

**IN THE CIRCUIT COURT
OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

Police# 16-010085
Prosecutor# 095435577
1616-CR
OCN# AN014485

COMPLAINT

STATE OF MISSOURI

vs.

**Brady Newman-Caddell
3388 S. Peck Circle
Independence, MO 64055
DOB: 03/10/1995; Race/Sex: W/M;
SS# [REDACTED]
Defendant.**

**Count I. Rape Or Attempted Rape 1st Degree - Serious Physical Injury/displays Deadly
Weapon Or Dangerous Instruments/subjects Victim To Sexual Intercourse With More
Than One Person (566.030-002Y20131103.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 566.030, RSMo, committed the Felony of Rape in the First Degree, punishable upon conviction under Section 566.030, RSMo, and subject to lifetime supervision under Section 217.735, RSMo, in that February 9, 2016, in the County of Jackson, State of Missouri, the defendant knowingly had sexual intercourse with [REDACTED] by the use of forcible compulsion and in the course of such offense the defendant subjected [REDACTED] to sexual intercourse with more than one person.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

**Count II. Sodomy Or Attempted Sodomy - 1st Degree - Serious Physical Injury/displays
Deadly Weapon Or Dangerous Instrument/subjects Victim To Sexual Intercourse With
More Than One Person (566.060-002Y20131115.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 566.060, RSMo, committed the Felony of Sodomy in the First Degree, punishable upon conviction under Section 566.030, RSMo, and subject to lifetime supervision under Section 217.735, RSMo, in that February 9, 2016, in the County of Jackson, State of Missouri, the defendant knowingly had deviate sexual intercourse with [REDACTED] by placing his penis in [REDACTED] anus, a person who lacked the capacity to consent and in the course of such offense the defendant

subjected TH to deviate sexual intercourse with more than one person.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

**Count III. Sodomy Or Attempted Sodomy - 1st Degree - Serious Physical Injury/displays
Deadly Weapon Or Dangerous Instrument/subjects Victim To Sexual Intercourse With
More Than One Person (566.060-002Y20131115.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 566.060, RSMo, committed the Felony of Sodomy in the First Degree, punishable upon conviction under Section 566.030, RSMo, and subject to lifetime supervision under Section 217.735, RSMo, in that February 9, 2016, in the County of Jackson, State of Missouri, the defendant knowingly had deviate sexual intercourse with [REDACTED] by placing his penis in [REDACTED]'s mouth, by the use of forcible compulsion and in the course of such offense the defendant subjected [REDACTED] to deviate sexual intercourse with more than one person.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

**Count IV. Endangering The Welfare Of A Child Creating Substantial Risk - 1st Degree -
1st Offense - No Sexual Conduct (568.045-005Y20033802.0)**

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 February 9, 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 Raping [REDACTED]'s mother while [REDACTED] is in the bed.

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.

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.

THE STATE OF MISSOURI

vs.

Brady Newman-Caddell

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,



Michael J. Hunt (#34818)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, Missouri 64050
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WITNESSES:

PO Kirsten Baker , 223 N. Memorial Drive, Independence, MO 64050

DET Christopher Burris , 223 N. Memorial Drive, Independence, MO 64050

PO Terry Dorman , 223 N. Memorial Drive, Independence, MO 64050

PO Jeffery Pagel , 223 N. Memorial Drive, Independence, MO 64050

██████████, Independence, MO 64050

PROBABLE CAUSE STATEMENT

Date: 10/11/2016

Report #: 2016-10085

I, Jeff Pagel, 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 2/9/2016, at 0100 hours, **Brady A. Newman Caddell**, (Race- white, Sex- male, DOB- 03/10/1995, Address-3388 S. Peck Cir Independence Mo. 64055, SSN- [REDACTED] committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 2-9-2016 at approximately 0421 hours, the victim herein referred to as [REDACTED], reported to the Independence Police Department that she had been raped by multiple suspects at her residence of 17007 E. 24 Hwy, Apt 12, Independence, Jackson County, Missouri. [REDACTED] informed the reporting police officer, Sgt. T. Dorman, that she was awoken at 0100 hours by a male subject standing in her bedroom. [REDACTED] advised the male subject placed his hand over her face and told her to "Shut up and turn over". [REDACTED] then stated the male subject began raping by placing his penis in her vagina. She further advised that when this was taking place, her 2.5 YOA daughter, [REDACTED], was present and laying on her bed. [REDACTED] advised that she tried to struggle and scream, but the male subject holding her stated that if she tried to struggle or scream, he would hit her daughter. [REDACTED] stated that the male subject raping her yelled for another male he referred to as "Josh," and told that male to "Come hit this." [REDACTED] advised the second male said no, but eventually came into the bedroom and raped her as well. Taylor was also interviewed at the police station by Det. Pagel.

