

PROBABLE CAUSE STATEMENT FORM

Date: 11/29/2017

CRN: 17-0100722

I, Det. Bonita Y. Cannon, #4585 Kansas City Missouri Police Department
(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 11/29/2017, at 2422 College Ave. in
(Date) (Address)

Kansas City, Jackson Missouri Benjamin H. Byers
(County) (Name of Offender(s))

W/M 11/26/1972 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 11/29/2017, at 1329 hours Officers of the Kansas City, Jackson County, Missouri Police were dispatched to 2415 Agnes (Phyllis Wheatley Elementary School) in regard to a student reporting information about her residence.

Upon arrival officers were given information from the School Counselor that the juvenile (DOB of 02-10-10), had reported seeing a dead body in the basement of her home. Officers then responded to 2422 College.

Upon arrival to the address officers did not get any response at the door and forced entry into the residence due to the circumstances of the call. Upon entry into the residence they began to look for parties to check their welfare, when Byers entered the living room area of the residence. Byers was asked where his wife (victim) was, to which he responded, "I don't know, I last saw her on Monday before going to work. I got home at 5 and not really sure if I saw her then."

As officers cleared the residence they noticed blood droplets throughout the house, and then went to the basement where they found more apparent blood, a tarp with carpet on it and blood around it. Officers at this point did not move the tarp before clearing out of the residence, securing the residence for a Search Warrant. Officers also advised that while inside of the residence, they observed a large section of carpet that appeared to have been removed from the dining room area.

After a Search Warrant was obtained, Crime Scene Personnel processed the scene. While doing so detectives observed apparent blood on the walls in the living area of the residence, in the

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kitchen area, on the base of the basement steps, what appeared to be drag markings (containing blood) to the opposite side of the basement away from the stairs; a body covered with carpet and plastic, sheets and clothing, with only the bottom of the torso and a human leg exposed. An approximate 10 foot by 15 foot section of the carpet in the dining room of the residence had been cut out. Crime Scene Personnel performed Luminol testing in the dining room where the carpet was removed. The test revealed cat paw prints throughout the area within the blood, what appeared to be an extensive amount of blood on the base boards and where the carpet was removed; also observed was what appeared to be an attempt to clean up the dining room, living room, kitchen and bathroom. Drag markings containing blood were observed from the area where the carpet was removed, on the basement stairs leading to the location of the body on the east side of the basement. Crime Scene Personnel recovered a pair of blue tennis shoes from the kitchen area with what appeared to be blood on the bottom of them. A bloody shoe print in the basement appeared to match the pattern on the tennis shoes recovered from the kitchen. A newer looking grey plastic bucket was observed in the basement, with a mop. The bucket contained a small amount of unknown liquid.

Byers was taken into custody at 1509 hours and transported to Police Headquarters. Byers was advised of his Miranda Rights via the Miranda Waiver at 1721 hours. Byers declined to speak with detectives, requesting an attorney.

█ stated during her Forensic Interview at CPC, 3101 Broadway she last saw her mother (victim), on Monday (11/27/2017) when she was picked up from school. On Tuesday (11/28/2017) she was taken to school and picked up by her father, Byers. She stated he was acting "weird"; indicating to her he had been drinking. At some point after they got home, Byers asked █ to bring him a beer, before he fell asleep. █ stated she went into the bathroom where she observed "lots of blood" on the carpet, blood on the corner of the kitchen trashcan, with a bloody rug on top of it. She stated she went into the basement, and observed a dead body, with a "stab on the back." █ demonstrated being stabbed. She further stated she observed only the back of the body (from where she was standing on the basement stairs), with a grey sweater pulled up over the face. The body was face down. When asked why she believed the body had been stabbed, the juvenile witness stated it had to be a stabbing because it was a red circle, and due to there not being any firearms in the residence.

█ stated the grey sweater and bra on the body belonged to her mother (victim). She also stated her dads room was messed up (his laundry basket was turned over and beer cans were on the floor). █ stated she observed what she believed to be an empty Clorox wipes container in Byers room. █ stated Clorox wipes are used for cleaning and are not usually kept in Byers room.

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█ stated she went back upstairs closed and locked the basement door. As she did so Norton called her mother's (victim) cell phone. Norton asked for her mother (victim), she told him her mother wasn't home. Norton then asked where Byers was, she told him asleep. Norton then told █ he was coming to the residence. █ stated prior to Norton arriving, Byers woke up. She told Byers, Norton was coming over. █ stated Byers was acting "suspicious", he closed all of the blinds, locked the doors, told her to not answer the phone, do not open the door and stay out of the basement. █ stated Norton is her mother's boyfriend. She further stated Byers knows Norton and she did not understand why he wouldn't let Norton in.

When asked if she told Byers what she saw in the basement, █ stated, "No, I didn't want to be next."

On 11/30/2017 the Jackson County Medical Examiner's Office conducted a body exam and determined the victim's death was the result of multiple stab wounds. Her death was ruled a Homicide.

Printed Name Det. Bonita Y. Cannon, #4585

Signature



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

Judge

Circuit Court of _____ County, State of Missouri.