

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

1616-CR01485-01

Police# 16-012958  
Pros# 095431549  
OCN# W0009333

**INDICTMENT**

**THE STATE OF MISSOURI,**

**IN THE CIRCUIT COURT OF  
JACKSON COUNTY, MISSOURI  
AT KANSAS CITY, SEPTEMBER TERM 2017,  
IN DIVISION NUMBER 18 THEREOF  
DESIGNATED BY THE RULES  
OF SAID COURT AS CRIMINAL  
DIVISION A.**

vs.

**Jesus Garcia  
130 N. Ferree Street  
Kansas City, KS 66101  
DOB: 06/30/1982; Race/Sex: W/M  
SS# XXXXX**

**Defendant.**

**Count I. Statutory Sodomy 1<sup>st</sup> Degree - Deviate Sexual Intercourse with Person Less than  
14 Years Old - Serious Physical Injury/Displays Deadly Weapon or Dangerous  
Instrument/Subjects Victim to Intercourse with More than One Person/Victim is Less Than  
12 Years of Age (566.062-001Y19951199.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.062, RSMo, committed the **Felony of Statutory Sodomy in the First Degree**, punishable upon conviction under Section 566.062, RSMo, and subject to lifetime supervision under Sections 217.735 and 559.106, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant for the purpose of arousing or gratifying the sexual desire of the defendant, had deviate sexual intercourse with [REDACTED]. (DOB 1/17/05), who was then less than twelve years old, by touching his penis to [REDACTED]'s anus.

The range of punishment for the unclassified felony of first degree statutory sodomy where the victim is less than twelve years old is imprisonment in the custody of the Missouri Department of Corrections for life or for a term of years not less than ten years. 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. Statutory Rape 1<sup>st</sup> Degree - Sexual Intercourse with Person Less than 14 Years Old - Serious Physical Injury/Displays Deadly Weapon or Dangerous Instrument/Subjects Victim to Sexual Intercourse with More than One Person/Victim is Less than 12 Years of Age (566.032-002Y19951198.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.032, RSMo, committed the **Felony of Statutory Rape in the First Degree**, punishable upon conviction under Section 566.032, RSMo, and subject to lifetime supervision under Sections 217.735 and 559.106, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant knowingly had sexual intercourse with [REDACTED] (DOB 1/17/05), a child less than twelve years old.

The range of punishment for the unclassified felony of statutory rape in the first degree or an attempt to commit statutory rape in the first degree wherein the victim is less than twelve years of age is imprisonment is life imprisonment or a term of years not less than ten years. An offender who has pleaded guilty to or has been found guilty of this offense shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court.

**Count III. Statutory Sodomy 1<sup>st</sup> Degree - Deviate Sexual Intercourse with Person Less than 14 Years Old - Serious Physical Injury/Displays Deadly Weapon or Dangerous Instrument/Subjects Victim to Intercourse with More than One Person/Victim is Less than 12 Years of Age (566.062-001Y19951199.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.062, RSMo, committed the **Felony of Statutory Sodomy in the First Degree**, punishable upon conviction under Section 566.062, RSMo, and subject to lifetime supervision under Sections 217.735 and 559.106, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant for the purpose of arousing or gratifying the sexual desire of the defendant, had deviate sexual intercourse with [REDACTED]. (DOB 1/17/05), who was then less than twelve years old, by inserting his fingers into [REDACTED]'s vagina.

The range of punishment for the unclassified felony of first degree statutory sodomy where the victim is less than twelve years old is imprisonment in the custody of the Missouri Department of Corrections for life or for a term of years not less than ten years. 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. Statutory Sodomy 1<sup>st</sup> Degree - Deviate Sexual Intercourse with Person  
Less than 14 Years Old - Serious Physical Injury/Displays Deadly Weapon or Dangerous  
Instrument/Subjects Victim to Intercourse with More than One Person/Victim is Less than  
12 Years of Age (566.062-001Y19951199.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.062, RSMo, committed the **Felony of Statutory Sodomy in the First Degree**, punishable upon conviction under Section 566.062, RSMo, and subject to lifetime supervision under Sections 217.735 and 559.106, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant for the purpose of arousing or gratifying the sexual desire of the defendant, had deviate sexual intercourse with [REDACTED]. (DOB 1/17/05), who was then less than twelve years old, by touching his mouth on [REDACTED]'s vagina.

The range of punishment for the unclassified felony of first degree statutory sodomy where the victim is less than twelve years old is imprisonment in the custody of the Missouri Department of Corrections for life or for a term of years not less than ten years. An offender who has pleaded guilty to or has been found guilty of this offense shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court.

