

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CRIMINAL DEPARTMENT

STATE OF KANSAS,

Plaintiff,

VS.

No.

JAYLON DESEAN ELMORE,

Defendant.

A F F I D A V I T

Comes now the affiant, of lawful age, in support of a probable cause finding for the detention of the defendant or the issuance of an arrest warrant, states as follows:

1. On March 4th, 2022, at 1038 hours, officers responded to Olathe East High School, located at 14545 W. 127th St. in Olathe, Johnson County, Kansas in reference to an officer involved shooting and "Shots Fired" call by School Resource Officer (SRO) Erik Clark. Dispatch initially became aware of the call from a 911 call from the school saying there was an unknown issue at the school. SRO Clark was then able to get on the radio and said "I've been shot." The report came in that the suspect and the principal had also been shot.

2. Officers from numerous local and federal law enforcement agencies began responding to the school. Arriving officers located three subjects with gunshot wounds in the office area of the school: SRO Erik Clark, a certified Olathe Police Officer, Assistant Principal Kaleb Stoppel, and an Olathe East High School student, Jaylon Elmore (07/22/03). All three were transported

by ambulance. Stoppel and SRO Clark were

Elmore

3. Investigators began conducting interviews of witnesses, staff, and students. Investigators interviewed Kaleb Stoppel . He said he received information from a counselor, Ann Book, that she was told by a student, , that there was a kid named Jay that had been bringing a gun to school. Administrators initially pulled in a student they believed fit the description given by before realizing they had the wrong student, and later identified Jaylon Elmore as the subject of concern. Stoppel and Leslie Simons went to locate Elmore who was in shop class and escorted him back to the office area of the school. They told Elmore someone reported someone on the bus had a gun and they were searching everyone involved. Elmore was wearing a string backpack on his back and became defensive and did not want to cooperate. He switched his bag from his back to his front. Stoppel texted SRO Clark and asked him to come to his office immediately. After SRO Clark arrived to the office, Elmore reached into the bag, he pulled out the gun and he fired about 5 rounds. At some point, Stoppel tried to grab the gun from Elmore and they both ended up on the floor. Stoppel ended up on top of Elmore and he stayed on top of him until Elmore started vomiting. He got off and observed that SRO Clark appeared to have been shot. Stoppel later realized he had been shot as well. Stoppel was not aware what SRO Clark had done after Elmore began shooting.

4. Investigators took a preliminary statement from SRO Clark SRO Clark stated he had been asked to come to Stoppel's office after a student reported that Jaylon Elmore possibly had a pistol in his backpack. Elmore was in the office and was asked by Stoppel if he (Stoppel) could search Elmore's backpack. Elmore refused to let Stoppel search his backpack. SRO Clark went to intervene and search the backpack

when Elmore reached in the backpack, pulled out a pistol and began firing at SRO Clark. Fearing for his safety, SRO Clark said he drew his pistol and shot Elmore in order to defend himself. SRO Clark was dressed in full uniform and clearly identified as a certified Olathe Police Officer at the time the events in this case took place.

5. Investigators spoke with Assistant Principal Leslie Simons. She stated that prior to the school day, , overheard a conversation on the school bus between two male students. The male students were discussing another student named "Jay" who "always brings a gun to school." The male students claimed Jay has pulled the gun out at school in front of them in the past. reported this to an Olathe East High School counselor, Ann Book, upon her arrival. Book passed this information along to Assistant Principal Stoppel who, along with Simons, began investigating and talking to students. They initially pulled another student into the office and searched his backpack. They did not find a gun. They talked to student , who had been identified as being on the bus. reported that he and other students had been talking on the school bus about a rumor that Elmore brings a gun to school. An unidentified stated that Elmore has pulled the gun on him before. Stoppel and Simons then took Elmore out of class and escorted him to the office in an effort to question him about possibly having a gun. In the office, Stoppel began asking Elmore if he was in possession of a firearm. He also advised Elmore they were going to search his backpack. Elmore told them they could not search his backpack. Stoppel sent a text message to SRO Clark requesting he come to the office immediately. SRO Clark came to the office. Stoppel told Elmore he needed to let them search the backpack or SRO Clark would intervene. Elmore moved the bag around to the front of

his body and held onto it, refusing to allow Stoppel to search it. Elmore then reached into the bag and pulled out a green camo colored handgun. He pointed it at SRO Clark and began to fire rounds at SRO Clark. SRO Clark was able to draw his weapon and return fire on Elmore. Stoppel and Elmore fell to the floor. SRO Clark applied a tourniquet to one of his wounds and began giving Stoppel and Simons instructions on how to give first aid to Elmore.

6. Investigators spoke with counselor Ann Book. Book said she had a student come in this morning and report _____ was afraid because she overheard two boys on the bus talking about a kid who brings a gun to the school regularly. The student was very scared and would not name the two students, but said they were talking about how the student has pulled the gun out at school before and they have seen it. The student making the report said the student with the gun's name is Jay, Jaylon, Jayvion, or something along those lines. Book reported this information to the principal. Book said Stoppel called another student down to the office and searched him, but they discovered it was not him. Book then had to leave for an appointment and did not know what other actions took place.

7. Investigators spoke with _____ stated she was on the bus and sitting behind her were several students, _____, and an unidentified female. She overheard them saying something about a student named Jay had a gun in his backpack and he was bringing it to school every day. She heard he pulled the gun on _____ at some point. A _____ tudent on the bus said the same thing had happened to him. _____ said she reported it to the counselor.

8. Investigators spoke with _____, who said he got called to the office by Stoppel and Simons. He already had an idea what they wanted to talk about because he had heard of another student who had been called in and searched. He said that he was having a conversation with other students on the bus. They were discussing the rumor that "Jay," whom he later identified as Jaylon Elmore, has a firearm. An unidentified student on the bus said Elmore had pulled the gun on him at one point.

9. Investigators interviewed Principal Kerry Lane. She stated she was aware that the two assistant principals were trying to figure out if a gun had been brought to school. She heard gunshots and smelled smoke. She went out into the office and saw Stoppel's door open. SRO Clark came out of the office. He was radioing for help. She went into the office and saw Stoppel on top of Elmore. She confirmed the gun was secured with SRO Clark. She left and began locking down the school.

10. Elmore's gun was located in Stoppel's office. It was a 9mm "ghost gun." These guns are sold for the purchaser to self-assemble and they are not marked with a serial number. The gun was loaded with thirteen 9mm rounds and there was a spent round blocking the slide from closing.

11. During a search of the office, Elmore's cellphone was recovered. It was an iPhone with cracks on the front screen in a clear case covered with a sticker of a zombie, skull, and "First Time Donor." At approximately 1254 hours, the cellphone received a text message that automatically showed up on the lock screen seen by investigators. The message was from phone number _____ stating, "I TOLD YOU NOT TO EVEN HAVE THAT GUN ON YOU." _____ was determined to belong to _____. She confirmed to _____

investigators she sent him that message.

12. The above information was provided by report of the Johnson County Officer Involved Shooting Investigation Team.

DECLARATION

I declare under the penalty of perjury that the foregoing is true and correct.

Executed by and on this date:

/s/ Sergeant Jeremiah Waters
Affiant Name

7711 and 03052022
Badge # and Date