

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

POLICE NO. :	18-018020
PROSECUTOR NO. :	095444262
OCN:	HS001318

STATE OF MISSOURI,
PLAINTIFF,
vs.
DAVID G. JUNGHERMAN
6000 Elm Ave.
Raytown, MO 64133
DOB: 03/03/1938
Race/Sex: W/M
[REDACTED]
DEFENDANT.

COMPLAINT

Count I. Unlawful Use Of Weapon - Subsection 9 - Shoot At/from Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20145213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of in violation of Section 571.030, RSMo, committed the **Class B Felony of Unlawful Use of a Weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about March 8, 2018, at 4300 E. 12th St., in the County of Jackson, State of Missouri, the defendant, knowingly discharged a firearm at another person or persons.

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. 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 571.015.1, RSMo, in that on or about March 8, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of Unlawful Use of a Weapon charged in Count I, all allegations of which are incorporated herein by reference, and the defendant

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committed the foregoing felony of Unlawful Use of a Weapon 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. 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 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 March 8, 2018, in the County of Jackson, State of Missouri, the defendant knowingly exhibited, in the presence of one or more persons a 38 caliber handgun, a weapon readily capable of lethal use, in an angry or threatening manner.

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. Assault - 4th Degree - Pursuant To Subdivisions (1), (2), (4), (5) (565.056-001Y20171399.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.056, RSMo, committed the **Class A Misdemeanor of Assault in the Fourth Degree**, punishable upon conviction under Sections 558.011 and 558.002 RSMo, in that on or about March 8, 2018, in the County of Jackson, State of Missouri, the defendant recklessly engaged in conduct which created a substantial risk of death or serious physical injury to another person or persons by firing a handgun in a public area.

The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed two thousand dollars (\$2,000); 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

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more than double the amount of the offender's gain from the commission of the crime up to a maximum of twenty thousand dollars (\$20,000).

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/ Lauren Whiston

Lauren Whiston (#66185)
Assistant Prosecuting Attorney
415 E. 12th St., 11th Fl
Kansas City, MO 64106
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WITNESSES:

DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106

[REDACTED]

PO William L. Edwards, 1125 Locust, Kansas City, MO 64106

DET Jason C. Findley, 1125 Locust, Kansas City, MO 64106

DET Heather D. Leslie, 1125 Locust, Kansas City, MO 64106

[REDACTED]

[REDACTED]

[REDACTED]

DET Timothy R. Taylor, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 03/09/2018

CRN: 18-018020

I, Detective Bonita Cannon, #4585 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 03/08/2018, at 4300 E 12th ST in
(Date) (Address)

Kansas City, Jackson Missouri David Jungerman
(County) (Name of Offender(s))

W/M, 03/03/1938 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

Aggravated Assault

On 03-08-2018, at approximately 1248hrs, officers were dispatched to 131 Belmont Blvd in regard to a suspicious car and occupant. The calling party (CP) stated that there was a white van with stolen pipes hanging out of the back of the van that left his business. At approximately 1256hrs, the same calling party called stating someone is trying to steal his pipe. The CP (David Jungerman) called from 4300 E. 12th St, stated he was armed, there was yelling and arguing and the CP was holding a male at the scene. The CP then stated the male ran off and he was trying to follow him.

A witness, [REDACTED] called and said there was a white Ford van that was occupied by a white pregnant female driver and a white male passenger who had just brought in 780 lbs of iron pipe and sold it to the recycling business. She had just paid the white male; she knows as Denny, when she heard a gunshot. She looked out the window and saw an older white male, later identified as David Jungerman, with a silver gun in his hand. She saw the male she knows as Denny run off and the white van occupied by a pregnant female left followed by Jungerman in a white Toyota SUV. About five minutes later, Jungerman returned and started yelling at her boss, accusing him of buying stolen property. Her boss told Jungerman to get off the property.

