

PROBABLE CAUSE STATEMENT FORM

Date: 1/20/14

CRN: 15-4438

I, Det. Mark Slater #5206

(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 1/20/15, at 1202 E 37th St. in
(Date) (Address)

Kansas City, Jackson Missouri Morris L. Smith, b/m, 6/30/69
(County) (Name of Offender(s))

s.s. #411-13-1199, 6'0, 210 lbs committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 01-20-2015 at approximately 0254 hours, members of the Kansas City Missouri Police Department responded to 1202 E. 37th Street Apt 2N Kansas City, Jackson County, Missouri on a reported, "Medical Nature Unknown" call for service. Upon arrival officers discovered the deceased body of a white female lying on the bed inside the residence. Officers observed a significant amount of blood in the residence and signs of a struggle. Significant trauma was observed on the victim's head and body. The death is being investigated as a Homicide by the Jackson County Medical Examiner's Office. The female was identified as Kimberly D. Hetzler, w/f, 4/9/78, a known resident of the apartment. The 911 caller who reported to have discovered his girlfriend deceased on the bed, was identified as **Morris L. Smith, b/m, 6/30/1969**. While at the scene, Morris advised the initial responding officers he had been in an argument with Hetzler over another woman on 1/16/15. Morris stated he had been on the phone with Hetzler on 1/19/15 between 2100 hours and 2200 hours, and Hetzler had asked him to come home. Morris stated he arrived at approximately 0245 hour on 1/20/15. Morris advised officers he had been drinking and smoked crack before responding to Hetzler's apartment. Morris advised the officers Hetzler was pregnant, and volunteered there was a prior history of Domestic Violence with Hetzler.

During the processing of the scene, a calendar of appointments designated for Smith, men's clothing, medicine bottles issued to Smith, medical documents with Smith's name on it, Smith's EBT card within the victim's purse was observed, and numerous articles of mail with Smith's name on it were located in the apartment, and a large decorative S was observed above the entry to the area where the bed was located. The 5'3" victim was observed to have significant blunt force trauma about her head and apparent blood about the bed and bedding of the studio apartment and apparent blood on the immediate wall and window blinds near the bed. The victim's cell phone was also located inside the apartment.

The call log and text data for both Smith and the victim revealed the following: The Hetzler's cell phone call log revealed 11 missed calls to Smith's phone between 2019 hours and 2059 hours on 1/19/15. Smith's cell phone call log revealed 23 outgoing calls beginning at 1/19/15 at 2102 hours. Only one incoming call was noted from the Hetzler to Smith on 1/19/15 at 2105 hours for 24 seconds. Smith had no outgoing calls on 1/19/15 from 2247 hours and 2354 hours. Outgoing activity from Hetzler's cell phone stopped at 2105 on 1/19/15.

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A witness was contacted who is a resident of the apartment building and lived directly below Hetzler. She stated she knew Hetzler and described Hetzler as having a boyfriend. She described the boyfriend and the description matched that of Smith. She stated that on 1/19/15 at around 2330 hours she heard loud footsteps on the back stairway of the apartment building. Immediately following the footsteps she heard three loud bangs on the back door of an apartment. She then heard a loud disturbance in the apartment above her own apartment. The disturbance was so significant that the ceiling fan in her apartment began to vibrate. She also heard a female voice stating, "Stop. Don't. You're not gonna do that no more." The witness stated the disturbance ended between approximately 0010 and 0015 on 1/20/15.

Another witness in the apartment building was contacted. He stated that he knows Hetzler and identified her boyfriend as Smith. He stated that in the beginning of January 2015, he saw Hetzler on the steps of the apartment building and Hetzler was crying. He asked if he could call the police. Smith then stepped into the hallway and stated, referring to Hetzler, "This is my bitch, this is my bitch. You need to get your own bitch." He also stated that around January 13, 2015, he was passing by Hetzler's apartment and heard Hetzler say, "You just want to start arguing with me so you can beat me up again."

While at the scene, Smith had contact with a detective who responded to the scene to assess the officers' reported events. Smith agreed to speak with the detective. While at the scene, Smith advised the detective that he had been arguing over the phone with the Hetzler at approximately 1500 hours to 1600 hours (1/19/15). Smith advised the argument was in regard to Hetzler seeing another guy who lived in Kansas, for the last six months. Smith stated he had asked Hetzler if he could come over several times during the conversation. Smith stated he last spoke with Hetzler by phone at approximately 2000 hours on 1/19/15. Smith stated he then purchased "crack" on the street and smoked it. Smith walked around and then responded to Hetzler's apartment. When Smith entered the apartment he discovered Hetzler on the bed covered in blood. Smith got no verbal response from Hetzler so he picked her up by the back of the left shoulder and back of the head and shook her, but stated he never touched the blood. Smith stated Hetzler felt cold to the touch and Smith ran out the back door and called 911. Smith stated he has known Hetzler for a year and stays at the address when Hetzler allows him to do so. Smith stated he lives at the City Union Mission, but that he has some clothes in Hetzler's apartment. Smith stated Hetzler was pregnant and that the baby was his.

Morris voluntarily responded from the scene to 1125 Locust, police headquarters, to be formally interviewed by investigating detectives. Prior to the formal interview the Miranda Waiver rights were read out loud to Morris prior to any questioning about Hetzler's death. Morris waived his rights and agreed to speak with detectives. Morris stated he had been staying away from Hetzler and had been arguing with her over the phone on the afternoon of 1/19/15, but had unprotected sexual intercourse with her at her residence approximately 3-4 days prior to discovering her deceased. Smith stated Hetzler advised him she was pregnant on approximately 1/16/15 or 1/17/15, and that she was one month along in the pregnancy. Smith had possession of his cell when he was interviewed at the scene and as he was transported to 1125 Locust St.. Smith signed a Consent to Search form for both his cell phone and a buccal swab of his DNA. The call log and text data were subsequently downloaded for both Morris' and Hetzler's cellular phones.

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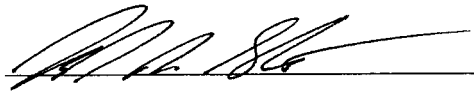
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Smith described his relationship with the Hetzler as violent, and stated they both have hit each other during previous altercations. Smith stated he had hit Hetzler in the face with a closed fist during the physical altercations. Smith's clothes were collected during the interview process. Apparent blood was observed on the front pant legs of a pair of striped pajama pants worn by Smith under his jeans. The blood was observed when Smith removed his jeans. Blood was observed on the front of both upper pant legs of the striped pajamas and a test for presumptive blood was positive. Smith became emotional during the interview and made the following statements: "I'm going to jail for the rest of my life." "Oh my God, Oh my God, Oh my God." "My Mom and Dad are going to kill me." "This is going to kill my uncle." And finally, Smith stated to the interviewing detective, "I know you know I did it."

Smith concluded the interview by requesting an attorney before answering any further questions.

Printed Name Det. Mark Slater #5206

Signature



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

20th day of January 2015



Judge

Circuit Court of

Jackson

County, State of Missouri.