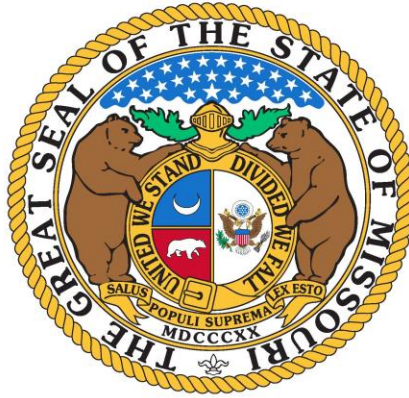




JACKSON COUNTY PROSECUTOR

2019 ANNUAL REPORT





Jackson County Prosecutor's Office

Mission Statement

In partnership with our Community, the office is dedicated to ethically and professionally pursuing the cause of justice, promoting public safety through data-driven practices and providing a voice for victims of crime.

Dear Community Members,

In 2019, the Jackson County Prosecutor's Office addressed violent crime in the courts more effectively, disposing of 63 homicide cases with a 98.4 percent conviction percentage. This is a very important accomplishment. With violence increasing in recent years, it's more important than ever before to closely monitor how effective we are being in bringing justice to the victims and their loved ones in these violent crime cases. We must also find new, creative ways to address violence, but also low level crime, to more proactively address crime before it grows into incidents that carry much more serious consequences for those involved and for our community.

Among many successes last year, our office:

Closed nearly 10% more criminal cases

Expanded the new Caring for Crime Survivors program

Initiated numerous new COMBAT improvements

Prosecuted a triple murder in which an 1-year-old was a victim

Organized a new hospital-based violence reduction effort at Truman Medical Center

Continued the expansion of Drug Court and New Start diversions

This past year netted tremendous successes and encouraging progress. Our partnerships in the community have grown significantly. The prosecutor's office has established meaningful collaborations with the community and with partners in and outside the criminal justice system, including public schools, hospitals and a variety of community groups focused on crime, especially those set on reducing violent crime. As we continue forward, we are aiming for a new public safety model that places a priority on our overall community's health.

Thank you for taking an interest in the important work of the Jackson County Prosecutor's Office. We look ahead at even more progress in improving public safety and ensuring our office works well for everyone in our community.

Regards,

Jean Peters Baker

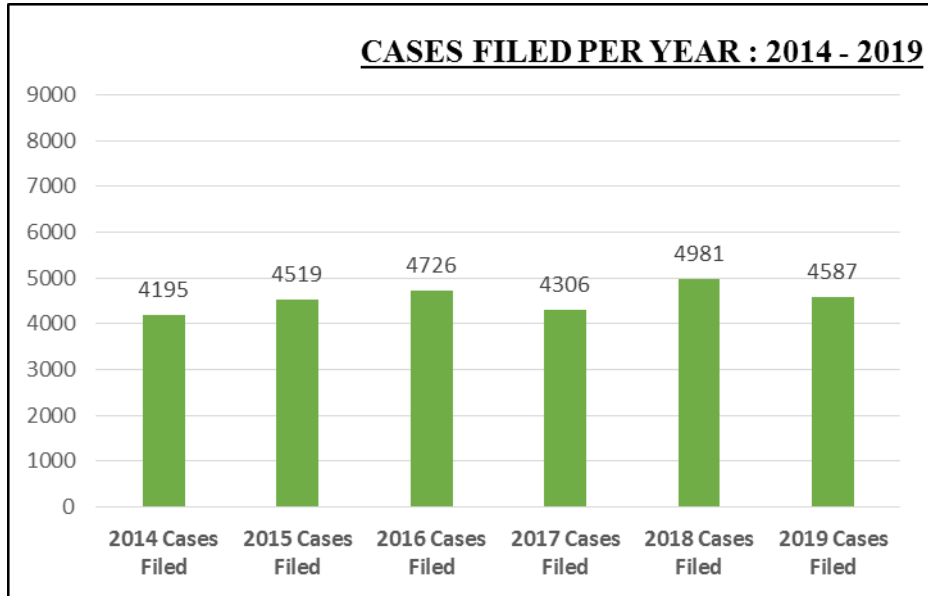
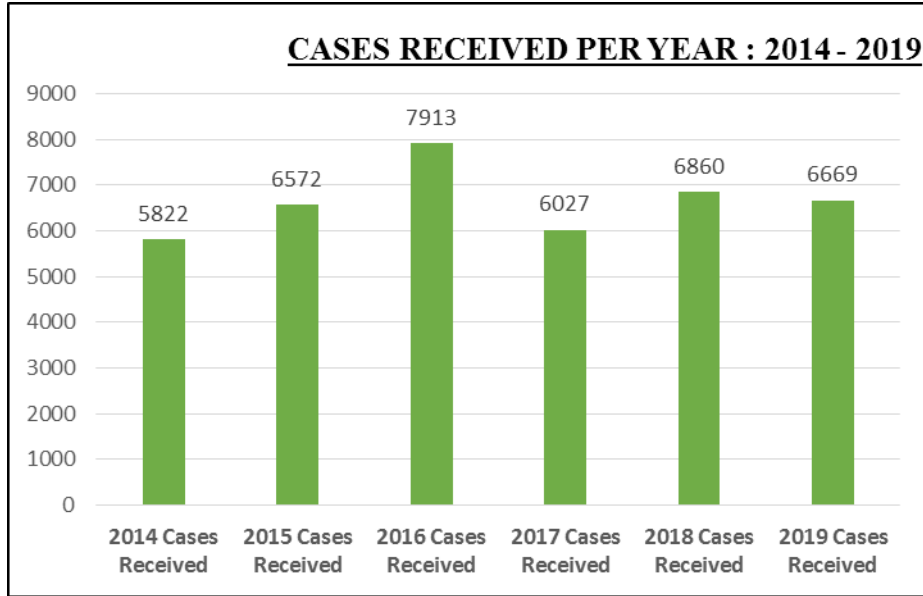




