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

POLICE NO. :	15-064151
PROSECUTOR NO.:	095426809
OCN:	w0004351

STATE OF MISSOURI,		)
	PLAINTIFF,	)
vs.		)
JOSEPH L. NELSON		)
3220 Highland Ave.		) CASE NO. 1516-CR03356-01
Kansas City, MO - 64109		)
DOB: 09/30/1992		)
Race/Sex: B/M		)
		)
	DEFENDANT.	)

# **INDICTMENT**

In the Circuit Court of Jackson County, Missouri, at Kansas City, March Term, 2019. In Division Number 18 thereof, designated by the rules of said Court as Criminal Division A.

#### Count I. Murder 1st Degree (565.020-001Y19840999.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 565.020, RSMo, committed the **Class A Felony of Murder in the First Degree** punishable upon conviction under Section 565.020, RSMo, in that on or about September 8, 2015, in the County of Jackson, State of Missouri, the defendant after deliberation, knowingly caused the death of Bianca Fletcher by shooting her.

The range of punishment for a Murder in the First Degree is death or imprisonment in the custody of the Missouri Department of Corrections for life without eligibility of probation or parole, or release except by act of the governor.

#### **Count II. Armed Criminal Action (571.015-001Y19755299.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 September 8, 2015, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder 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 Murder in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

#### State vs. Joseph L. Nelson, Case No. 1516-CR03356-01

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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) 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. Murder 1st Degree (565.020-001Y19840999.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 565.020, RSMo, committed the Class A Felony of Murder in the First Degree punishable upon conviction under Section 565.020, RSMo, in that on or about September 8, 2015, in the County of Jackson, State of Missouri, the defendant after deliberation, knowingly caused the death of Shannon Rollins by shooting him.

The range of punishment for a Murder in the First Degree is death or imprisonment in the custody of the Missouri Department of Corrections for life without eligibility of probation or parole, or release except by act of the governor.

#### Count IV. Armed Criminal Action (571.015-001Y19755299.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 September 8, 2015, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the First Degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Murder in the First Degree 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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) 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 V. Murder 1st Degree (565.020-001Y19840999.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 565.020, RSMo, committed the Class A Felony of Murder in the First Degree punishable upon conviction under Section 565.020, RSMo, in that on or about September 8, 2015, in the County of Jackson, State of Missouri, the defendant after deliberation, knowingly caused the death of J.F., DOB: 8/18/14, by shooting him.

The range of punishment for a Murder in the First degree is death or imprisonment in the custody of the Missouri Department of Corrections for life without eligibility of probation or parole, or release except by act of the governor.

#### Count VI. Armed Criminal Action (571.015-001Y19755299.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 September 8, 2015, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the First Degree charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Murder in the First Degree 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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) 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 VII. Burglary 1st Degree (569.160-001Y19792299.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 September 8, 2015, in the County of Jackson, State of Missouri, the defendant knowingly remained unlawfully in an inhabitable structure, located at 5915 E. 84th St., Kansas City, Missouri, and possessed by committing the crime tampering Bianca Fletcher, the purpose of of for physical evidence therein, and while in such an inhabitable structure, the defendant was armed with a deadly weapon.

#### State vs. Joseph L. Nelson, Case No. 1516-CR03356-01

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 VIII. Tampering With A Victim Or A Witness Or Attempt Tampering With Victim In A Felony Prosecution (575.270-001Y19795099.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 575.270, RSMo, committed the Class C Felony of Tampering with a Witness, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 17, 2015 through May 2, 2016, in the County of Jackson, State of Missouri, the defendant, with the purpose to induce Mark Benson to testify falsely that Marcus Mays was the person who shot and killed Bianca Fletcher, Shannon Rollins, and J.F., DOB: 8/18/14, as a witness or prospective witness in an official proceeding, State of Missouri v. Joseph L. Nelson, Case No. 1516-CR03356-01, in which defendant was charged with the felonies of murder in the first degree and armed criminal action on September 17, 2015, the defendant did so by threatening Mark Benson.

The range of 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 two (2) years and not to exceed seven (7) 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

Wherefore this Indictment supersedes any Complaint, Information, or Indictment previously filed in the Associate Circuit Court.

TRUE BILL	
FOREPERSON	

JEAN PETERS BAKER PROSECUTING ATTORNEY FOR THE COUNTY OF JACKSON, STATE OF MISSOURI, by

#### State vs. Joseph L. Nelson , Case No. 1516-CR03356-01

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Rec	peived this	day of		2019			
KCC		day of		, 2019.			
	WARRANT	TO ISSUE.	BAIL SET AT \$				
	SUMMONS	TO ISSUE.	BOND TO REM	AIN AS PREVIOU HALL REMAIN I		SPECIAL	
			CONDITIONS S	HALL KEMAIN I	N EFFECT.		
				_			
CII	RCUIT COU	IRT JUDGE					
<u>W1</u> 1.	TNESSES:						
	DET Alane	M. Booth, 11	25 Locust, Kansa	s City. MO 6410	6		
3.		, 2001,					
	_		ocust, Kansas Cit	•			
			5 Locust, Kansas				
7.	201 John 2	. Kandie, 112	5 Locust, Kansas	City, MO 04100			

8. DET Christopher S. Smith, 1125 Locust, Kansas City, MO 64106

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Date: 9/17/2015

#### PROBABLE CAUSE STATEMENT FORM

CRN: 15-64151

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I, Det. John Randle #4804				
(Name and identify law enforcement office	r, or person ha	iving information as	probable cause.)	
knowing that false statements on this for	rm are punis	shable by law, st	ate that the facts contained h	nerein are true.
I have probable cause to believe that on			5914 E 84 <sup>th</sup> St	in
	(Da	ate)	(Address)	
Kansas City, Jackson	Missouri	Joseph L. Nels	on	
(County)			(Name of Offender(s))	
b/m, 9/30/92, 5'6", 136lbs, (Description of Identity	y)	CO	mmitted one or more crimina	al offense(s).

