


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

POLICE NO. :	KC20006457
PROSECUTOR NO. :	095457273
OCN:	HU001518

STATE OF MISSOURI,)	
	PLAINTIFF,)
vs.)	
)	
DARRYL J BANKS)	
7511 Wabash Ave)	CASE NO. 2016-CR
Kansas City, MO 64132)	DIVISION
DOB: 10/06/1986)	
Race/Sex: B/M)	
)	
	DEFENDANT.)

**COMPLAINT
WARRANT REQUESTED**

Count I. Murder 2nd Degree (565.021-001Y19840902.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.021, RSMo, committed the **class A felony of murder in the second degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about January 26, 2020, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Phyllis Banks, caused the death of Phyllis Banks by striking her.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

The range of punishment for a class A felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years and not to exceed thirty (30) years, or life imprisonment.

State vs. Darryl J Banks

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

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 January 26, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second 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 second degree by, with and through, the knowing use, assistance and aid of a dangerous instrument.

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.

The facts that form the basis for this information and belief are contained in the statement(s) of facts filed contemporaneously herewith, 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/ Jamie K. Hunt

Jamie K. Hunt (#50401)

Assistant Prosecuting Attorney

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State vs. Darryl J Banks

WITNESSES:

1. DET Alane M. Booth, 1125 Locust, Kansas City, MO 64106
2. DET Donna M. Drake, 5301 E. 27th Street, Kansas City, MO 64127
3. DET Rodney E. Haney, 1125 Locust, Kansas City, MO 64106
4. DET Ian D. Hobbs, 1200 E. Linwood, Kansas City, MO 64106
5. DET Kari E. Mutschler, 1125 Locust, Kansas City, MO 64106
6. PO Parker Rauschelbach,
7. CST Benjamin Simmons, 6633 Troost, Kansas City, MO 64131
8. [REDACTED], 415 E 12th St, Floor 11, Kansas City, MO
64106
9. DET Jeremy D. Wells, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 1/27/20

CRN: 20-006457

I, Det. Alane Booth #4105 (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 1/26/20, at 7511 Wabash Av in (Date) (Address)

Kansas City, Jackson Missouri Darryl J. Banks (County) (Name of Offender(s))

b/m 10/6/86 5'8" 163lbs. committed one or more criminal offense(s). (Description of Identity)

The facts supporting this belief are as follows:

On 01-26-2020 at 2238 Hours, Officers of the Kansas City, Missouri Police Department were dispatched to 7511 Wabash Kansas City, Jackson County, MO 64132 on a reported ambulance call. Upon arrival Officers entered the residence and located the deceased female victim seated in her room located within the residence, in a chair with apparent severe trauma to her head. Officers observed an aluminum bat and knife lying on the carpeted floor near the victim. Both the bat and the knife had apparent blood on them. A second male family member who also resides within the residence was on scene when officers arrived and told officers something similar to, "I can't believe he (DJ) killed auntie." The male also advised officers "DJ" was still inside the residence. The victim's death is being investigated as a homicide. The victim was identified as Phyllis E. Banks, b/f, 11/9/58.

Officers then conducted a protective sweep of the residence for any other potential victims or persons and located a b/m in an upstairs northeast bedroom lying in the dark fully clothed in the supine position on the floor of the bedroom wearing black winter style gloves. The b/m was later identified as Daryl J. Banks, b/m, 10/6/86 aka "DJ." Banks made no statements or utterances to the officers when they escorted him from the residence.

The aforementioned adult male resident who referenced "DJ" to the law enforcement officers was subsequently interviewed by investigators and stated he had left the residence on 1/26/20 between 1800-1830 hours. He stated when he left the residence, "DJ" and the victim were the only two people in the residence. He believed he returned to the residence at approximately 2125 hours and immediately retired to his second story northwest bedroom. He believed "DJ" to be in his bedroom, and sited "DJ" never leaves his room. The male interviewee then responded to the victim's first floor bedroom to borrow a cigarette lighter, and discovered her deceased in a chair within her bedroom consistent as to how she was found by law enforcement when they arrived on scene. Investigators were able to subsequently corroborate the adult male resident's activity on the evening of 1/26/20 on surveillance video having arrived at the named restaurant he provided at approximately 1900 hours. The video also indicated the male left the restaurant at approximately 2005 hours.