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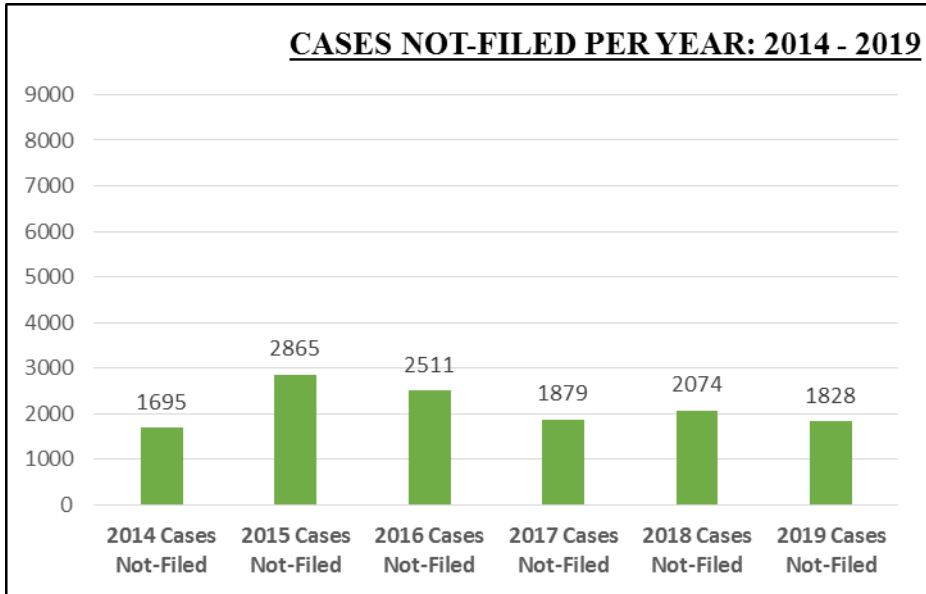
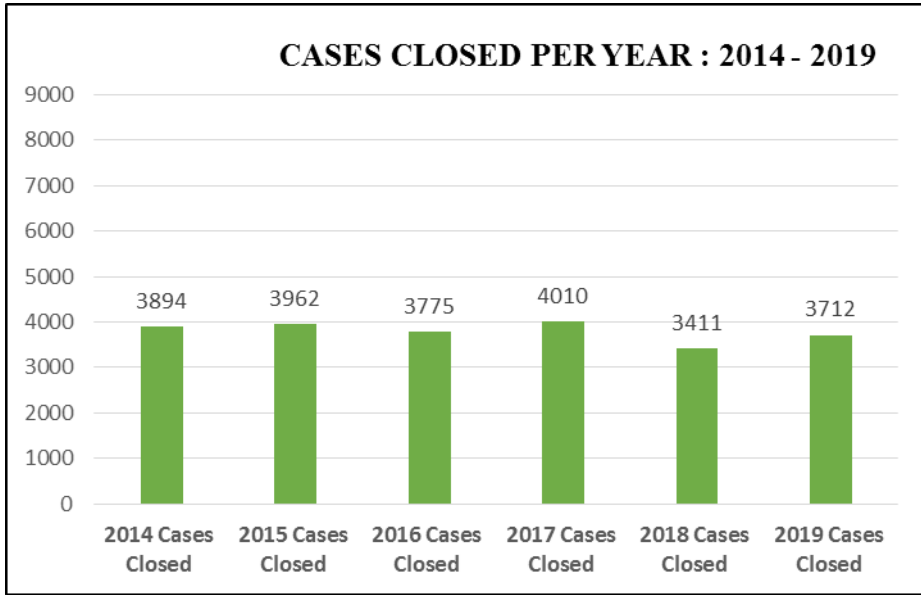
