County, Missouri.**

The victim was contacted and stated he was giving his friend, Megan Wards W/F 07/13/1985, a ride from her house to area of 13th and Fremont Ave. The victim stated that Wards was going to pick up an "8 ball" of meth. He stated that she gave him \$15.00 for the ride and that she was going to be staying at the residence. The victim stated when he got to the location (6224 E. 13th Street) that a white male wearing black rimmed glasses, later identified as, **Richard Duncan W/M 02/18/1977**, was on the porch and Wards asked him to come up and meet him. The victim stated that Wards "maybe offered him a blow job" for coming up to the residence with her. The victim stated once he went inside, **Duncan** told them to go into a back bedroom. The victim stated that once in the bedroom, **Duncan** pulled a small silver handgun out and stated "Empty your pockets." The victim handed over the keys to his vehicle (black, 2006 Hyundai Sonata bearing Missouri license WL9R5J, VIN: 5NPEU46F86H021056), his wallet containing approximately \$135 in cash and credit cards, and his cell phone. **Duncan** then told Wards to turn the light on. The residence does not have electrical power turned on at the residence, so Wards held a flashlight while **Duncan** picked up the victims property. **Duncan** then made the victim turn around and he put duct tape on his hands behind his back. **Duncan** and Wards then left the residence in the victim's vehicle. The victim was able to get the duct tape off and walked to 6641 E. Truman Rd where he was able to contact Police.

While at the scene, the victim borrowed a phone and looked at Facebook. The victim then showed the reporting officers a Facebook profile with the name "Megan Wards" and stated that was Wards. The officer conducted a computer check of booking photo and confirmed the similarities to the profile "Megan Wards" was the same female suspect the victim described.

After receiving consent from the home owner of 6224 E. 13th Street, officers searched the residence and located a section of black duct tape on the floor of the living room, consistent with the victim's statement.

A short time later, officers located the victim's vehicle in the area of St. John and Elmwood Ave. As officers turned their patrol vehicle around, the vehicle accelerated westbound on St. John. Officers activated their emergency lights and sirens in an attempt to stop the vehicle. The vehicle continued south on Jackson Ave. in excess of fifty (50) miles per hour (mph) where the streets are posted at 35 (mph). The vehicle failed to stop for multiple stop signs while speeding through a residential neighborhood. The vehicle then turned east on Independence Ave., failing to use a turn signal, reaching speeds of approximately sixty (60) mph to eighty (80) mph in a posted (35 mph) zone. The vehicle continued eluding officers at a high rate of speed. At one point, the vehicle failed to stop for the stop light at Independence Ave. and Winner Road, which

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caused another Kansas City Police vehicle to abruptly stop in order to avoid a collision. The vehicle then continued travelling at a high rate of speed, through a large apartment complex at 17th Street and Topping Ave. with frequent pedestrian traffic. Officers briefly lost sight of the vehicle due to the erratic driving. Another police vehicle located the vehicle approximately 21 seconds after the first officers lost sight, in the area of 22nd Street and Oakley Ave. The initial officers turned east on Hardesty Ave. and observed the vehicle accelerating west from Drury Ave. directly at the police vehicle. The officer pulled their patrol vehicle to the side of the road in order to avoid being struck. After several more minutes of the pursuit, the vehicle failed to stop at the stop sign at 12th Street and Chestnut Ave and struck a curb on the northwest corner of 11st Street and Chestnut Ave., causing the vehicle to come to a stop. Officers ordered the driver (**Wards**) out of the vehicle. After several verbal commands, the officers took Wards into custody. The front passenger and only other occupant of the vehicle, **Duncan**, was also taken into custody without incident. The vehicle was towed to the city tow lot with a hold for the Robbery Unit.

A search of the victim’s vehicle revealed the following items: a red purse containing Wards driver license as well as credit cards with the victim’s name, a flashlight found on the floor of the driver’s seat, two cell phones between the driver seat and center console, and a pair of black rimmed glasses in the back seat.

Duncan was contacted at the Jackson County Detention Center. **Duncan** was advised of his Miranda Rights via the Miranda Warning and Waiver. **Duncan** acknowledged he understood his rights and signed the form indicating he wished to speak to detectives. **Duncan** admitted to being in the vehicle with Wards, but stated that Wards picked him up sometime that evening. **Duncan** denied any involvement in a robbery and denied knowing the victim.

Wards was contacted at the Jackson County Detention Center. Wards was advised of her Miranda Rights via the Miranda Warning and Waiver. Wards acknowledged she understood her rights and signed the form indicating she wished to speak to detectives. Wards admitted to knowing the victim and stated the victim frequently called her to buy narcotics. Wards stated the victim picked her up at an unknown residence and they drove to **Duncan’s** residence. She stated **Duncan** did not have any narcotics to sell, so they drove to another residence in the area but was unsure of the address. Wards stated a flashlight “wasn’t used” during the incident we were discussing, but would not discuss in further detail. Wards further stated she failed to stop for officers because she knew she had felony warrants in Kansas and has gotten away from officers in the past. Wards refused to answer additional questions and requested a lawyer.

A computer check of **Duncan’s** criminal history revealed he is a convicted felon and prohibited from carrying firearms. **Duncan** was convicted of murder in the second degree in the Circuit Court of Jackson County in Court case number 16CR-98005471 on or about April 1, 1999.