In reports to Sgt. Dorman and a formal interview with Det. Pagel, [REDACTED] described this incident as lasting nearly 3 hours, and believed as many as four subjects entered into her room and raped her both vaginally and anally. [REDACTED] advised that during the assault her face was covered with her pajama pants, and she was unable to get a good look at the suspects. She described the first male she observed in her room as early 20's w/m standing in her doorway. She stated the second male she observed was a tall, thin, black male. [REDACTED] Stated that on one occasion, she attempted to grab her daughter and run out of the room. She advised that both men had their pants down around their ankles, and she thought it would be possible to escape. [REDACTED] stated that as she tried to run from the room, one of the males grabbed her and punched her in the ribs and back of the head. [REDACTED] stated that she then just laid there in her bed and sobbed while the two men took turns penetrating her. [REDACTED] advised that one of the male subjects then got on his phone and made reference to going to the car. She stated she thought the incident was over, but the other male then started having sex with her again. [REDACTED] advised she felt someone lay down on the bed next to her, and determined this was a different male than the other two. She stated he was "fat and hairy". [REDACTED] advised the males then made her crawl on top of the third guy and have sex with him. [REDACTED] stated that while having sex with the third guy, she stated the males then tried to "double penetrate her, and "fist" her. She advised that throughout the incident, her daughter [REDACTED] would begin to stir and the males would allow her to calm [REDACTED] down. [REDACTED] stated that she didn't think it would be productive to fight the suspects; therefore, she pretended to enjoy it. She stated

she wanted them to think she wouldn't call the police or complete a rape kit. [REDACTED] advised that at one point, the males tried to place their penis in her mouth. She stated her mouth was dry, and that she needed a drink of water. [REDACTED] advised that one of the males then went and grabbed a glass of water. She advised that the males continued to take turns raping her, and that one of them pulled her pants covering her face up to her nose, and ejaculated on her face.

[REDACTED] stated that after approximately 2.5 hours, she could hear the males buckling up their pants, and she could tell they were done. She advised that she was lying on her bed, "Spread Eagle", and she could see a light through the pants. She stated she thought the suspects were taking pictures of her. [REDACTED] stated that just before they left, one of the suspects, maybe Josh, told her it was his birthday. She advised one of the males then continued by saying, "No, it really is Josh's birthday." [REDACTED] stated she then said, "Congratulations, Happy Birthday. Can I go to bed?" She advised they told her she could, and then said "Have a good night or whatever." She stated the suspects then left the apartment and she eventually was able to contact police.

After the incident T.H. was transported to Centerpoint Hospital where she consented to a SANE examination. Evidence samples were collected from [REDACTED] body, and later submitted to Missouri State Highway Patrol Crime Lab. As a result of the evidence collected, MSHP was able to positively identify a sperm fraction from a vaginal swab. A DNA profile was completed and then entered into the Combined DNA Index System (CODIS). On 10/10/16, I was contacted by Jason Wyckoff with MSHP lab who advised a positive DNA match had been made with a DNA profile obtained from a sperm fraction of a vaginal swab provided by Johnson County Sheriff's in reference to an unrelated rape offense. Mr. Wyckoff stated the two cases appeared to have the same suspect based off the DNA profile.

At this time, I contacted Det. Kris Rutherford of the Johnson County Sheriff's Department (JCSD) and briefed him on the case involving [REDACTED]. On 10/10/16, JCSD released a media statement in reference to their case. After a tip, they were able to provide the name of the Defendant and Mr. William Luth as possible suspects. Later in the evening, both the Defendant and Mr. Luth were taken into custody and placed on an investigative hold for JCSD. While in custody, Det. Burris and I interviewed the Defendant.

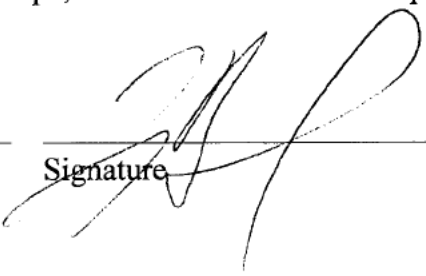
The Defendant advised he lived at the apartment complex of 17007 E. 24 Hwy, Apt 12 on the date of the Rape, 2-9-16. He stated that while at his residence on the night of 2-8-16 he was with his friend, William Luth. He advised that Mr. Luth walked upstairs to [REDACTED]'s apartment and pushed the door open. The Defendant then stated that Mr. Luth came back down to his apartment and told him "Let's go." The Defendant advised that he and Mr. Luth then went upstairs to [REDACTED]'s apartment and raped her. He stated that Mr. Luth was the first to enter her bedroom and have sex with her. He advised that Mr. Luth assaulted [REDACTED], and stated Mr. Luth "Choked her and placed his hands over her mouth." He said Mr. Luth told him he wanted to get wild since it was his birthday. The Defendant stated Mr. Luth then proceeded to have sex with the [REDACTED]. He advised that while the defendant was having sex with [REDACTED], he was in the living room masturbating. The Defendant stated when he eventually entered [REDACTED]'s bedroom, Mr. Luth was standing there naked, and [REDACTED] was naked on her bed. The Defendant advised [REDACTED]'s daughter, [REDACTED] was also in the bed. The defendant stated he attempted to have sex with [REDACTED], but could not maintain an erection. He stated he only penetrated her vagina 1/2 inch. The Defendant

stated he ejaculated in the bedroom after [REDACTED]. gave him a "Hand Job." The defendant advised that Mr. Luth also anally penetrated [REDACTED]. He further stated that no other people were involved in the rape of [REDACTED] He advised that after the rape, he and Mr. Luth left the apartment.

Jeff Pagel

Print Name

Signature



THE COURT FINDS PROBABLE CAUSE:

Date

Judge