

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

|                         |           |
|-------------------------|-----------|
| <b>POLICE NO. :</b>     | 18-078023 |
| <b>PROSECUTOR NO. :</b> | 095448976 |
| <b>OCN:</b>             | AN018273  |

|                           |   |                         |
|---------------------------|---|-------------------------|
| <b>STATE OF MISSOURI,</b> | ) |                         |
|                           | ) | <b>PLAINTIFF,</b>       |
| <b>vs.</b>                | ) |                         |
|                           | ) |                         |
| <b>MATTHEW P. FRYER</b>   | ) |                         |
| ████████████████████      | ) | <b>CASE NO. 1816-CR</b> |
| ████████████████████      | ) | <b>DIVISION</b>         |
| <b>DOB: 10/01/1987</b>    | ) |                         |
| <b>Race/Sex: W/M</b>      | ) |                         |
| ████████████████████      | ) |                         |
|                           | ) | <b>DEFENDANT.</b>       |

**COMPLAINT**

**Count I. Sodomy Or Attempted Sodomy - 1st Degree (566.060-001Y20131114.0)**

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 566.060, RSMo, and subject to lifetime supervision under Section 217.735, RSMo, in that on or between September 1, 2018 and October 7, 2018, in the County of Jackson, State of Missouri, the defendant for the purpose of arousing or gratifying the sexual desire of the defendant knowingly had deviate sexual intercourse with ██████████ who was incapable of consent because of youth, by touching ██████ vagina with his hand.

The offense of sodomy in the first degree or an attempt to commit sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years. An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served. No person found guilty of sodomy in the first degree or an attempt to commit sodomy in the first degree shall be granted a suspended imposition of sentence or suspended execution of sentence.

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**Count II. Sexual Exploitation Of A Minor Child (573.023-001Y20036402.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 573.023, RSMo, committed the class A felony of sexual exploitation of a minor, punishable upon conviction under Sections 558.011 and 573.023, RSMo, in that on or between April 1, 2018 and October 7, 2018, in the County of Jackson, State of Missouri, the defendant, knowingly created a visual depiction of sexually explicit conduct of a person less than fourteen years of age by photographing the vagina of [REDACTED]

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 III. Possession Of Child Pornography - 1st Offense (573.037-002Y20173704.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 573.037, RSMo, committed the class D felony of possession of child pornography, punishable upon conviction under Sections 573.037, 558.002 and 558.011, RSMo, in that on or between April 1, 2018 and October 7, 2018, in the County of Jackson, State of Missouri, the defendant knowingly possessed child pornography that was a visual depiction of a person less than eighteen years of age engaged in sexually explicit conduct, consisting of a still image, c58cecaf5ceb7be20f730e4ba2e9cc04, of [REDACTED] vagina.

The range of punishment for a class D 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 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 IV. Possession Of Child Pornography - 1st Offense (573.037-002Y20173704.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 573.037, RSMo, committed the class D felony of possession of child pornography, punishable upon conviction under Sections 573.037, 558.002 and 558.011, RSMo, in that on or between April 1, 2018 and October 7, 2018, in the County of Jackson, State of Missouri, the defendant knowingly possessed child pornography that was a visual depiction of a person less than eighteen years of age engaged in sexually explicit conduct, consisting of a still image, 4379b2a05e00d61b646b3f033b29, of [REDACTED] vagina.

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The range of punishment for a class D 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 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 V. Possession Of Child Pornography - 1st Offense (573.037-002Y20173704.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 573.037, RSMo, committed the class D felony of possession of child pornography, punishable upon conviction under Sections 573.037, 558.002 and 558.011, RSMo, in that on or between April 1, 2018 and October 7, 2018, in the County of Jackson, State of Missouri, the defendant knowingly possessed child pornography that was a visual depiction of a person less than eighteen years of age engaged in sexually explicit conduct, consisting of a still image, 9e719202d5d2112cdf6b28bebeb3506c, of [REDACTED] vagina.

The range of punishment for a class D 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 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.

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,

*/s/ Audrey McCormick*  
Audrey McCormick (#63071)  
Assistant Prosecuting Attorney  
415 East 12th Street, Floor 7M  
Kansas City, MO 64106  
(816) 881-3555

**State vs. Matthew P. Fryer**

AEMcCormick@jacksongov.org

**WITNESSES:**

1. DET David Albers, 1125 Locust, Kansas City, MO 64106
2. ■■■■■, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
3. ■■■■■, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106

**PROBABLE CAUSE STATEMENT FORM**

Date: 10-22-2018

CRN: 18-074350  
305G-KC-3001884

I, Det. David Albers  
(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 April-10/7/18, at ██████████ in  
(Date) (Address)

