

PROBABLE CAUSE STATEMENT

**FILED
DIVISION 28**

28-Jan-2025 17:46

CIRCUIT COURT OF JACKSON COUNTY, MO

BY Jeffrey C. Keal DCA

Date: 01/28/2025

Report #: 2025-5142

I, Ken Gibson, 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 01/28/2025 at 0026 hours, Javier Garcia-Arellano committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 01/28/2025 at approximately 0026 hours Officers were dispatched to westbound IS-70 west of Noland Rd, Independence, Jackson County, Missouri, regarding a crash with fatal injuries.

The crash investigation revealed a Toyota Camry operated by Javier Garcia-Arellano was traveling eastbound in the westbound lane of IS-70. As the Toyota traveled it struck a westbound Kia Optima. The impact between the Kia and Toyota was front to front. Tire marks and scrape marks show the impact redirected the Kia to the northwest where it came to rest on the shoulder of the roadway. The scrape marks show the Toyota continued east into the path a westbound Freightliner tractor with trailer. The Freightliner struck the Toyota causing it to redirect south into the center lane of westbound IS-70 where it was struck by a Honda Accord.

The Toyota was recorded on SCOUT Cameras traveling eastbound in the westbound lanes at IS-70 and Blue Ridge Blvd before the crash. The impact with the Freightliner was recorded by a dash camera mounted in the Freightliner. The dash camera also showed the Kia at rest on the shoulder of the roadway.

Detective located scrape marks made from a wheel on the Toyota Camry that had been driving on the rim prior the crash. The scrape marks stopped where the Toyota was in the roadway. Detective followed the scrape marks west on IS-70 from the crash scene to Blue Ridge Cutoff. The scrape marks continued further to the west but were not followed.

The driver of the Kia sustained fatal injuries from the crash. The driver of Freightliner sustained injuries to his hand and arms. He refused medical treatment at the scene. The driver of the Honda sustained injuries and was transported to Centerpoint Medical Center by ambulance. Javier Garcia-Arellanos sustained obvious injuries to his left leg. He was transported to Centerpoint Medical Center by ambulance.

An inventory of the Toyota prior to tow revealed multiple open alcohol containers.

DWI Officer responded to the hospital and contacted Javier Garcia-Arellanos. DWI Officer smelled a strong odor of an alcoholic beverage coming from Javier Garcia-Arellanos's breath and person. Initially Javier Garcia-Arellanos did not respond to contact by the DWI Officer. No

field sobriety tests could be administered to him. After he was moved to the Intensive Care Unit Javier Garcia-Arellanos began responding to DWI officer and hospital staff.

DWI Officer contacted a language line interpreter to that spoke Spanish, Javier Garcia-Arellanos primary language. At 0423 hours DWI Officer advised Javier Garica-Arellanos of implied consent and requested he submit to chemical tests of his blood to determine the alcohol and/or drug content of his blood. Javier Garcia-Arellanos consented to the chemical test of his blood. At 0435 hours Nurse withdrew samples of blood from Javier Garcia-Arellanos. The vials of blood were recovered and later submitted to the lab for chemical testing.

At 0440 hours using an interpreter DWI Officer advised Javier Garcia-Arellanos of his constitutional rights. He advised he understood his rights and did not request to contact an attorney. DWI Officer conducted an interview of Javier Garcia-Arellanos.

During the interview Javier Garcia-Arellanos advised he had been operating his Toyota Camry. He did not remember being involved in a crash. He advised he had as many as twelve to fourteen alcoholic beverages between approximately 1800 hours on 01/27/2025 at 0000 hours on 01/28/2025. When asked if he was under the influence of an alcoholic beverage Javier Garica-Arellanos stated yes.

On 01/25/2025 Detective received a lab report from Children's Mercy Hospital on Javier Garcia-Arellanos. The lab report showed he had a 0.170 BAC from the draw on 01/28/2025 at 0435 hours. The toxicology results for drug testing are still pending.

Javier Garcia-Arellanos does not have a valid operator's license.

Javier Garcia-Arellanos has one prior arrest for driving while intoxicated, Kansas Highway Patrol, arrest 05/14/2023.

Det. Ken Gibson #1147

/s/ Det. Ken Gibson #1147

Print Name

Signature