

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	17-022311
PROSECUTOR NO. :	095438736

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
JAMES S. MCCHAN)	
5600 Michigan Ave.,)	CASE NO. 1716-CR
Kansas City, MO - 64130)	DIVISION
DOB: 07/02/1960)	
Race/Sex: W/M;)	
SSN: [REDACTED])	
)	DEFENDANT.

COMPLAINT

Count I. Robbery - 1st Degree (570.023-001Y20171207.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.023, RSMo, committed the class A felony of robbery in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about March 29, 2017, in the County of Jackson, State of Missouri, the defendant acting alone or in concert with others forcibly stole US currency and a firearm owned by [REDACTED], and in the course thereof defendant or another participant in the offense displayed and threatened the use of what appeared to be a deadly weapon or dangerous instrument.

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 (571.015-001Y19755299.0)

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 March 29, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Robbery 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 Robbery in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon or dangerous instrument.

State vs. James S. McChan

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 (569.160-001Y19792204.0)

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 March 29, 2017, in the County of Jackson, State of Missouri, the defendant acting alone on in concert with others knowingly entered unlawfully in an inhabitable structure, located at 3622 S. Delaware, Independence Missouri and owned by ██████████, for the purpose of committing stealing therein, and while in such an inhabitable structure there was present in such inhabitable structure ██████████ ██████████, a person who was not a participant in the crime.

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. 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 March 29, 2017, defendant acting alone or in concert with others unlawfully confined ██████████ for a substantial period, without ██████████ consent for the purpose of facilitating the commission of the felony of Robbery of ██████████.

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.

State vs. James S. McChan

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/ Michael J. Hunt
Michael J. Hunt (#34818)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO - 64050
(816) 881-3856
mhunt@jacksongov.org

WITNESSES:

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

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

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DET Blake E. Groves , 1125 Locust, Kansas City, MO - 64106

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

DET Dawn M. Jones , 1125 Locust, Kansas City, MO - 64106

DET David D. Kissee , 1125 Locust, Kansas City, MO - 64106

DET Dawn M. Minor , 1125 Locust, Kansas City, MO - 64106

██
DET Sarah M. Throckmorton , 1125 Locust, Kansas City, MO - 64106

PO Thomas Wagstaff , 223 N. Memorial Drive, Independence, MO - 64050

PROBABLE CAUSE STATEMENT FORM

Date: 03-30-2017

CRN: 17-022311
IPD CRN: 2017-21578

I, Detective Blake Groves #5271 of the 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 03-29-2017, at 3622 S. Delaware Av in
(Date) (Address)

Independence, Jackson Missouri James S. McChan
(County) (Name of Offender(s))

w/m 07-02-1960; SSN: 495-66-7490 committed one or more criminal offense(s).
(Description of Identity)

RSMO 569.160.1 (1,2,3); Burglary in the 1st Degree
RSMO 565.052.1 (2); Assault in the 2nd Degree
RSMO 565.110.1 (5); Kidnapping in the 1st Degree
RSMO 570.023.1 (2,3,4); Robbery in the 1st Degree

The facts supporting this belief are as follows:

On 03-29-2017, officers with the Independence, Missouri Police Department were dispatched to 3622 S. Delaware Avenue in Independence, Jackson County, Missouri regarding a Residential Burglary

Upon arrival, they located Ronar Santiago-Torres w/m 04-14-1989; SSN [REDACTED] and Joseph Edward Wyatt w/m 01-07-1989; SSN [REDACTED] inside the residence. After refusing to obey verbal commands, both suspects fled by taking the homeowner's car and driving it through the closed garage door. After a pursuit with officers operating emergency vehicles with lights and sirens activated, Santiago-Torres and Wyatt were taken into custody at 23rd and Cedar Avenue in Independence, Missouri.

The victim was located inside the residence with his hands restrained in front of him with Zip-Ties. He was transported to an area hospital where he was treated for multiple abrasions to his arms and hands as well as lacerations to his head.

During his formal interview, the victim stated he was home when two men (later identified as Santiago-Torres and Wyatt) knocked on his door stating they were looking for a lost dog and also offering gutter cleaning. The victim sent them away, but minutes later, one of them knocked on the door again. When the victim opened the door, one of the suspects displayed a black semiautomatic handgun with a long barrel. He warned the victim that he had a silencer on the gun, so he could shoot the victim without anyone hearing it.

The suspects forced their way into the residence and threw the victim against a sliding glass door where they began beating the victim. They tied his hands in front of him with Zip-Ties and demanded the location of the victim's safe. One of the suspects held the victim at gunpoint while the other suspect ransacked the residence. After finding the safe, one of the suspects demanded the combination from the victim. When the victim said he didn't know it, they beat him again and warned that they would kill him.

While the offense was occurring, the victim's girlfriend had looked at a video feed of the victim's residence and saw what was going on. She called 911.

When the suspects heard approaching sirens, they asked the victim where his car keys were. When he told them, they went out to his garage and got in the car. They then started the engine and drove through the closed garage doors.

PROBABLE CAUSE STATEMENT FORM

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Santiago-Torres was transported to Kansas City Police Headquarters for a statement. After waiving his Miranda rights, he admitted to going to the residence to rob the victim. He admitted that he and Wyatt forced their way into the residence and then restraining and holding the victim at gunpoint while searching his house. They repeatedly struck the victim with a handgun, and when they heard sirens, they stole the victim's car and fled in it. He stated that the robbery was "Steve's lick", but neither "Steve" or "Donnie" could come inside because they knew the victim. During the course of his interview, Santiago-Torres identified James Steven McChan w/m 07-02-1960; SSN [REDACTED] as "Steve" and Donald E. Nussbaum w/m 05-22-1965; SSN: [REDACTED] as "Donnie". He added that McChan drove them to the residence in his car. He described it as a grayish-green Ford Taurus with damage to the front fender.

During the course of the investigation, detectives learned that Nussbaum was the son of the victim's girlfriend.

Review of security footage from a nearby camera showed the Ford Taurus that Santiago-Torres described driving back and forth in front of the victim's residence.

Officers were conducting an area canvass in the area where Santiago-Torres suggested. They observed a vehicle matching the description given by Santiago-Torres and conducted a car check. They located Nussbaum in the driver's seat and McChan in the front passenger seat. Both were transported to Headquarters for questioning.

After waiving his Miranda rights, Nussbaum admitted to driving the suspects to the area with the knowledge that they planned on robbing someone and attempting to obtain the combination for a safe. He stated he pointed out the victim's residence and told the other suspects not to rob that specific house because they have surveillance.

After waiving his Miranda rights, McChan first stated that he did whatever Nussbaum said he did. He then specifically admitted to dropping Santiago-Torres and Wyatt off a few blocks from the victim's residence. When shown still images of his car in front of the victim's residence, he admitted it was "probably" his car.

Printed Name Detective Blake Groves #5271

Signature



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

Judge

Circuit Court of _____ County, State of Missouri.

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PROSECUTOR NO. :	095438735

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DONALD E. NUSSBAUM)	
5600 Michigan Ave.,)	CASE NO. 1716-CR
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DOB: 05/22/1965)	
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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.

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JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
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/s/ Michael J. Hunt
Michael J. Hunt (#34818)
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CRN 17-022311
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Printed Name Detective Blake Groves #5271 Signature  5271

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

Judge

Circuit Court of _____ County, State of Missouri.