## STATEMENT OF PROBABLE CAUSE

Date: July 16, 2019 LSPD Complaint: 19-5888

I, Detective Michael Reese, an investigator with the Lee's Summit, Missouri Department of Police, upon my oath, and under penalties of perjury, state as follows:

- I have probable cause to believe that on 07/10/2019, at 800 SE Church St, Lee's Summit, Jackson County Missouri, Joseph W. Hammerly, Management of Committed One or more criminal offenses.
- 2. The facts supporting this belief are as follows:

On the morning of 07/11/2019, was dropped off at Little Learner daycare located at 800 SE Church St. advised one of her teachers, Ms. Anna (Anna Cardello) that the day before (07/10/2019), another teacher, Mr. Joe (Joseph Hammerly) had taken her to the bathroom and had her put her mouth on his "Weiner" and when they were done, he gave her "apple" candies." Anna immediately contacted the business manager, Abbie Rockhold with and gave her the same statement. Abbie reported statement to her parents later that evening who then reported the incident to the Lee's Summit Police Department. This incident occurred in Lee's Summit, Jackson County, MO.

Detective Reese's investigation included scheduling a forensic interview with through the Child Protection Center. said Mr. Joe took her into the bathroom so nobody could see and put his "private" in her mouth. stated she had to "open" her mouth and wait for him to "put it in." said there are two bathrooms and it happened in both of them. stated Mr. Joe gave her "apple" candy afterwards, told her not to tell anyone, it was a surprise and she was the only one that knows.

Detective Reese responded to Little Learner located at 800 SE Church St and observed the "5's" room to be a separate room divided by a large storage section with one side of the room being carpet and the other being tile matching description. The classroom further contained two separate enclosed toilet spaces to be used and a "prize box" containing "apple" candy in the room matching description. Detective Reese obtained security video footage for the day of 07/10/2019 and observed the following during that day:

01:50:00 PM- Alexander and Joseph are in the classroom with a total of (7) children to include

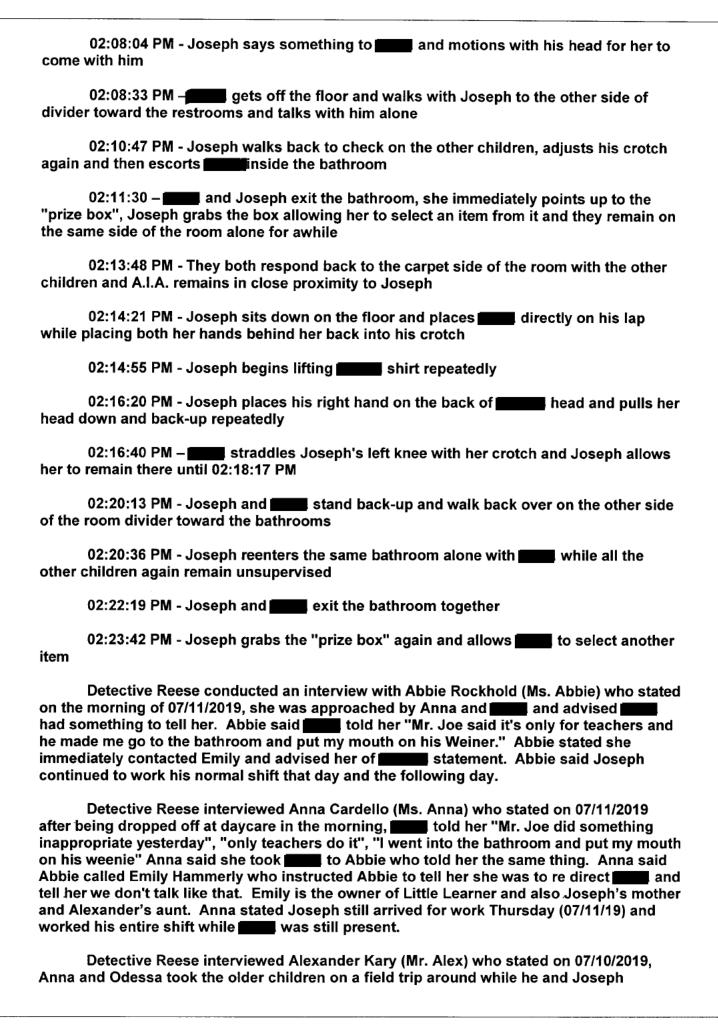
01:52:27 PM- Alexander leaves for the room for his lunch break while Joseph remains sitting and is playing on the floor

01:54:48 PM - Joseph sits down on the floor approximately 10 feet from where is sitting and playing

01:57:38 PM - Joseph contacts , placing his hand on her head and appears to be speaking to her

01:58:51 PM - Joseph lays down on his stomach on the floor close to and another female child playing on the floor

02:07:53 PM - Joseph walking around and adjusts his crotch



approximately between 1200-1300 hours, he left the classroom for his lunch break for approximately 30-40 minutes while leaving Joseph alone in the classroom with all the children, to include Alexander stated upon his return, he did not observe anything unusual with Joseph or Alexander said the children in the classroom "never" need assistance with the restroom and he doesn't recall a time that he or Joseph needed to assist one of the children in the restroom. Alexander stated he became aware of statement later that night when Emily, his aunt asked he and Joseph, her son, to come to her residence to discuss it. Alexander said Joseph did work his normal shift that Thursday and Friday.

