

GRANDVIEW STATEMENT OF PROBABLE CAUSE

July 26th, 2015

I, Detective Gary Kerley, 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 at 7817 E 129th Terrace, Grandview, Jackson County, MO that Webb, Kyle, J, b/m, 06-18-71, SSN [REDACTED], committed one or more criminal offenses.

The facts supporting this belief are as follows:

On 07-25-2015 at 2232 hours, Grandview Police were dispatched to 7817 East 129th Terrace, Grandview, Jackson County, MO 64030 in regard to a non breathing person.

Franklin Webb (b/m, 10-05-40) was found inside the residence with no pulse. His son, Kyle Webb (b/m, 06-18-71) was observed in the home with scratches around his mouth. Kyle was also holding a cell phone and broken wrist watch which he said belonged to his father, Franklin.

Kyle said he and his father had gotten into an argument over a leaky pipe. Kyle said he went and got an empty Vodka bottle to break to scare Franklin. Kyle said he raised the bottle like he was going to hit Franklin. However, Franklin tried to punch him. Kyle deflected the punch and Franklin fell down. Kyle said he proceeded to position Franklin's arm across his throat and laid on Franklin's head with his mid-section. Kyle said he also bit Franklin on his thumb.

Furthermore, Kyle said he grabbed Franklin's cell phone so he couldn't get to it. Kyle stated he used his mid-section to lie on Franklin's head for ten to twelve minutes to "prove a point." According to Kyle, Franklin lost consciousness. After Franklin lost consciousness, Kyle said he paced back and forth in the living room for two or three minutes before calling 911.

Kyle made the following statements to police:

- "I don't know if I killed him or not and quite frankly it's on me. I could have walked away easily."
- "Most of this is on me. I want to take responsibility."
- "I had to prove how big and bad I was. It's really all on me."

Franklin was transported to the St. Joseph Hospital where he was pronounced dead on 07-26-15 at 0000 hours.

On 07-25-15 at 2354 hours, Detective Kerley escorted Webb to the station for a voluntary interview. Detective Kerley escorted Webb to interview room #3. Detective Kerley advised Webb of his rights via the Miranda Warning. Webb stated that he understood his rights and agreed to talk about the incident.

During the interview, Webb stated that he was downstairs in the basement of his residence at 7817 E 129th Terrace cleaning up where the basement had leaked. Kyle stated that his dad started getting onto him about the way he was cleaning. Kyle stated that he snapped and went into a rage while he grabbed an empty vodka bottle and placed it in his left hand. Kyle stated that he proceeded up the stairs into the kitchen area and approached Franklin in a violent manner. Kyle stated that Franklin attempted to punch him but he blocked it causing Franklin to stumble and fall causing him to hit the front of his neck on the back of the kitchen chair.

Kyle stated that he placed himself on top of Franklin and used his (Kyle's) legs to restrain Franklin's legs so he couldn't move. He took Franklin's right arm and placed it around Franklin's throat. Kyle stated that he remained in that position for approximately two to three minutes. Kyle stated Franklin was struggling and attempting to grab a fire extinguisher nearby and also claw at his (Kyle's) neck. Kyle stated that he bite down hard on Franklin's left thumb. Kyle stated that his upper torso was on the back of Franklin's head causing Franklin's face to be face down on the kitchen floor. Kyle stated he remained in that position for approximately nine to eleven minutes.

Kyle stated that after six minutes, Franklin began to "twitch." Kyle stated that he noticed that Franklin lost consciousness after eleven minutes and that's what made him get off of Franklin. Kyle stated that he "freaked" out for approximately thirty seconds then removed Franklin's cell phone from his pocket and called 9-1-1.

Kyle stated that he just wanted to prove to Franklin that he could control him. Kyle stated that he had special training and wrestled for one year in college and was a brown belt in Judo. Kyle stated that he could physically control most people and didn't need to take it that far with Franklin, but he did it to prove a point but didn't want to physically disable him. Kyle stated that his intent was to make Franklin pass out. Kyle stated that he knows what he did was wrong and that he was sorry.

Detective



The Court finds Probable Cause

Judge _____

Date _____