The facts supporting this belief are as follows:

On 9-8-15 at approximately 2125 hours, Kansas City Missouri Police Officers were dispatched to 5915 E. 84th St., Kansas City, Jackson County, Missouri on a reported shooting. Upon arrival, officers located three victims inside the residence deceased from apparent gunshot wounds; two adults, and one male infant. All three victims had multiple gunshot wounds. It was determined the male infant was the son of the deceased female, and the deceased adult male was the boyfriend of the deceased adult female. There were no signs of forced entry to the residence. While investigating at the scene, no shell casings were observed, and some of the adult victims' personal items had been removed from the residence.

Witness #1 stated that on 9/8/15 at approximately 2145 hours, he arrived at the residence of 5915 E 84<sup>th</sup> St., Kansas City, Jackson County, Missouri. Upon entering the residence, the witness discovered the two deceased adults and a deceased infant in the same room within the residence. The witness then ran from the residence and sought help from a neighbor. The witness identified the adult female victim's ex-boyfriend as Joseph L. Nelson, b/m, 9/30/92.

On 9/9/15 at approximately 1130 hours, Joseph L. Nelson, b/m, 9/30/92, responded to a local police station and reported two firearms, magazine, and ammunition stolen from his vehicle, a 1999 Buick four door.

Witness #2 stated Nelson arrived at the witness's residence on 9/8/15 at approximately 2330 hours, the witness observed Nelson standing by a grill on his residential property with flames coming from it. Nelson advised the witness he had robbed a store nearby and he was burning the clothes.

The KCPD Communications Unit confirmed no armed robberies were reported on 9/8/15.

Witness #3 stated that on the morning of approximately 9/9/15, Nelson advised the witness he had gone to the adult female victim's residence to "chill." Nelson stated he had an argument with the adult female victim, and she threw a diaper at Nelson, which struck him. Nelson advised witness #3 that Witness #4, who was in Nelson's company, shot the adult female victim. Nelson then stated, "I was there and saw it, so other things had to be done." Nelson then asked for advice on how to deal with what had happened. Nelson advised witness#3

#### PROBABLE CAUSE STATEMENT FORM

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that he and Witness #5 had picked up and removed shell casings from the victim's residence. Nelson stated the firearm used in the shooting was sold to an individual. Nelson advised witness#3 he showered numerous times and washed his hands with bleach.

Witness #4 stated that on the evening of 9/8/15 he received a telephone call from Nelson at approximately 2130 hours. Nelson advised Witness #4 that he was on his way to pick the Witness #4 up and to "be ready." Witness #4 was then transported by Nelson to Nelson's residence in Kansas City, Jackson County, Missouri. Nelson then stated to the witness, "I did something bad. I did something I don't think I can live with." Witness #4 stated when he asked further, Nelson stated "I killed them." Nelson then explained that he had driven to the adult female victim's residence (5915 E 84th St.) and had an argument with her, and the victim had thrown a diaper box at Nelson which struck him in the head. Nelson stated he "lost it" and shot the victim. Nelson provided details about where he shot the victim (consistent with the adult female's injuries.) Nelson then advised witness#4 he shot the adult female victim's boyfriend and her son. When Nelson was asked why he shot the other two, Nelson replied, "Witnesses." Nelson also described that the infant was crying and he didn't want neighbors to hear. Nelson provided witness#4 with personal effects from both victims and directed the witness to get rid of the items, which included a small bag which contained fourteen shell casings. The witness advised investigators that Nelson's report of the stolen firearms was not truthful, and that Nelson had sold the murder weapon, one of the firearms Nelson had reported stolen, to an acquaintance the same evening of the homicides. The witness also stated that Nelson burned a trash bag containing Nelson's and Witness #5's clothing on an outdoor grill at Nelson's residence.

It should be noted that during the execution of a Search Warrant at Nelson's residence on 9/16/15, burned fabric was observed in a grill on Nelson's residential property.

Witness #5 stated that on the evening of 9/8/15, Nelson drove into the driveway of 5915 E 84<sup>th</sup> St, Kansas City, Jackson County, Missouri, in his white Buick Century four door. Nelson then walked to the west entrance. Both the storm door and entrance door were observed closed. Nelson walked in unannounced. Nelson then presented a firearm and directed the victims, who were in the same room, to sit down. A verbal confrontation ensued between the adult female victim and Nelson. The adult female victim threw a household object at Nelson, but it did not strike him. Nelson then shot the adult female victim. Additional shots were fired within the same room. Witness #5 then observed the adult male and infant child lifeless on the floor of the residence. Nelson then directed witness #5 to assist him in picking up shell casings prior to leaving the residence.

On 9/16/15, Nelson was interviewed after he waived his Miranda Waiver Rights. Nelson stated that on the day the victims were discovered, he was asleep most of the day, and only left his residence briefly on that evening to pick up a relative, but then returned to his residence. Nelson denied any involvement in the deaths of the victims.

Printed Name Det. John Randle #4804 Signature	< + 480y
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## PROBABLE CAUSE STATEMENT FORM

CRN 15-64151

The Court finds probable cause and directs the	issuance of a warrant this	day of	·
	Judge	-	
Circuit Court of	Country Sto	to of Missouri	