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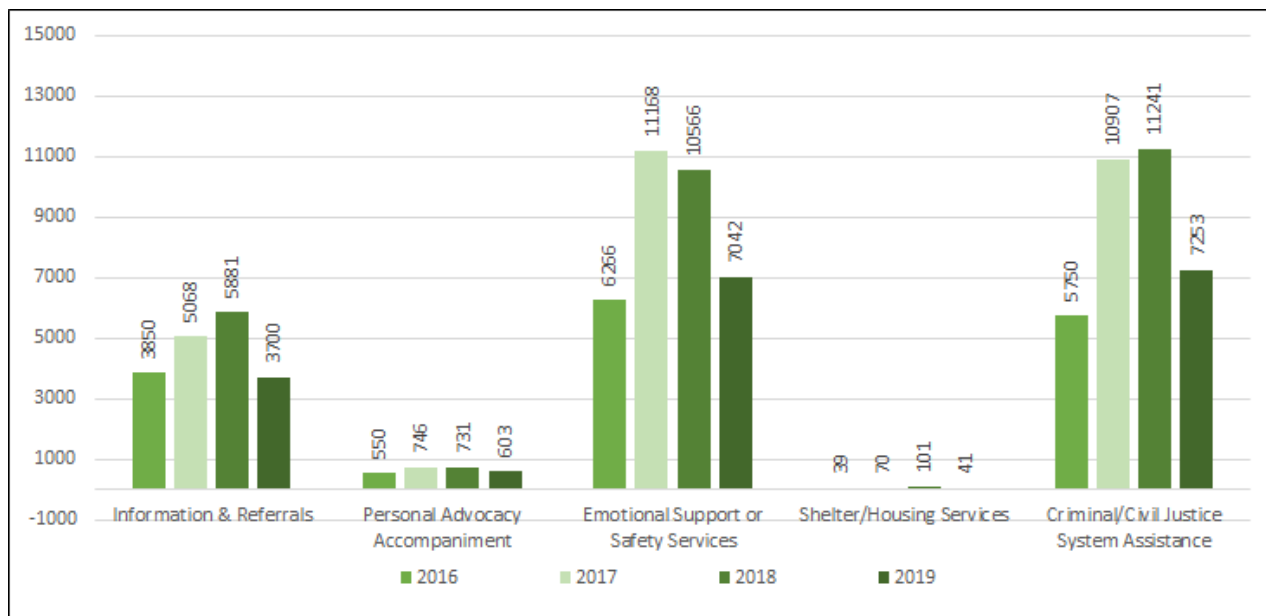
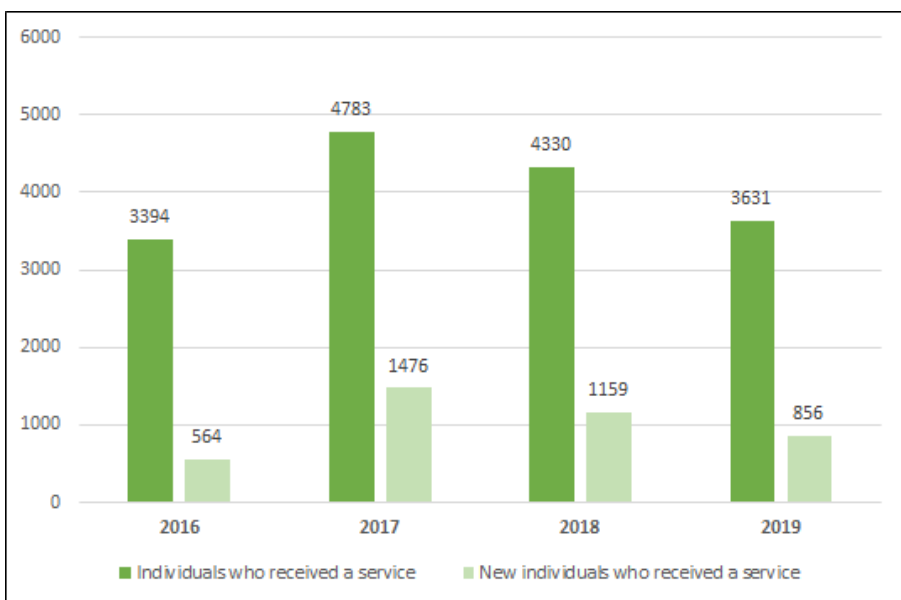
