

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

Police# 16-061575  
Prosecutor# 095434223  
1616-CR  
OCN# an014135

**COMPLAINT**

**STATE OF MISSOURI**

**vs.**

**Malcolm D. Johnson  
3618 E.68th Terr.  
Kansas City, MO 64129  
DOB: 08/14/1989; Race/Sex: B/M;  
SS# [REDACTED]  
Defendant.**

**Count I. Unlawful Possession Of A Firearm (571.070-001Y20085299.0)**

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 14, 2016, in the County of Jackson, State of Missouri, the defendant knowingly possessed a black SKS Norinco rifle, a firearm, and on February 16, 2016, the defendant was charged with the felony of Murder in the Second Degree and Armed Criminal Action in the Circuit Court of Jackson County, Missouri and was a fugitive from justice in that he was mistakenly released from the Jackson County Department of Corrections on February 18, 2016 after the arrest warrant had been served by the Raytown, Missouri Police Department and with the knowledge that a warrant had been issued for him with a 200,000.00 10% bond, remaining at large until arrested on August 14, 2016.

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.

**Malcolm D. Johnson**

**JEAN PETERS BAKER**

Prosecuting Attorney  
Jackson County, Missouri  
by,

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Traci A. Stansell (#41903)  
Assistant Prosecuting Attorney  
321 W. Lexington  
Independence, Missouri 64050  
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**WITNESSES:**

Dehaven Hannahs , 3810 S. Canterbury Place, Independence, MO 64055  
DET Kyle Jarnagin , 223 N. Memorial Drive, Independence, MO 64050  
PO Rodney Johnson , 223 N. Memorial Drive, Independence, MO 64050

[REDACTED]  
[REDACTED]  
[REDACTED]

## PROBABLE CAUSE STATEMENT

Date: 8/16/2016

Report #: 2016-61575

I, Kyle Jarnagin, a Detective with the Independence, 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 8/14/2016, at 0745 hours, Malcolm D Johnson, (Race- Black, Sex- Male, DOB- 08/14/1989, Address-3618 E 68<sup>th</sup> Terr, Kansas City, Missouri, 64129, SSN- [REDACTED], committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 08/14/2016 at approximately 0745 hours officers contacted the Defendant who was at the time sleeping in the bed of a blue Chevrolet S10 truck with MO license 4DS963 and VIN 1GCCS19X338264879. Officers observed a black SKS 7.62x39mm Norinco rifle with serial number 16056850 lying in the bed of the truck next to the Defendant. The rifle was reported stolen from Kansas City Missouri on 12/23/2015. The Defendant was the only subject in the bed of the truck at the time contact with officers was made. Officers recovered a 7.62mm round in the Defendant's front pants pocket.

P.O. D McIntosh/1544 stated on 08/14/2016 at approximately 0745 hours he, along with P.O. R Johnson/978 responded to the area of 3816 S Canterbury Place regarding suspicious activity. The reporting party stated they were concerned due to three black males passed out in a truck parked along the curb. P.O. D McIntosh stated upon his arrival he exited his vehicle and walked towards the truck to the driver's side at which time he looked into the bed of the truck and observed a black Norinco SKS assault rifle lying in the truck bed next to the Defendant who was passed out. The rifle appeared to be loaded with a 30 round magazine and the polymer stock had been sawed off. P.O. D McIntosh stated he quietly alerted P.O. R Johnson of the weapon and reached into the truck to remove and secure the weapon. He placed the rifle near the patrol vehicle parked behind the truck for officer safety. P.O. D McIntosh stated he observed two other black males asleep in the cab of the truck, later identified as [REDACTED] and [REDACTED]. P.O. R Johnson began giving verbal commands to the occupants in the cab of the truck. This caused the Defendant, who was still passed out in the bed of the truck, to wake up and at which time he rolled towards the direction of the rifle. The Defendant was ordered by P.O. D McIntosh not to move any further.

P.O. D McIntosh stated once the Defendant exited the bed of the truck he was frisked for additional weapons due to the rifle being located next to him. P.O. D McIntosh stated during the frisk he located a bottle of liquor from the Defendant's jacket pocket, a cell phone from his jacket pocket, and a 7.62mm Taulammo round from his right front pants pocket. P.O. D McIntosh stated he removed the items from the Defendant's person when it was not immediately known to him what those items were to ensure officer safety.

P.O. D McIntosh began to render the SKS rifle safe. He removed the magazine and loose rounds in the chamber and had dispatch check the serial number of the rifle (16056850.) Dispatch

confirmed the rifle had been reported stolen out of Kansas City Missouri on 12/23/2015 (reference report number 2015-92431.)

P.O. J Grooms/1509 advised P.O. D McIntosh that a search of the truck was initiated after a spent shell casing was observed in plain view sitting on the passenger's seat of the truck. A second spent shell casing was observed as well on the passenger's seat of the truck.

The subject in the driver's seat of the truck [REDACTED], stated he did not know where the keys were. He stated to P.O. D McIntosh that he could not find the keys last night and that's why they slept in the truck.

The Defendant was taken into custody and transported to detention for possession of stolen property. The original identity the Defendant provided verbally was [REDACTED]. Detention personnel conducted a LiveScan fingerprint on the Defendant which confirmed his identity. The Defendant stated later he lied about his identity because he had warrants. The Defendant had an active felony warrant out of Raytown Missouri for 2<sup>nd</sup> degree murder.

P.O. D McIntosh stated photos of the property and the vehicle were taken. The shell casings and rifle were secured before being placed on property as evidence.

Detective KDJarnagin interviewed the Defendant who denied firing the rifle and denied knowing the rifle was stolen. He did state his DNA would probably be on the rifle. The Defendant stated he didn't remember much about the night before due to being very intoxicated and also ingesting multiple lines of cocaine.

Detective KDJarnagin

\_\_\_\_\_  
Print Name

*Detective KDJ*  
\_\_\_\_\_  
Signature

THE COURT FINDS PROBABLE CAUSE:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge