

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

POLICE NO. :	01-17-7930
PROSECUTOR NO. :	095441421

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
STEVEN S. ONTIVEROS)	
516 NE Howard Ave., Apt. 12)	CASE NO. 1716-CR
Lees Summit, MO - 64086)	DIVISION
DOB: 02/05/1989)	
Race/Sex: H/M;)	
SSN: XXX-X [REDACTED])	
)	DEFENDANT.

COMPLAINT

Count I. Dwi - Death Of Another (577.010-024Y20175404.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 577.010, committed the class C of driving while intoxicated, punishable upon conviction under Sections (558.002,) 558.011 and 577.010, RSMo, in that on or about September 24, 2017, NE M 291 HWY and NE Swann Rd., in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol, and acted with criminal negligence by driving through a red light and crashing into another vehicle, and as a result caused death to Christopher N. Coffert.

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 three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine.

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,

State vs. Steven S. Ontiveros

/s/ Hallie L. Williams
Hallie L. Williams (#66333)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO - 64050
(816) 881-4488
hwilliams@jacksongov.org

WITNESSES:

[REDACTED]

PO Jason Irr , 10 NE Tudor, Lee's Summit, MO - 64086

PO Jennifer Kudzinski , 10 NE Tudor, Lee's Summit, MO - 64086

[REDACTED]

PO Bradford Severn , Prosecuting Atty. Office, Kansas City, MO - 64106

PO Jason A. Spaeth , 10 NE Tudor, Lee's Summit, MO - 64086

PO Todd Weger , 10 NE Tudor, Lee's Summit, MO - 64086

STATEMENT OF PROBABLE CAUSE

LSPD Complaint: 01-17-7930

Date: 09-24-17

OCN : CA009858

I, Traffic Officer Jennifer Kudzinski, a Police Officer with the Lee's Summit, Missouri Department of Police, upon my oath, and under penalties of perjury, state as follows:

1. I have probable cause to believe that on 09-24-2017 at 0209 hours on NE M 291 Hwy at NE Swann Rd, city of Lee's Summit, County of Jackson, State of Missouri, Steven S Ontiveros H/M 02-05-1989 [REDACTED], committed one or more criminal offenses.
2. The facts supporting this belief are as follows:

On 09-24-2017 at 0209 hours officers were dispatched to an injury crash involving two vehicles. Officer Irr arrived on scene and located the vehicles off the roadway, on the northeast corner of M 291 Hwy and Swann Rd. Officer Irr was directed, by witnesses, to the 2011 Mitsubishi Lancer where the driver was unconscious. Officer Irr removed the driver of the Lancer, identified as Christopher N Coffelt, and began performing life saving measures on him. While Officer Irr was performing CPR, the driver of the other vehicle, a 1998 Chevy Silverado, walked up and stated "I'm sorry, it's my fault...am I in trouble? It's my fault, I'm sorry." Both witnesses, Ardenia Robbins and Lisa Brewer, advised Officer Irr that the driver of the truck smelled of alcohol. The witnesses also advised Officer Irr that the Chevy Silverado ran a red light causing the crash.

The driver of the truck, identified as Steven S Ontiveros, was detained and placed in the rear of a patrol vehicle. Officer Severn arrived on scene to assist in the investigation. Officer Severn had Ontiveros step out of the patrol vehicle in order to determine if Ontiveros was impaired. Upon Officer Severn's contact, he observed the following: Ontiveros admitted to drinking, his eyes were bloodshot, glassy, staring and watery, his speech was lethargic and mumbling, and he was staggering and falling while walking.

Officer Severn requested Ontiveros submit to the Standard Field Sobriety Tests and Ontiveros agreed. Officer Severn explained the Horizontal Gaze Nystagmus to Ontiveros and observed the following: his eyes tracked equally, his pupils were of equal size, he had lack of smooth pursuit, he had distinct and sustained Nystagmus at maximum deviation and had onset of Nystagmus prior to 45 degrees with some white showing. Ontiveros refused to perform the walk and turn and the one leg stand by stating "I don't want to do these test, I know I've had too much to drink".

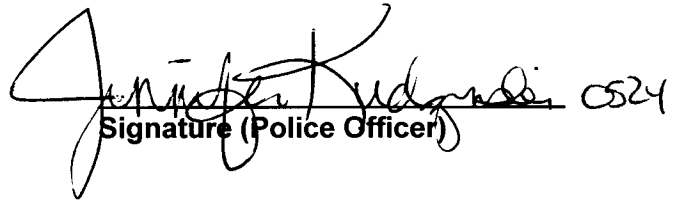
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Ontiveros was transported to detention where he was read implied consent and a sample of his breath was requested. Ontiveros provided a breath sample of .164. Ontiveros' criminal history revealed one prior DWI on 01-16-17 in Independence, MO. Ontiveros' driver's license is suspended through the State of Missouri.

Coffelt was transported to Centerpoint Hospital in Independence, MO where he died from his injuries.

Jennifer Kudzinski _____
Print Name (Police Officer)

 0524
Signature (Police Officer)

THE COURT FINDS PROBABLE CAUSE.

DATE

JUDGE