Kansas City, Jackson Missouri Matthew P. Fryer  
(County) (Name of Offender(s))

W/M, 10-1-1987 committed one or more criminal offense(s).  
(Description of Identity)

Statutory Sodomy  
Sexual exploitation of a child

The facts supporting this belief are as follows:

On 10-8-2018, the Lee's Summit Police Department reported a 13-year-old female minor victim ██████ disclosed abuse to her school resource officer in Lee's Summit, Missouri. ██████ said her step-father, Matthew Fryer, date of birth (DOB) of 10-1-1987, produced explicit images of ██████ and sexually abused her while at a movie theater located at 19200 E. 39<sup>th</sup> Street, Independence, MO. Fryer responded to the school with ██████ mother after ██████ mother received a phone call from the school administrator. Independence detectives were contacted and advised to take Fryer into custody. Fryer was placed on an investigative hold and transported to Independence Police Department's detention. Fryer's cell phone (Samsung Galaxy Note 8 Cell Phone, Model SM-N950U, IMEI: 358503086399673) encased in a red and black case was recovered at that time. ██████ resided with her mother, Fryer, and younger siblings located at ██████ ██████ Street, Kansas City, Jackson County, Missouri.

On 10-8-2018, ██████ completed a forensic interview and stated the following: ██████ was in her bedroom and Fryer walked in. Fryer told ██████ he would give her five dollars for a picture. Fryer made her take her clothes off. Fryer used his android cell phone in a red and black case to take a picture of her naked. He gave her the five dollars before taking the photo. It occurred one or two weeks prior at their house. On a different day but within the same time frame of the other occurrence, Fryer offered ██████ two dollars for a picture. He told ██████ to sit on her bed and to take her clothes off. He used his hands to spread her legs apart and he took a picture of her groin area. On a third occasion, Fryer took a naked picture of her but did not offer her any money. Fryer told her not to tell or it would affect her mother and siblings. All of the incidents took place at ██████ ██████ ██████

██████ also provided detail about the sexual abuse. Fryer took her to a movie theater in Independence and he unbuttoned her shorts during the movie. Fryer put his hands under her shorts and underwear and "fingered" her vagina. His hand went inside her vagina until she told him to stop. It also happened one or two weeks prior. On a different day, she was watching a movie with her younger siblings on Fryer's bed. Fryer told the siblings to go to bed and then told ██████ to move up on the bed. He took off her pants and underwear. He used his hand on the inside of her vagina. It occurred when she was thirteen years old at their residence of ██████ ██████ ██████

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CRN 18-074350

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████ said the day prior to the interview; Fryer came up behind her while she was sitting on their couch. He used his hands to go under her shirt and her bra and touched both her breasts. Later that same day, they were in the car driving by Royals stadium and Fryer asked her to French kiss him. Fryer offered her five dollars, then ten dollars, then fifteen dollars, and then twenty dollars to do it, but each time she told him no. Fryer touched █████ breasts a lot in the past few months when her mother was not home.

On 10-8-2018, Fryer was taken into custody and questioned by detectives. Fryer explained he sometimes took █████ to the movies. He was also home with kids when his wife was at work during the week. When presented with some of █████ allegations, Fryer said, "I'm not alone with her, I'm never alone with her." Fryer said he was not a "hands on" guy, but sometimes he pinches his family's nipples. There were a few times when he did it to █████ without thinking and it was an "oh shit type of situation." He did not admit he took any naked pictures of █████. When asked to provide access/consent to his cell phone, he invoked his right to an attorney and the questioning ceased.

On 10-12-2018, a search warrant was executed on Fryer's cell phone and the exam was completed. The following images of interest were discovered on the phone: a nude image depicting █████ getting out of the shower showing her exposed breasts with a modified date stamp of 7-29-2018; two additional images possibly of █████ walking (possibly from the shower); two images of █████ standing while holding her shirt and bra up exposing her breasts (one in her bedroom and one in the living room) with a modified date stamp of 10-5-2018; two images of █████ standing in her bedroom with her pants pulled down to her knees exposing her vagina with a modified date stamp of 10-5-2018; and a photo editing program appeared to be used to place █████ and █████ mother in a look-a-like pose to █████ positioned side-by-side. The phone's calendar indicated "MOVIE WITH █████!!" on 9-7-2018 at 1641 hours. There were also other images of possible child pornography/erotica depicting unknown pubescent minor females in provocative poses and displaying sexual conduct.

On 10-18-2018, █████ completed a follow-up forensic interview. █████ confirmed the aforementioned images depicted her. Fryer took the photos at their residence with his cell phone after he instructed her of what to do. She was unaware the shower images were captured at the time.

Printed Name Det. David Albers, #4542

Signature



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

\_\_\_\_\_  
Judge

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