

PROBABLE CAUSE STATEMENT FORM

Date: 06-18-2017

CRN: 17-49632

I, Detective Tim Fitzgerald #5492 of the 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 05-31-2017, at 10508 E. 45th Place in
(Date) (Address)

Kansas City, Jackson County Missouri Cedrick O. Russell
(County) (Name of Offender(s))

R/S: B/M DOB: 06-02-1992 ██████████ committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 06-01-2017 at 1238 hours, Officers of the Kansas City Missouri Police Department were dispatched to **10508 E. 45th Place, Kansas City, Jackson County, Missouri** on a reported ambulance call. Upon arrival, officers observed the victim in an upstairs bedroom, lying on the bed, face down. Emergency Medical Services personnel were already on scene and advised the victim was deceased. The victim was transported to the Jackson County Medical Examiner's Office where the death was ruled a homicide and the cause of death to be manual strangulation. A sexual assault kit was conducted on the victim.

Officers contacted the victim's mother, Stacy L. Gicante, at the scene who stated the following: she last spoke with the victim on 05-30-2017, at 2200 hours, through text messages and last saw the victim on 05-29-2017 when they went shopping. She attempted to contact the victim by phone and text messages for the past two days, but her attempts were met with negative results. Since it was unusual for the victim not to answer her phone or respond to text messages, Gicante decided to go to the victim's residence to check on her. She took her brother, Stephen L. Sellaro, with her. When they arrived, they knocked on the front door, but did not get an answer. They walked around to the back of the residence and observed the kitchen window to be partially open. Sellaro opened the window further and helped Gicante crawl through the window. Once inside, Gicante removed a wooden door security bar from behind the rear sliding door, opened the rear sliding door, and let Sellaro inside the residence. They walked upstairs and discovered the victim lying on the bed and unresponsive. Sellaro called 911.

An investigation of the scene revealed no signs of forced entry to the residence. The victim's vehicle, keys to her vehicle, and cell phone were missing from the scene. A crime scene was located in an upstairs bedroom where the victim was found deceased. The victim was completely naked, lying face down on the bed with her legs hanging off the foot of the bed, and appeared to have been the victim of an apparent sexual assault. The bedroom smelled of vomit and stains on the carpet of the bedroom and on the bed between the victim's legs appeared to be vomit. On the floor of the bedroom at the foot of the bed where the victim was lying were several jewelry boxes. One of the boxes was open and empty and other boxes were opened and appeared to have been rummaged through. In addition, a wadded up white paper towel was lying on the floor of the bedroom just to the north of the bed where the victim was lying. The scene was processed by crime scene technicians.

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On 06-04-2017 the victim's vehicle was recovered at 9922 E. 61st St. in Raytown, Missouri without its keys.

On 06-08-2017 I received a Kansas City Police Crime Laboratory Report that stated two separate fingerprints lifted from the exterior of the kitchen window were identified as **Cedrick O. Russell B/M 06-02-1992**'s fingerprints. This is the same window that Gicante and Sellaro observed to be partially open. Furthermore, a fingerprint lifted from the open but empty jewelry box lying on the floor of the bedroom at the foot of the bed where the victim was found deceased was also identified as **Russell**'s fingerprint.

On 06-09-2017 I received two more Kansas City Police Laboratory Reports. The first report stated that semen was identified on the wadded up white paper towel that was recovered from the floor of the bedroom next to the bed where the victim was found deceased. The second report stated that the major profile from the semen matches **Russell** and the expected frequency of the major genetic profile is one in 290 octillion unrelated individuals. In addition, the report stated **Russell** matches all of the genetic information foreign to the victim on rectal swabs taken from the victim. The expected frequency of potential contributors to the alleles foreign to the victim is one in 9.7 billion unrelated individuals.

On 06-01-2017 while working the crime scene, detectives conducted an area canvass and had made contact with **Russell** who lived at 10506 E. 45th Place, which is the townhome directly to the west of the victim's townhome and shares a wall with the victim's townhome. During this initial interview, **Russell** stated he knew the victim as "Ashley" and described her as attractive. He stated the victim used to have a male roommate but currently lived alone. **Russell** indicated that he did not know the victim as anything more than a neighbor.