**Count V. Child Molestation 1<sup>st</sup> Degree (566.067-003Y20003601.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.067, RSMo, committed the **Class B Felony of Child Molestation in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant knowingly subjected [REDACTED] (DOB 1/17/05) who was then less than fourteen years old to sexual contact by touching [REDACTED]'s breast with his hand.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

**Count VI. Child Molestation 1<sup>st</sup> Degree (566.067-003Y20003601.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.067, RSMo, committed the **Class B Felony of Child Molestation in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant knowingly subjected [REDACTED]. (DOB 2/6/2002) who was then less than fourteen years old to sexual contact by touching [REDACTED]'s breast with his hand.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

**Count VII. Attempt Statutory Rape 1<sup>st</sup> Degree - Attempt Sexual Intercourse with Person Under 14 Years Old (566.032-003Y20061116.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.032, RSMo, committed the **Felony of Attempted Statutory Rape in the First Degree**, punishable upon conviction under Section 566.032, RSMo, and subject to lifetime supervision under Section 217.735, RSMo, in that on or about or between January 1, 2014 and December 31, 2015 in the County of Jackson, State of Missouri, the defendant attempted to have sexual intercourse with [REDACTED] (DOB 2/6/2002), a child less than fourteen years old, and such conduct was a substantial step toward the commission of the crime of statutory rape in the first degree and was done for the purpose of committing such statutory rape in the first degree.

The range of punishment for the unclassified felony of statutory rape in the first degree or an attempt to commit statutory rape in the first degree is life imprisonment or a term of years not less than five years.

**Count VIII. Child Molestation 1<sup>st</sup> Degree (566.067-003Y20003601.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.067, RSMo, committed the **Class B Felony of Child Molestation in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about or between January 1, 2014 and December 31, 2015 in the County of Jackson, State of Missouri, the defendant knowingly subjected [REDACTED]. (DOB 2/6/2002) who was then less than fourteen years old to sexual contact by touching his mouth on [REDACTED]'s breast.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

**Count IX. Statutory Sodomy 1<sup>st</sup> Degree - Deviate Sexual Intercourse with a Person Less Than 14 Years Old (566.062-002Y19951117.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.062, RSMo, committed the **Felony of Statutory Sodomy in the First Degree**, punishable upon conviction under Section 566.062, RSMo, and subject to lifetime supervision under Sections 217.735 and 559.106, RSMo, in that on or about or between January 1, 2014 and December 31, 2015 in the County of Jackson, State of Missouri, the defendant, for the purpose of arousing or gratifying the sexual desire of the defendant, had deviate sexual intercourse with [REDACTED] (DOB 2/6/2002), who was then less than fourteen years old, by placing his fingers in [REDACTED]'s vagina.

The range of punishment for the unclassified felony of first degree statutory sodomy is imprisonment in the custody of the Missouri Department of Corrections for life or for a term of years not less than five years.

**Count X. Child Molestation 1<sup>st</sup> Degree (566.067-003Y20003601.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 566.067, RSMo, committed the **Class B Felony of Child Molestation in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or between January 1, 2014 and December 31, 2015, in the County of Jackson, State of Missouri, the defendant knowingly subjected [REDACTED]. (DOB 12/19/03) who was then less than fourteen years old to sexual contact by touching [REDACTED] vagina with his hand.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

Wherefore this Indictment supersedes any Complaint, Information, or Indictment previously filed in the Associate Circuit Court.

**TRUE BILL**

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**FOREPERSON**

**JEAN PETERS BAKER  
PROSECUTING ATTORNEY  
FOR THE COUNTY OF JACKSON,  
STATE OF MISSOURI, by**

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Received this \_\_\_\_ day of \_\_\_\_\_, 2017.

Bail set at \$

**WARRANT / SUMMONS TO ISSUE**

**CONTINUE SPECIAL CONDITIONS**  
NO CONTACT WITH VICTIM(S) / WITNESSES / CO-DEFENDANT(S)  
NO CONTACT WITH ANYONE UNDER 17 YEARS OF AGE  
COUNTY HOUSE ARREST ONLY

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**CIRCUIT COURT JUDGE**

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DET Randy K. Evans, 1125 Locust, Kansas City, MO 64106  
DET Keith Huntington, 1125 Locust, Kansas City, MO 64106  
DET Thomas P. Komoroski, 2256 Locust, Kansas City, MO 64106  
PO Jeffery D. Runyan, 1125 Locust, Kansas City, MO 64106

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Dr. Lisa Spector, 2401 Gillham Road, Kansas City, MO 64108

PROBABLE CAUSE STATEMENT FORM

Date: 04-20-2016

CRN: 16-12958

I, Det.Keith Huntington #4920 (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 2014-2015, at 623 Fuller Ave. in (Date) (Address)

Kansas City, Jackson Missouri GARCIA,JESUS W/M 06-30-1982 (County) (Name of Offender(s))

committed one or more criminal offense(s).