Printed Name Det. Gwen Merino #4908 Signature /s/Det. Gwen Merino #4908

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

Judge

Circuit Court of _____ County, State of Missouri.

the foregoing felony of robbery 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. 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. Resisting Arrest/detention/stop By Fleeing - Creating A Substantial Risk Of Serious Injury/death To Any Person (575.150-002Y20174801.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo, committed the **class E felony of resisting an arrest**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about August 28, 2018, in the County of Jackson, State of Missouri, Officers Mahoney and Kuehl, law enforcement officers, were attempting to lawfully detain or stop an individual or vehicle for robbery in the first degree, and the defendant knew or reasonably should have known that the officer(s) were making a lawful stop, and, for the purpose of preventing the officer(s) from effecting the lawful stop, resisted the arrest of defendant by fleeing from the officer(s) and defendant fled in such a manner that created a substantial risk of serious physical injury or death to other persons in that defendant drove at excessive speeds, ran red lights, and ran stop signs in residential neighborhoods.

The range of 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.

Count IV. Kidnapping - 1st Degree (565.110-001Y19001006.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.110, RSMo, committed the **class B felony of kidnapping in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 28, 2018, in the County of Jackson, State of Missouri, defendant, acting alone or purposefully in concert with others, unlawfully confined [REDACTED] for a substantial period, without [REDACTED] consent for the purpose of facilitating the commission of the felony of robbery in the first degree and/or flight after the commission of the felony of robbery in the first degree.

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 V. Armed Criminal Action (571.015-001Y19755212.0)

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 28, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of kidnapping in the first degree charged in Count IV, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of kidnapping 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. 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.

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/ Jennifer S Tatum
Jennifer S Tatum (#70789)
Assistant Prosecuting Attorney
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PROBABLE CAUSE STATEMENT FORM

Date: 08/28/2018

CRN: 18-066233

I, Det. Gwen Merino #4908, Kansas City 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 8/28/2018, at 6224 E 13th Street in
(Date) (Address)

Kansas City, Jackson Missouri Megan N. Wards
(County) (Name of Offender(s))

W/F 07/13/1985 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 8/28/2018 at 0111 hours, officers with the Kansas City Police Department were dispatched to 6641 Truman Road regarding an armed robbery. Upon arrival, officers contacted the victim who stated he was held against his will and robbed at a nearby residence, later determined to be 6224 E. 13th Street, Kansas City, Jackson County, Missouri.

The victim was contacted and stated he was giving his friend, Megan Wards W/F 07/13/1985, a ride from her house to area of 13th and Fremont Ave. The victim stated that Wards was going to pick up an "8 ball" of meth. He stated that she gave him \$15.00 for the ride and that she was going to be staying at the residence. The victim stated when he got to the location, (6224 E. 13th Street) that a white male wearing black rimmed glasses, later identified as, Richard Duncan W/M 02/18/1977, was on the porch and Wards asked him to come up and meet him. The victim stated that Wards "maybe offered him a blow job" for coming up to the residence with her. The victim stated once he went inside, Duncan told them to go into a back bedroom. The victim stated that once in the bedroom, Duncan pulled a small silver handgun out and stated "Empty your pockets." The victim handed over the keys to his vehicle (black, 2006 Hyundai Sonata bearing Missouri license WL9R5J, VIN: 5NPEU46F86H021056), his wallet containing approximately \$135 in cash and credit cards, and his cell phone. Duncan then told Wards to turn the light on. The residence does not have electrical power turned on at the residence, so Wards held a flashlight while Duncan picked up the victims property. Duncan then made the victim turn around and he put duct tape on his hands behind his back. Duncan and Wards then left the residence in the victim's vehicle. The victim was able to get the duct tape off and walked to 6641 E. Truman Rd where he was able to contact Police.

While at the scene, the victim borrowed a phone and looked at Facebook. The victim then showed the reporting officers a Facebook profile with the name "Megan Wards" and stated that was Wards. The officer conducted a computer check of booking photo and confirmed the similarities to the profile "Megan Wards" was the same female suspect the victim described.

After receiving consent from the home owner of 6224 E. 13th Street, officers searched the residence and located a section of black duct tape on the floor of the living room, consistent with the victim's statement.

A short time later, officers located the victim's vehicle in the area of St. John and Elmwood Ave. As officers turned their patrol vehicle around, the vehicle accelerated westbound on St. John. Officers activated their emergency lights and sirens in an attempt to stop the vehicle. The vehicle continued south on Jackson Ave. in excess of fifty (50) miles per hour (mph) where the streets are posted at 35 (mph). The vehicle failed to stop for multiple stop signs while speeding through a residential neighborhood. The vehicle then turned east on Independence Ave., failing to use a turn signal, reaching speeds of approximately sixty (60) mph to eighty (80) mph in a posted (35 mph) zone. The vehicle continued eluding officers at a high rate of speed. At one point, the vehicle failed to stop for the stop light at Independence Ave. and Winner Road, which

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CRN 18-066233

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A search of the victim's vehicle revealed the following items: a red purse containing **Wards** driver license as well as credit cards with the victim's name, a flashlight found on the floor of the driver's seat, two cell phones between the driver seat and center console, and a pair of black rimmed glasses in the back seat.

Duncan was contacted at the Jackson County Detention Center. Duncan was advised of his Miranda Rights via the Miranda Warning and Waiver. Duncan acknowledged he understood his rights and signed the form indicating he wished to speak to detectives. Duncan admitted to being in the vehicle with **Wards**, but stated that **Wards** picked him up sometime that evening. Duncan denied any involvement in a robbery and denied knowing the victim.

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Printed Name Det. Gwen Merino #4908 Signature /s/Det. Gwen Merino #4908

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

Judge

Circuit Court of _____ County, State of Missouri.