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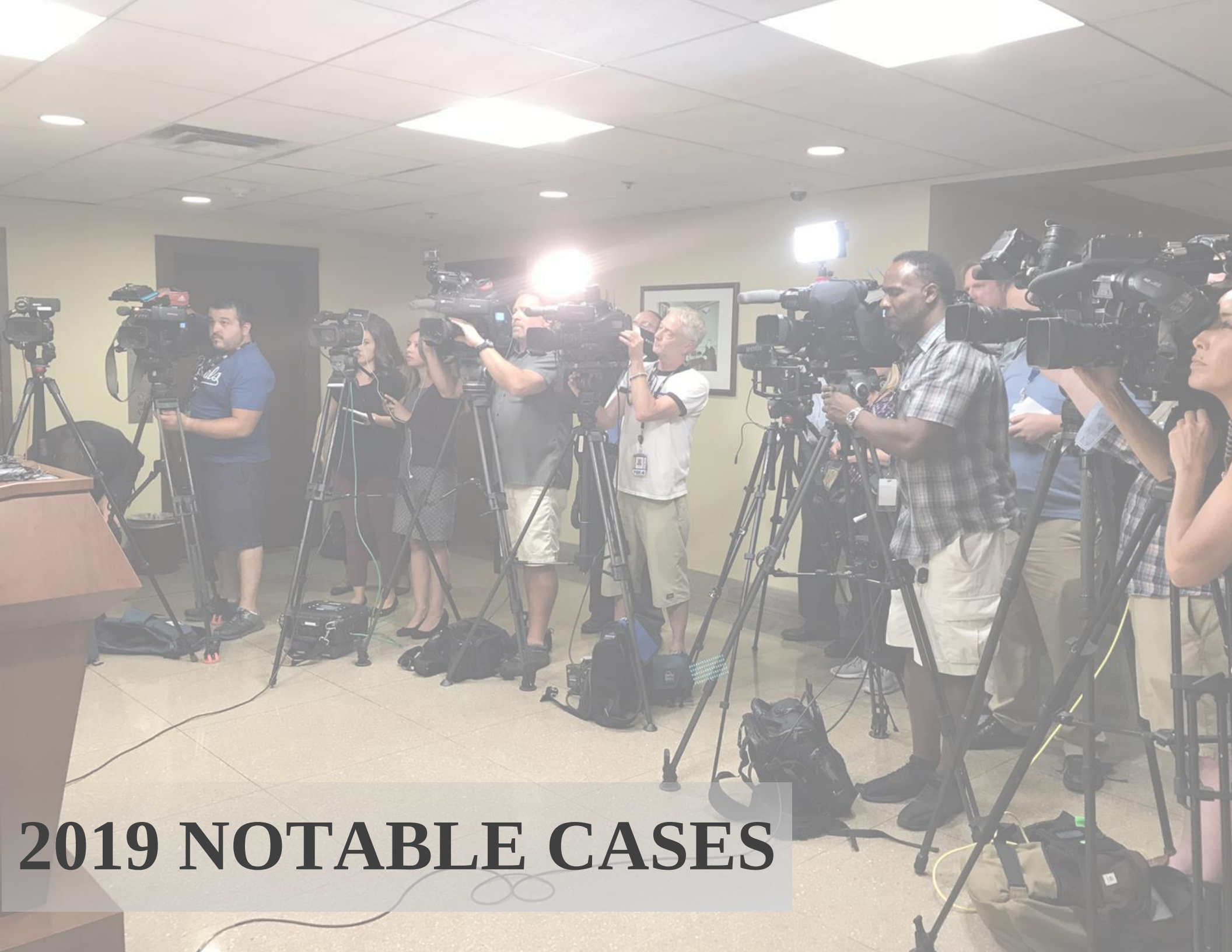
CRIMINAL CASES



