

PROBABLE CAUSE STATEMENT

Date: 12/28/2017

Report #: 2017-92928

I, Jeff Pagel, a Detective with the Independence, Missouri, Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that on 12/28/2017, at 0257 hours, William M. Miller-Kirkland, (Race- Black, Sex- Male, DOB- 06/17/1991, Address-16205 E. Elm St Independence Mo. 64050, [REDACTED], committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 12/28/2017 at approximately 0257 hours, the Defendant did knowingly cause the death of Teddis Burns-El by shooting him multiple times with a FN Brand firearm at the residence of 1404 N. Osage Street, Independence, Jackson County, Missouri 64050.

On the above mentioned date and time, Independence Police Officers Chapman, Schmidli, Lane, and Burch were dispatched to the above address after a 911 call from Shawnta Miller. Miller reported that her son, the Defendant, came over to her residence and shot her fiancé. Miller advised dispatch that Defendant shot Mr. Burns-El several times, and then left the residence. Upon the arrival of officers, the Burns-El was found inside the residence. Burns-El was found to be breathing and had a faint pulse. Burns-El was transported to Centerpoint Medical Center and pronounced deceased shortly after his arrival. Information was received that the Defendant left the scene in a white GMC Yukon.

At approximately 0303 hours, Officer Cody Burch observed a white GMC Yukon traveling westbound on 24 Highway near Duvall St. Officer Burch attempted to conduct a traffic stop of the vehicle, but the vehicle did not stop. The vehicle failed to pullover and a vehicle pursuit was initiated. After a brief pursuit of the Defendant, the vehicle stopped and the driver and sole occupant of the SUV was ordered out of the vehicle. The driver refused to cooperate and told officers to shoot him. The driver was eventually taken into custody after officers had to use physical force to affect the arrest. The driver was then identified as the Defendant.

Criminal Investigations Unit Detectives were summoned to 1404 N. Osage Street. Detective Sergeant Seth Bosch along with Detectives Jeff Pagel and Chris Burris were the first to arrive. After being briefed on the circumstances of this incident, Detective Pagel made contact with Miller. Miller identified herself as the sole tenant of the residence. When Detective Pagel asked Miller for consent to search her residence in reference to this investigation, she gave verbal and written consent for her residence to be searched. The scene was processed and (14) 5.7 x 28mm spent shell casings were recovered from the living room and bedroom areas of the residence.

Detective Pagel interviewed Miller at Police Headquarters. Miller advised that she and Burns-El were asleep, and were woken up to loud banging and screaming outside. Miller stated she initially thought it was coming from the neighbor's apartment. She advised it continued and when she checked outside, it was the Defendant banging on her door. Miller advised the Defendant was intoxicated, and was shouting at Burns-El. Miller stated that the Defendant recently had his house burglarized, and believed that Burns-El was either involved, or that his cousin Randy did it, and that Burns-El was covering for him. Miller stated that the Defendant was shouting so loud that she pushed him against the door and covered his mouth to quiet him down. She stated that Burns-El walked into the kitchen and stood in the doorway, hoping that walking away from the defendant would calm him down. She advised that while he was standing there, Burns-El was shouting at her that the Defendant had a gun. Miller stated Burns-El often carries a gun when he comes over, and keeps it in the kitchen. She advised that when she looked over at him standing in the doorway of the Kitchen, she noticed he was now holding his gun down to his side and not pointing it at anyone. Miller stated that she initially did not

see the Defendant with a gun, but after looking around, she observed the Defendant was holding a gun in his hand. Miller advised she reached down and tried to remove the gun from the Defendants hand. She stated that she noticed his finger was on the trigger and became concerned it would go off. Miller advised she let go of the Defendants gun where he then pushed her aside, and fired (1) shot at Burns-El, striking him in the arm. Miller stated Burns-El fell to the ground by the entryway to the kitchen, and the gun he was holding fell out of his hand. She stated the Defendant then stepped closer to Burns-El and fired several more shots at Burns-El while standing over top of him. She advised that after the Defendant stopped shooting, he left the residence.

Detective Burris interviewed the Defendant's girlfriend, Jessica Johnston after she responded to the scene. Johnston told Detective Burris that she and the Defendant had a child in common and dated for approximately seven years. Johnston told Detective Burris that she was with the Defendant on 12/27/2017 when they went shopping. Detective Burris learned Johnston and the Defendant separated after shopping. According to Johnston she went to dinner in Liberty, Missouri and the Defendant was supposed to go back home. Johnston told Detective Burris that she began receiving phone calls from the Defendant at approximately 0234 hours this morning. Johnston advised she did not hear her phone because it was on vibrate. Johnston said that at about 0251 hours, the Defendant told her that he was coming to her residence at 1031 N. Cottage Street. At 0306 hours, the Defendant called Johnston and told her that he was being pulled over. Johnston advised the Defendant mumbled something to her, which she later understood to be "I'm going away for a while." When asked Johnston advised the Defendant owned an FN brand pistol which he bought last year and frequently carried it with him. Johnston did not know of any specific issues between the Defendant and the victim. Detective Burris contact C&R Gun shop located at 1703 S Noland Rd. They were able to determine that on 3/14/17, they sold a FN Brand firearm to the Defendant.

A legal search warrant was obtained and executed on the white GMC Yukon bearing VIN 1GKEC13Z63J241125 that the Defendant was driving. No firearm was located inside the vehicle.

The Defendant was interviewed and initially denied knowing why he was arrested. He stated he was just driving around after leaving Soul Lounge. He denied stopping at any residence in Independence, and denied resisting/fleeing from police. He was then advised that his mother told us that he was there and that he shot Burns-El. I asked the Defendant if he had any issues with Burns-El, and he stated he stopped by to see his mother. He then stated Burns-El pulled out a gun, and then the Defendant made a motion imitating Burns-El's actions, simulating like was pointing a gun. The Defendant then requested the presence of an attorney. The interview was concluded and no further questions were asked.

Detective Jeff Pagel

/s/ Detective Jeff Pagel

Print Name

Signature