Detective Reese interviewed Odessa Andree (Ms. Odessa) who stated on the morning of 07/11/2019, Anna approached her and told her that said Mr. Joe was inappropriate with her yesterday, he put his "boy parts" in her mouth and he told her this is something only teachers do. Odessa instructed Anna to report the statement to Abbie. After Anna reported it to Abbie, she said Abbie contacted Emily about it. Odessa said per Emily, Abbie instructed her and Anna to re direct and tell her we don't talk like that at school. Odessa stated there was a "prize box" in the room that contained candy. Odessa said Joseph still worked his shift on Thursday and Friday and was told by Abbie on Friday morning that Joseph would continue working and everything was handled. Odessa stated statement, but he made an "off color" joke on Friday, Joseph didn't talk about regarding him needing to stay away from the bathroom. Odessa said she has been a teacher for class since she was four years old and described her story telling as always being non descriptive and innocent. Odessa stated statement is not common talk for her and very extreme.

Detective Reese interviewed Emily Hammerly who stated she was notified by Abbie via phone of statement on the morning of 07/11/2019. Emily said she did not instruct any of the employees to report the incident or "hotline" it and she immediately responded back to her residence to speak with her son Joseph about the statement. Emily stated she didn't report it or "hotline" it because her first priority was to contact mother. Emily said after speaking with him (Joseph), there was nothing she found odd, concerning or disbelieving and felt good after their conversation. Emily stated she allowed Joseph to continue working his Thursday and Friday shift so it didn't appear like he was "hiding" from anything. Emily said she made sure Joseph was not to be left alone with any of the children during his shift.

During the investigation, Detective Reese learned that Joseph works the 11am to 6pm shift at Little Learner. Each day, Anna and Odessa take the school age children on "field trips" and Joseph and Alexander stay behind with the younger, not school age children, which included On 07/11/19, disclosed what Joseph had done and then the staff made phone calls to Emily. The disclosure and all calls between staff members and Emily occurred between 8:15am and 9am. Between 9am and 11am, Emily talked to Joseph and then he was permitted to work his normal shift that day, which started at 11am. Temained at Little Learner until approximately 5pm on 07/11/19 and Joseph worked his regular 11am to 6pm shift that day.

Detective Reese attempted to interview Joseph Hammerly who invoked his right to an attorney and did not provide a statement. Records show Joseph's mother, Emily Hammerly owns two separate daycare businesses allowing Joseph access to young children.

Detective Michael Reese #0727 Print Name (Detective)  /S/ Detective Michael Reese #0727 Signature (Detective)			
July 16, 2019 DATE			

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I, Detective Michael Reese, an investigator with the Lee's Summit, Missouri Department of Police, upon my oath, and under penalties of perjury, state as follows:

- 2. The facts supporting this belief are as follows:

On the morning of 07/11/2019, [105] (06/06/2014, 5 year old female) was dropped off at Little Learner daycare located at 800 SE Church St. [105] advised one of her teachers, Ms. Anna (Anna Cardello) that the day before (07/10/2019), another teacher, Mr. Joe (Joseph Hammerly) had taken her to the bathroom and had her put her mouth on his "Weiner" and when they were done, he gave her "apple" candies." Anna immediately contacted the business manager, Abbie Rockhold with [105]. and [105] gave her the same statement. Abbie reported [105] statement to her parents later that evening who then reported the incident to the Lee's Summit Police Department. This incident occurred in Lee's Summit, Jackson County, MO.

Detective Reese's investigation included scheduling a forensic interview with through the Child Protection Center. Said Mr. Joe took her into the bathroom so nobody could see and put his "private" in her mouth. Stated she had to "open" her mouth and wait for him to "put it in." Said there are two bathrooms and it happened in both of them. Stated Mr. Joe gave her "apple" candy afterwards, told her not to tell anyone, it was a surprise and she was the only one that knows.

Detective Reese responded to Little Learner located at 800 SE Church St and observed the "5's" room to be a separate room divided by a large storage section with one side of the room being carpet and the other being tile matching description. The classroom further contained two separate enclosed toilet spaces to be used and a "prize box" containing "apple" candy in the room matching security sideo footage for the day of 07/10/2019 and observed the following during that day:

01:50:00 PM- Alexander and Joseph are in the classroom with a total of (7) children to include

01:52:27 PM- Alexander leaves for the room for his lunch break while Joseph remains sitting and its last is playing on the floor

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01:57:38 PM - Joseph contacts in placing his hand on her head and appears to be speaking to her

01:58:51 PM - Joseph lays down on his stomach on the floor close to another female child playing on the floor