(Description of Identity)

The facts supporting this belief are as follows:

On 02-23-2016 at 0153 hours, Officers of the Kansas City Missouri Police Department were dispatched to 2401 Gillham Rd. (Children's Mercy Hospital) to receive information on juvenile.

A social worker at Children's Mercy Hospital relayed that the mother (Outcry Witness) of Victims #1-3 had responded to the hospital with Victims #1 and #2 to report sexual abuse that had been perpetrated against them by the Suspect (Later identified as: GARCIA, JESUS W/M 06-30-1982).

Victim #1 stated the following in a forensic interview: Her (GARCIA)"touched me" when her mom (Witness) went out on Friday's and Saturday' s at night or in the morning. The touching began when she was twelve years old. One time she was in her bedroom cleaning when GARCIA came in and touched her thigh so she threw a broom at GARCIA to get him to leave the room. Another time she was on the couch watching movies and GARCIA kept getting closer to her and began to touch her on top of her clothes, on her stomach and "down underneath". GARCIA tried to touch her on the skin by pulling at her clothes. She recalled another incident in her sister room when she was asleep and GARCIA woke her up. GARCIA took all her clothes off and touched every part of her body but she didn't have the strength to stop GARCIA. GARCIA then took off all her clothing and her underwear were halfway off as GARCIA was kissing her neck, chest, breasts and lips. During one incident GARCIA urinated on her one time and she could feel the wetness on her vagina. In the past, GARCIA also had fingered her pussy and tried to put his dick in her vagina. There has been more than one incident with GARCIA fingering her.

Victim #2 stated the following in a forensic interview: She would be asleep and GARCIA would take her out of her room and take her to his room. It would also occur in GARCIA'S room and at her grandmother's house in Kansas City Kansas. GARCIA would touch her on her chest with his hand on top of clothes and skin. GARCIA would also touch her vagina with his penis. She described one incident that occurred in his room where she was lying on her back while GARCIA opened her legs, put his penis in her vagina, then something white came out of GARCIA'S penis. This made her body hurt. She would ask GARCIA to go back to her room and GARCIA would say "Shush." When GARCIA was done he would tell her to go back to her bedroom. She added that there

PROBABLE CAUSE STATEMENT FORM

CRN 16-12958

was penile/vaginal penetration more than one time. GARCIA also used his mouth to lick her vagina more than one time.

Victim #3 stated the following in a forensic interview: GARCIA touched her vagina with his hand while she was at home. She told GARCIA to stop but GARCIA didn't. She denied being touched on top of the skin of her body by GARCIA.

The outcry Witness (Mother of Victim 1, 2 and 3) stated the following: GARCIA is her biological brother making him the uncle of all three victims. The abuse from the GARCIA occurred at 623 Fuller Ave. in KCMO. She did not have a lot of detail about the abuse because she didn't want to ask more questions when she found out about the abuse because it upset her. When Victim #1 was about 12 years old she disclosed that GARCIA had touched her and raped her. Victim #1 said GARCIA also put his finger inside of her and she felt pain. She has two other daughters (Victim #2 & #3) that she was worried about so she asked them if GARCIA had abused them as well. Victim #2 disclosed that GARCIA touched her and put his thing on her. GARCIA would take her from her room and take her clothes off during the abuse. Victim #3 disclosed that in the summer of 2015 the GARCIA had pulled her pants down but did not do anything because she would cry and fuss so the GARCIA would stop.

On 04-19-2016 GARCIA was taken into police custody in regards to this investigation. GARCIA was escorted to another interview room at Metro Patrol Station. P.O Villafain #5387 read GARCIA his rights aloud via the Miranda Waiver form 340 P.D., at which time GARCIA stated that he understood his rights and asked for a lawyer. The interview was stopped at that time.

Printed Name Det. Keith Huntington Signature Det. KH 8920

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

\_\_\_\_\_  
Judge

Circuit Court of \_\_\_\_\_ County, State of Missouri.