Another witness, [REDACTED] heard the gunshot and looked outside. He saw Jungerman pointing a gun at a white male, who was standing next to a white van on the lot. The witness observed the white male leave running southbound towards Truman Rd and the white van left the property followed by Jungerman in his Toyota. Jungerman returned approximately five minutes later,

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became belligerent and confronted the witness [REDACTED] about buying stolen property. The witness told Jungerman to leave the property at which time Jungerman walked to the city sidewalk.

When Officers arrived at the scene they approached Jungerman, who was being uncooperative and would not remove his hands from his pockets. Jungerman was placed in handcuffs, for officer safety purposes, at which time he stated his gun was in his vehicle. The vehicle Jungerman arrived in was located north of 12th St and Spruce. It was towed to the City Impound lot at 7750 E. Front St.

Video Surveillance was obtained from the Recycling business. The video clearly shows Jungerman exit a white Toyota Sequoia and remove a handgun from his jacket pocket. While on a cell phone Jungerman points the handgun at victim #1 multiple times. Jungerman is seen approaching the victim within a few inches of victim #1. At some point while pointing the handgun in close proximity to victim #1's face for several seconds, victim #1 runs from the area. Jungerman is then seen pointing the handgun at a female while he appears to be trying to pull her out of a white van. At some point the white van leaves the scene with Jungerman following it. The video also shows person reacting at the time the #1 victim runs from the area, as previously stated by a witness when the handgun was fired. Jungerman had the handgun pointed at the male victim from within one foot of him during the confrontation. After the male ran Jungerman was within one foot of the female victim during the confrontation with her.

Jungerman was taken into custody at the scene. A search warrant was executed on his Toyota Sequoia. A .38 revolver with 1 spent shell casing and 4 live rounds was recovered from the center console.

On 03-09-2018 at 1057 hours Sgt. Sharp advised Jungerman of his Miranda Rights via the Miranda Waiver. Jungerman agreed to talk with Sgt. Sharp. He refused to sign waiver. During his interview Jungerman stated he called 911 with the license number of the white van to report a stealing. He stated he was informed by an employee that someone stole a pipe from his business at 131 Belmont. Jungerman also stated he located the suspects at 4300 E. 12th Street and his intentions were to hold them there until Police arrived. He stated while holding the male at gunpoint the male "came at him" at which time he fired one shot as a warning. He stated "Missing him would have hurt my pride."

PROBABLE CAUSE STATEMENT FORM

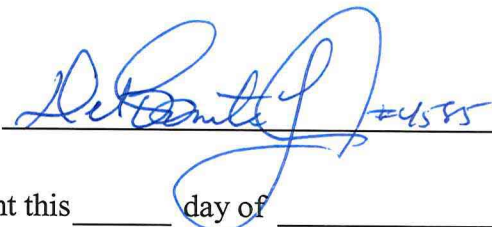
CRN 18-018020

Jungerman further stated the male told the female to leave, at which time the male ran from the scene. He then went to the van to get the keys out of the van, to keep the female there. The female left the scene in the white van. Jungerman stated, "I either had the gun in my left hand or in my pocket when I was at the van". Jungerman stated everything about the incident is on the 911 call.

Upon listening to the 911 recording the following is heard: "I called and reported a a guy stealing pipe. I found the vehicle at the 12th Street Recycling place. Just a second. Now buddy hold it right where you're at motherfucker (a gunshot is heard). A male yells motherfucker what's your problem You stole my fucking pipe. I didn't get that thing away from me. I didn't steal shit from you buddy. The police are coming. Get away from me from me with that fucking thing. What the fuck are you talking about dude. What are you going to do shoot me. You're fucking A I'm going to shoot you. For what. Right between.... For stealing my pipe. Do you have a gun sir. Get the cops here 12th Street Recycling. You're a thief. I've got a gun on him. Get the police here as quick as you can. I'm trying sir."

Printed Name Det. Bonita Cannon, #4585

Signature



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

Judge

Circuit Court of _____ County, State of Missouri.