02:07:53 PM - Joseph walking around and adjusts his crotch

02:08:04 PM - Joseph says something to and motions with his head for her to come with him
02:08:33 PM – gets off the floor and walks with Joseph to the other side of divider toward the restrooms and talks with him alone
02:10:47 PM - Joseph walks back to check on the other children, adjusts his crotch again and then escorts inside the bathroom
02:11:30 – and Joseph exit the bathroom, she immediately points up to the "prize box", Joseph grabs the box allowing her to select an item from it and they remain on the same side of the room alone for awhile
02:13:48 PM - They both respond back to the carpet side of the room with the other children and remains in close proximity to Joseph
02:14:21 PM - Joseph sits down on the floor and places directly on his lap while placing both her hands behind her back into his crotch
02:14:55 PM - Joseph begins lifting shirt repeatedly
02:16:20 PM - Joseph places his right hand on the back of shead and pulls her head down and back-up repeatedly
02:16:40 PM – straddles Joseph's left knee with her crotch and Joseph allows her to remain there until 02:18:17 PM
02:20:13 PM - Joseph and stand back-up and walk back over on the other side of the room divider toward the bathrooms
02:20:36 PM - Joseph reenters the same bathroom alone with while all the other children again remain unsupervised
02:22:19 PM - Joseph and exit the bathroom together
02:23:42 PM - Joseph grabs the "prize box" again and allows to select another item
Detective Reese conducted an interview with Abbie Rockhold (Ms. Abbie) who stated on the morning of 07/11/2019, she was approached by Anna and and advised had something to tell her. Abbie said told her "Mr. Joe said it's only for teachers and he made me go to the bathroom and put my mouth on his Weiner." Abbie stated she immediately contacted Emily and advised her of statement. Abbie said Joseph continued to work his normal shift that day and the following day.
Detective Reese interviewed Anna Cardello (Ms. Anna) who stated on 07/11/2019 after being dropped off at daycare in the morning, told her "Mr. Joe did something inappropriate yesterday", "only teachers do it", "I went into the bathroom and put my mouth on his weenie" Anna said she took to Abbie who told her the same thing. Anna said Abbie called Emily Hammerly who instructed Abbie to tell her she was to re direct and tell her we don't talk like that. Emily is the owner of Little Learner and also Joseph's mother and Alexander's aunt. Anna stated Joseph still arrived for work Thursday (07/11/19) and worked his entire shift while was still present.
Detective Reese interviewed Alexander Kary (Mr. Alex) who stated on 07/10/2019,

Anna and Odessa took the older children on a field trip around while he and Joseph

remained behind to watch the younger children to include Alexander said approximately between 1200-1300 hours, he left the classroom for his lunch break for approximately 30-40 minutes while leaving Joseph alone in the classroom with all the children, to include Alexander stated upon his return, he did not observe anything unusual with Joseph or Alexander said the children in the classroom "never" need assistance with the restroom and he doesn't recall a time that he or Joseph needed to assist one of the children in the restroom. Alexander stated he became aware of statement later that night when Emily, his aunt asked he and Joseph, her son, to come to her residence to discuss it. Alexander said Joseph did work his normal shift that Thursday and Friday.

Detective Reese interviewed Odessa Andree (Ms. Odessa) who stated on the morning of 07/11/2019, Anna approached her and told her that said Mr. Joe was inappropriate with her yesterday, he put his "boy parts" in her mouth and he told her this is something only teachers do. Odessa instructed Anna to report the statement to Abbie. After Anna reported it to Abbie, she said Abbie contacted Emily about it. Odessa said per Emily, Abbie instructed her and Anna to re direct ... and tell her we don't talk like that at school. Odessa stated there was a "prize box" in the room that contained candy. Odessa said Joseph still worked his shift on Thursday and Friday and was told by Abbie on Friday morning that Joseph would continue working and everything was handled. Odessa stated on Friday, Joseph didn't talk about ...'s statement, but he made an "off color" joke regarding him needing to stay away from the bathroom. Odessa said she has been a teacher for ...'s class since she was four years old and described her story telling as always being non descriptive and innocent. Odessa stated ...'s statement is not common talk for her and very extreme.

Detective Reese interviewed Emily Hammerly who stated she was notified by Abbie via phone of state. 's statement on the morning of 07/11/2019. Emily said she did not instruct any of the employees to report the incident or "hotline" it and she immediately responded back to her residence to speak with her son Joseph about the statement. Emily stated she didn't report it or "hotline" it because her first priority was to contact smoother. Emily said after speaking with him (Joseph), there was nothing she found odd, concerning or disbelieving and felt good after their conversation. Emily stated she allowed Joseph to continue working his Thursday and Friday shift so it didn't appear like he was "hiding" from anything. Emily said she made sure Joseph was not to be left alone with any of the children during his shift.

During the investigation, Detective Reese learned that Joseph works the 11am to 6pm shift at Little Learner. Each day, Anna and Odessa take the school age children on "field trips" and Joseph and Alexander stay behind with the younger, not school age children, which included On 07/11/19 disclosed what Joseph had done and then the staff made phone calls to Emily. The disclosure and all calls between staff members and Emily occurred between 8:15am and 9am. Between 9am and 11am, Emily talked to Joseph and then he was permitted to work his normal shift that day, which started at 11am. Temained at Little Learner until approximately 5pm on 07/11/19 and Joseph worked his regular 11am to 6pm shift that day.

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July 16, 2019				
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