


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

POLICE NO. :	18-090892
PROSECUTOR NO. :	095450096
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
DAMON KERR)	
3426 E. 54th Street)	CASE NO. 1916-CR
Kansas City, MO 64130)	DIVISION
DOB: 07/12/1975)	
Race/Sex: B/M)	
)	
)	DEFENDANT.

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840904.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.021, RSMo, committed the **Class A Felony of Murder in the Second Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about November 25, 2018, in the County of Jackson, State of Missouri, the defendant knowingly and with the purpose of causing serious physical injury to Donna McKeown caused the death of Donna McKeown by shooting her.

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

State vs. Damon Kerr

Count II. Armed Criminal Action (571.015-001Y19755299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.015, RSMo, committed the **Felony of Armed Criminal Action**, punishable upon conviction under Section 571.015.1, RSMo, in that on or about November 25, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Murder in the Second Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition to any punishment provided by law for the crime committed by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon.

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/ Sarah A. Castle
Sarah A. Castle (#64770)
Assistant Prosecuting Attorney
415 East 12th Street, 11th Floor
Kansas City, MO 64106
(816) 881-3517
scastle@jacksongov.org

WITNESSES:

1. DET Sabrina K. Dean, 5301 E. 27th Street, Kansas City, MO 64127
2. DET Scott M. Emery, 1125 Locust, Kansas City, MO 64106
3. DET Hobart D. Price, 1125 Locust, Kansas City, MO 64106
4. DET Philip A. Sipple, 1125 Locust, Kansas City, MO 64106
5. PO Ty C. Williams, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 02-03-2019

CRN: 18-90892

I, Det. Scott Emery #4161
(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 11-25-2018, at 3426 East 54th in
(Date) (Address)

Kansas City, Jackson Missouri Damon D. Kerr
(County) (Name of Offender(s))

B/M 07-12-1975, 6'0" 200 pounds committed one or more criminal offense(s).
(Description of Identity)

Murder 2, Armed Criminal Action, Tampering with Evidence.

The facts supporting this belief are as follows:

On 11/25/2018 at 0549 hours, Officer of the Kansas City Missouri Police Department were dispatched to 3426 East 54 Street, Kansas City, Jackson County, Missouri, regarding a shooting.

Upon arrival the Officers located the Victim seated in the front seat of a Grey Dodge Avenger, with Missouri License plate number KK4G2T displayed in the rear window. The Victim appeared to be still seat belted in and was slumped over to her right (center of the vehicle). The Victim was suffering from an apparent gunshot wound to her neck. The Victim was transported to an area hospital where she later succumbed to her injury.

The listed Suspect was interviewed as a Witness to the shooting incident at the scene. He explained the Victim was mad at him for getting home at 0230 hours. The victim left and later returned at approximately 0530 hours. The Suspect advised he told the Victim he was leaving and she walked out the door and he stayed inside. He stated he heard a "POP" and went outside and discovered the Victim shot.

11/25/2018 at 0757 hours The Suspect responded to police Headquarters and provided a video statement regarding the incident where he provided a slightly different story. He explained he went out to the Victim's vehicle and spoke to her while she was in the vehicle. He went inside the house and heard a shot. He signed a Consent to Search for his cellular phone and it was downloaded by CIV. Lee.

On 12-03-2018, an autopsy was conducted of the Victim. On 01-03-2019, Dr. Haldiman of the Jackson County Medical Examiner's Office advised she observed no evidence of close range fire and would be ruling the death a homicide.

The Suspect was interviewed on 01-02-2019 at Police Headquarters. He was advised of his Miranda rights and agreed to speak to detectives. Detectives questioned the Suspect regarding the text messages sent to the Victim just prior to the shooting. He explained the context of the messages was not based just on the time they were sent. He was additionally questioned regarding the Google search he conducted while waiting to be processed

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for evidence at Police Headquarters. He explained he wanted to know how to get the gunshot residue off his hands. He stated he had touched the Victim after the shooting and just wanted to know how to remove it. He denied shooting the Victim even after being confronted with the lack of physical evidence of close range fire. The interview was concluded.

Printed Name Det. Scott Emery #4161 Signature Det. Scott Emery #4161

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

Judge

Circuit Court of _____ County, State of Missouri.