

PROBABLE CAUSE STATEMENT FORM

Date: 06/14/16

CRN: 16-041880

I, Detective Danny Thomas #4933 (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 06/12/16, at 6613 Park Avenue in (Date) (Address)

Kansas City, Jackson Missouri Cardell T. Scott (County) (Name of Offender(s))

Black Male, 08/06/1995 committed one or more criminal offense(s). (Description of Identity)

Murder

Aggravated Assault- 2 counts

Armed Criminal Action- 3 counts

The facts supporting this belief are as follows:

On 06-12-16 at 1838 hours, Kansas City, Missouri Police Officers were dispatched to 6613 Park Avenue, Kansas City, Jackson County, Missouri on a reported shooting. Upon arrival, Officers discovered an adult male victim, later identified as Thomas M. Fayne, seated in the driver seat of a vehicle in front of the residence suffering from apparent gunshot wounds. The victim was transported to a local hospital where he died from his injuries. The Jackson County Medical Examiner later ruled the death a homicide.

During the investigation, it was discovered two surviving victims were in the vehicle when Fayne was shot. An adult female was in the front passenger seat and a two- year old child (redacted), black male, 05/31/14) was seated in the center portion of the back seat. Neither surviving victim was hit by gunfire.

The adult female victim told detectives Fayne had driven them to McDonalds and afterwards parked on the street where he was shot. She stated they were sitting in her vehicle when the suspect vehicle pulled up and stopped abruptly. The suspect got out of the passenger side of the suspect vehicle, ran up and fired numerous bullets at them, striking Fayne. The suspect got back into the front passenger side of the suspect vehicle and sped off northbound on Park Avenue to eastbound Meyer Boulevard. The witness described the suspect as a shorter, dark skinned, black male, with frizzy braids. She stated the suspect looked familiar and she thought she'd met him before, through Fayne; however she didn't know his name.

During the course of the investigation a friend of the victim responded to Police Headquarters to provide information on a possible suspect. The victim's friend stated they were in the area of 42nd and College one or two weeks prior when the possible suspect took exception to something the victim said. The victim's friend stated the person's name was "Cardell" and he matched the description of the suspect. Furthermore she knows Cardell to drive a vehicle matching the description of the suspect vehicle (gold Malibu).

Based on the aforementioned information, Cardell T. Scott was located in the computer. One of the addresses associated with Scott was 4220 College Avenue. A photographic lineup was compiled with six black males similar in appearance with Scott in the #6 position. The victim's friend viewed the lineup and positively identified Scott as the individual who interacted with Fayne one to two weeks earlier. The adult female victim also viewed the lineup and positively identified Scott as the individual she saw shoot Fayne.

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On 6-14-16 at approximately 1005 hours, Scott was arrested while entering a gold colored Chevrolet Malibu belonging to his girlfriend. He was transported to Police Headquarters for questioning. During his interrogation Scott denied involvement in the murder. He stated he hasn't been in his girlfriend's gold Chevrolet Malibu since last Tuesday (06/07/16). He did however state he was, "prolly" riding with his friend in a different Chevrolet Malibu on Sunday but nowhere near 67th and Park Avenue. Scott's friend was subsequently arrested while driving a different gold Chevrolet Malibu. During questioning he stated he was with family during the time of the murder. He stated his Malibu was parked at his house the entire day and he drove a separate vehicle (black SUV). He stated, however he saw Scott on Sunday evening around 2230 hours driving the gold Chevrolet Malibu belonging to his (Scott's) girlfriend.

Printed Name Detective Danny Thomas #4933 Signature *Det. Danny Thomas #4933*

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

Judge

Circuit Court of _____ County, State of Missouri.

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

Police# 16-041880
Prosecutor# 095432813
1616-CR
OCN#

COMPLAINT

STATE OF MISSOURI

vs.

**Cardell Scott
4220 College Ave
Kansas City, MO 64114
DOB: 08/06/1994; Race/Sex: B/M;
SS# [REDACTED]
Defendant.**

Count I. Murder 2nd Degree (565.021-001Y19840911.0)

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 June 12, 2016, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Thomas Fayneby shooting him.

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.

Count II. Armed Criminal Action (571.015-001Y19755213.0)

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,

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in that on or about June 12, 2016, 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 deadly weapon.

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.

Count III. Endangering The Welfare Of A Child Creating Substantial Risk - 1st Degree - 1st Offense - No Sexual Conduct (568.045-005Y20033899.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 568.045, RSMo, **committed the class C felony of endangering the welfare of a child in the first degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about June 12, 2016, in the County of Jackson, State of Missouri, the defendant knowingly acted in a manner that created a substantial risk to the life and body and health of [REDACTED], a child less than seventeen years old, by firing a gun into a car occupied by [REDACTED]

The range punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed five thousand dollars (\$5,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime up to a maximum of twenty thousand dollars (\$20,000).

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Count IV. Armed Criminal Action (571.015-001Y19755213.0)

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 June 12, 2016, in the county of Jackson, State of Missouri, the defendant committed the felony of Endangering the Welfare of a Child 1st Degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Endangering the Welfare of a Child 1st Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

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.

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The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, 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,

Daniel Portnoy (#62186)
Assistant Prosecuting Attorney
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WITNESSES:

██████ Prosecuting Atty. Office, Kansas City, MO 64106
DET Scott P. Mullen , 1125 Locust, Kansas City, MO 64106
██████, Prosecuting Atty. Office, Kansas City, MO 64106
DET Hobart D. Price , 1125 Locust, Kansas City, MO 64106
██████████ Atty. Office, Kansas City, MO 64106
DET Brent R. Taney , 1125 Locust, Kansas City, MO 64106
DET Daniel G. Thomas , 1125 Locust, Kansas City, MO 64106
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