On 06-09-2017 **Russell**'s phone records were obtained which indicated his phone was turned off on 06-07-2017.

On 06-13-2017 a search through LeadsOnline revealed **Russell** pawned four women's rings at a local pawn shop on 06-03-2017. Detectives responded to the pawn shop and a photo of the rings was obtained. That photo was then shown to the victim's mother who stated those rings belonged to the victim and she was wearing three of them the last time she saw her on 05-28-2017. The victim's mother stated the total value of the rings was \$440.00. In addition, she stated the victim's cell phone was an LG and the victim paid \$800.00 for it.

On 06-13-2017 **Russell** was arrested for investigation. During the arrest, **Russell** ran from the officers and was apprehended after a short foot chase during which time he pulled a handgun from his waistband and threw it on the ground. **Russell** was transported to Police Headquarters for questioning. He was advised of his Miranda Rights and agreed to talk with detectives. **Russell**'s statement to detectives changed throughout the interrogation. He initially stated the following: He had been having a sexual relationship with the victim since her boyfriend moved out of her residence around Easter of 2017. They have been having sex twice a week, however he has never told anyone about the relationship and believes that only he and the victim know about it. He does not have the victim's phone number and they have never spoken on the phone or exchanged text messages. They are not friends on Facebook. Each sexual encounter was initiated by the victim, which usually occurs with her arriving at her home and seeing him outside. She would then invite him into her residence and it would lead to having sex. The only place they ever have sex is in her residence. When talking about the particulars of their sexual encounters, he was asked if he had ever choked the victim during sex, **Russell** stated he hadn't and when asked if the victim ever asked him to choke her during sex he stated "never."

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When initially asked when the last time they had sex was, **Russell** stated it was on Saturday, 05-27-2017 at 1400 hours at the victim's residence and it lasted for an hour. When asked about his whereabouts on the night of 05-30-2017 leading into the morning of 05-31-2017, he stated he slept at his girlfriend's residence.

Russell was confronted with the fact that he pawned pieces of jewelry belonging to the victim and he stated he stole the victim's jewelry on 05-27-2017 when they last had sex and later pawned them. He stated that prior to the victim and him having sex, the victim entered her bathroom and while she was in there, he stole several pieces of jewelry that were lying out on her bed and put them in his pocket. He claimed that the victim never confronted him about the missing jewelry. **Russell** was asked if he ever looked through the victim's jewelry boxes and he was adamant that he never had and that the rings he stole were on the bed. However, when he was told that his fingerprint was located on a jewelry box, **Russell** changed his story and stated he took the rings out of a jewelry box. **Russell** was told that it was impossible that he stole those rings on 05-27-2017 because the victim's mother observed the victim wearing the same rings on 05-28-2017. **Russell** then changed his story again and stated it could have been 05-28-2017 when he stole the rings and last had sex with her.

Russell was told that his DNA was found at the scene. He initially said that he knew it would be because he had sex with the victim earlier in the week. When told that evidence showed the victim hadn't moved since his DNA had been left behind, he changed his story again as follows: He had sex with the victim on Wednesday, 05-31-2017 at approximately 0100 hours but he does not know what happened to her after they had sex because he left. When confronted with the fact that the evidence refutes that, **Russell** again changed his story and stated he was having sex with the victim when she asked him to choke her. He began choking her while they were having sex. He stated that she at first was moaning then she started making a sound (which **Russell** imitated as a choking sound). He continued having sex and choking her for "a good minute". He then observed her shoulders "shaking" but continued to have sex and choke her. Once he was done and had ejaculated, he then realized the victim was not breathing and had vomited. **Russell** stated that he panicked and tried to clean up the vomit but was too scared to call an ambulance. He stole the victim's vehicle keys and her cell phone from her purse that was beside her on the bed. He explained that he took her phone because he lived next door and the walls were thin so he didn't want to hear the phone ring through the walls. He stole the victim's vehicle, a silver 2014 Chrysler 200, and drove it to the area near a friend's house. He threw the victim's car keys and cell phone in a sewer but doesn't remember where.

Printed Name Detective Tim Fitzgerald #5492 Signature /s/ Detective Tim Fitzgerald #5492

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

Judge

Circuit Court of _____ County, State of Missouri.