The victim was confirmed to have worked on 1/26/20 from 10 AM -3 PM, at the Sunfresh grocery store, 4001 Mill St., Kansas City, Missouri. The manager of Sunfresh provided information of a co-worker who advised the victim gets to work via ATA bus, and was picked up by a female friend who regularly picks her up on the Sundays the victim works. The same co-worker advised the close female friend did pick the victim up from work shortly after 3 PM on 1/26/20.

A search warrant was obtained for the residence of 7511 Wabash Av, and the victim's bedroom revealed pooled blood under near the area of the victim's head as she was found slumped in his chair within the entry of her bedroom. Additionally, apparent blood spatter was observed on door and walls within the immediate area of the victim, and additionally apparent cast off blood on the ceiling above the victim's location. The victim's wallet was located on the floor of her bedroom which contained multiple credit cards, her MO DL, Social Security card, and a nominal amount of U.S. Currency. No items of value appeared to be disturbed within the victim's bedroom. Other miscellaneous items to include DVD's, bottles, stacked on a nearby cabinet were intact and did not appear to have been disrupted. Based on these observations, one could conclude the victim was struck as seated in her chair and there was no apparent sign of a physical altercation which would've disturbed surrounding decorative or stored miscellaneous items. The most significant apparent blood spatter and cast off blood were observed to be most specifically confined to the walls, doors, and ceiling area encompassing the area of the victim's corpse. A damp washcloth was observed on top of a clothes hamper in the 2nd story hall

PROBABLE CAUSE STATEMENT FORM

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bathroom located at the top of the stairs between the two upstairs bedrooms. An area of the washcloth tested positive for the presence of blood with Hemastix and was subsequently sprayed with luminol. The washcloth also had a positive reaction for the presence of blood when sprayed with luminol.

The Preliminary Anatomic Diagnosis report of the victim, generated by the Jackson County Medical Examiner's Office, documented the victim's cause of death as blunt force head trauma, and the manner of death as homicide. Specifically the victim was noted to have ten lacerations located on the right aspect of the face and top of the head. Multiple abrasions and contusions of the right aspect of the face, and multiple calvarial and skull base fractures to include multiple fractures of the facial and mandibular bones. Subdural and subarachnoid hemorrhages of the brain were also noted. Additionally, the report documented multiple contusions and lacerations of the upper extremities and a pattern contusion of the left forearm consistent with injury secondary to being struck with a linear (rod-like) object. And finally a fracture of the right distal ulna and phalanges of the 2nd and 4th digits on the right hand.

Banks was transported from the scene to 1125 Locust St. and placed in an interview room and subsequently read the Miranda Waiver Rights form out loud by investigators. Banks nodded his head in an affirmative response acknowledging he understood his rights, but when asked questions, made no verbal or non-verbal responses. After giving no verbal or non-verbal acknowledgements, he was asked if he wished to speak with detectives and he shook his head no indicating a negative response. The interview was terminated.

Banks was processed by a Crime Scene Technician within the interview room and he was observed to be wearing a black hooded shirt, pants, and black tennis shoes, and eyeglasses. There was visible apparent blood spatter on the lower portion of the his pants which tested positive for the presence of blood with Hemastix. Banks' eyeglasses also appeared to have apparent blood spatter on them. Banks' eyeglasses were recovered and forwarded to the Crime Lab for analysis.

On 1/27/20 a Forensic Specialist from the KC Regional Crime Lab generated a report which documented several blood stains and blood spatter on the right lens of the eyeglasses collected from Banks. The report defines a bloodstain as "a deposit of blood on a surface" and a spatter stain as a "bloodstain resulting from an airborne blood drop created when an external force is applied to a liquid blood."

On 1/27/20 the same Forensic Specialist from the KC Regional Crime Lab generated a report which documented the blood spatter from the interior right lens of Banks' eyeglasses included Phyllis Banks' DNA (victim) as the major contributor.

Based upon the severity and nature of the injuries inflicted by Banks on his 61 year-old Aunt, I am requesting a warrant be issued to ensure the safety of the witnesses, and the community as a whole.

Printed Name Det. Alane Booth Signature /s/ Det. Alane Booth #4105

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

Judge

Circuit Court of _____ County, State of Missouri.