

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

POLICE NO. :	17-019072
PROSECUTOR NO. :	095438595

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
BRIAN K MOYER)	
1603 W. Blue Ridge Blvd.,)	CASE NO. 1716-CR
Independence, MO - 64052)	DIVISION
DOB: 08/05/1975)	
Race/Sex: W/M;)	
SSN: XXX-XX-XXXX)	
)	DEFENDANT.

COMPLAINT

Count I. Endangering The Welfare Of A Child - 1st Degree - Death Of Child - No Sexual Conduct (568.045-017Y20173899.0)

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 A Felony of Endangering the Welfare of a Child in the First Degree**, punishable upon conviction under Sections (558.011) (558.002 and 558.011), RSMo, in that on or about March 17, 2017, 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 of [REDACTED], a child less than seventeen years of age, by operating a motor vehicle in which [REDACTED] was an occupant at an excessive rate of speed and failing to maintain the proper lane of traffic, and this offense resulted in death to the child.

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. Involuntary Manslaughter 1st Degree (565.024-001Y19840909.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **Class C Felony of Involuntary Manslaughter in the First Degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about March 17, 2017, in the County of Jackson, State of Missouri, the defendant recklessly caused

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the death of [REDACTED]' by operating a motor vehicle in which [REDACTED]' was an occupant at an excessive rate of speed and failing to maintain the proper lane of traffic.

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 three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); 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.

Count III. Endangering The Welfare Of A Child - 1st Degree - Death Of Child - No Sexual Conduct (568.045-017Y20173899.0)

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 A Felony of Endangering The Welfare of a Child in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about March 17, 2017, 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 of [REDACTED]', a child less than seventeen years of age, by operating a vehicle in which [REDACTED]' was an occupant at an excessive rate of speed and failing to maintain the proper lane of traffic, and this offense resulted in death to the child.

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 IV. Involuntary Manslaughter 1st Degree (565.024-001Y19840909.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **Class C Felony of Involuntary Manslaughter in the First Degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about March 17, 2017, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of [REDACTED] by operating a motor vehicle in which [REDACTED]' was an occupant at an excessive rate of speed and failing to maintain the proper lane of traffic.

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 three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); 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.

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Count V. Leaving Scene Of Accident - Property Damage Exceeding \$1,000 (577.060-002Y20175401.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 577.060, RSMo, committed the **Class E Felony of Leaving the Scene of an Accident**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about March 17, 2017, the defendant, while operating a motor vehicle at Truman and Hardesty, in the County of Jackson, State of Missouri, was involved in an accident that resulted in damage to the property of [REDACTED] in excess of one thousand dollars, and the defendant knew that such accident had occurred, and defendant left the location of the accident without stopping and giving defendant's name, residential address, license number of defendant's vehicle, and operator's license number to the other party in the accident, a law enforcement officer in the vicinity, or to the nearest law enforcement agency.

The range punishment for a class E 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 four (4) 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 ten thousand dollars (\$10,000); 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.

Count VI. Driving While Revoked/suspended - 1st Offense (302.321-003Y20175405.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 302.321, RSMo, committed the **Class D Misdemeanor of Driving while License was Suspended**, punishable upon conviction under Sections 302.321 and 558.002, RSMo, in that on or about March 17, 2017, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle on a highway, East 12th Street and Newton Avenue, during a time when defendant's operator's license was suspended under the laws of this state, and acted with criminal negligence with respect to knowledge of the fact that defendant's operator's license was suspended.

The range of punishment for a class D misdemeanor is a fine not to exceed five hundred dollars (\$500.00).

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.

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Wherefore, the Prosecuting Attorney prays that an arrest warrant be issued as provided by law.

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Lauren Whiston
Lauren Whiston (#66185)
Assistant Prosecuting Attorney
415 E. 12th St., 11th Fl
Kansas City, MO - 64106
(816) 881-4312
lwhiston2@jacksongov.org

WITNESSES:

[REDACTED]

[REDACTED]

DET Kurtis J. Anderson , 1125 Locust, Kansas City, MO - 64106

Brian K. Moyer Jr., Prosecuting Atty. Office, Kansas City, MO - 64106

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PO Matthew C. Phelps , 1125 Locust, Kansas City, MO - 64106

PO Lawrence R. Pollard , 1125 Locust, Kansas City, MO - 64106

DET Kevin D. Richardson , 1125 Locust, Kansas City, MO - 64106

[REDACTED]

[REDACTED] D. Wilson , 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 03-20-2017

CRN: 17-019072

I, Det. K. Richardson #4290

(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 03-17-2017, at E. 12th Street & Newton Avenue in

Kansas City, Jackson Missouri, Brian K. Moyer W/M 08-05-1975

(County)

(Name of Offender(s))

(Description of Identity)

committed one or more criminal offense(s).

Vehicular Manslaughter

The facts supporting this belief are as follows:

On 03-17-2017 at 1135 hours, Kansas City Missouri Police Officers were dispatched to E. 12 Street & Ewing Avenue, Kansas City, Jackson County, Missouri, in regard to a fatality crash involving one vehicle. Upon arrival, Kansas City Missouri Police Detectives contacted witnesses who advised they observed a silver vehicle driving eastbound on E. 12th Street at Newton Avenue at a high rate of speed. Witnesses estimated the silver vehicle was driving between 70-100 MPH eastbound on E. 12th Street. Witnesses stated the silver vehicle left the roadway struck a utility pole, flipped, struck a chain link fence and landed in the front yard of a private residence on the north side of E. 12th Street, just west of Ewing Avenue. Witnesses observed two juvenile male occupants get ejected from the silver vehicle during crash. The silver vehicle's driver, later identified as BRIAN KEITH MOYER W/M 08-05-1975, was also ejected during the crash. MOYER was transported to an area hospital with non-life threatening injuries. The front seat passenger in MOYER'S vehicle was transported to an area hospital with non-life threatening injuries. The two juvenile occupants, age 6 and age 10, were later pronounced dead.

Investigation revealed a hit & run crash occurred in the area of Truman Road and Hardesty Avenue involving MOYER'S vehicle rear ending a white Cadillac. The driver of the white Cadillac advised MOYER stopped briefly and agreed to exchange information. However, when MOYER re-entered his vehicle, he fled the area traveling northbound on Hardesty Avenue. The driver of the white Cadillac followed MOYER'S vehicle north on Hardesty Avenue then east on E. 12th Street. MOYER failed to stop for the posted stop signs and continued eastbound on E. 12th Street. The driver of the white Cadillac stated when he crested the hill at Newton on E. 12th Street, he observed MOYER'S vehicle crashed in the front yard of 6706 E. 12th Street. For further information see CRN 17-019073. Investigation of MOYER'S vehicle revealed no safety child restraints inside the vehicle at the time of the crash.

Kansas City Missouri Detectives obtained a search warrant for blood draw from MOYER. Kansas City Missouri Detectives also obtained a search warrant for the crashed vehicle's airbag, DNA and fibers inside the vehicle. Detectives also obtained a search warrant for a buccal swab from MOYER.

A computer check of MOYER revealed him to be suspended through Missouri DOR. MOYER also responded with one prior conviction for DWI-Alcohol.

Printed Name Det. K. Richardson #4290

Signature

[Handwritten signature of Det. K. Richardson #4290]

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

Judge

Circuit Court of ___ County, State of Missouri.