STATISTICAL DATA

VICTIM SERVICES





2019 NOTABLE CASES

Jerry Bausby Case

Father of Daizsa Bausby sentenced to two life sentences for his daughter's murder

A Jackson County judge on Sept. 20, 2019 sentenced Jerry Bausby to consecutive life sentences in prison for the murder of his 18-year-old daughter, Daizsa Bausby.

In July, a Jackson County jury convicted Jerry Bausby of Murder in the Second Degree, Sodomy in the First Degree, Incest, and Sexual Abuse in the First Degree in the 2016 killing of his 18 year-old daughter, Daizsa.

Daizsa Bausby was found dead at the Four Acres Motel on Hickman Mills Drive in Jackson County, Missouri on the morning of March 21, 2016. The Defendant, who is the victim's biological father, was arrested shortly thereafter. DNA and forensic evidence established Defendant as the prime suspect in the death of Daizsa Bausby.

Family, friends and a former teacher spoke at today's sentencing hearing about the great grief and loss in their lives since Daizsa's murder.

The sister LaKendra Bausby said she and her sister had had difficult family lives. "She wanted to prove to the world that she was worthy of being loved....She didn't deserve what Jerry did to her."

Jackson County Prosecutor Baker asked the court to set maximum sentences for Bausby. Doing so, she said, would "demonstrate that evil will be matched by justice."

Bausby took the stand and talked for 45 minutes, mentioning the victim only once, saying "Daizsa was a star." He blamed racism and what he viewed as slavery in modern America as forming him into what he was.

Baker and Assistant Prosecuting Attorneys Jill Icenhower and Crispin Rea prosecuted the case on behalf of the state of Missouri.



Ricky Kidd Case

Prosecutor's Office supports release of Ricky Kidd, who claimed he was wrongly convicted in 1996

In September 2019, Jackson County Prosecutor Jean Peters Baker released a public statement that her office would support the release of Ricky Kidd, who has claimed he was wrongly convicted in a 1996 south Kansas City murder case.

Baker stated:

I support Mr. Kidd's release and find the evidence is insufficient to proceed toward another trial. Our office must act as a minister of justice. We must ensure fairness to Mr. Kidd. And we must recognize that Mr. Kidd has already served 23 years in prison.

In order to proceed to trial again, our ethical duty requires that, 23 years after the murder, the admissible evidence be capable of establishing guilt beyond a reasonable doubt. The passage of time, unavailability of some witnesses, and changed testimony proscribe that we cannot achieve that standard. Therefore, we are dismissing this case. Whether this case is viewed through the lens of a DeKalb County Court that Mr. Kidd is innocent, or a U.S. District Court finding the evidence was sufficient, or simply that the still-existing evidence can no longer stand the test of time, we should remember that two victims' families with deep wounds remain.

The impact on any victim when the system fails is tragic. This case is not different. In preparation for today's action, our office met with the victims. When I met with the then-4-year-old witness, she recalled the drop of blood she saw on the kitchen floor shortly after hearing gunshots in her home all those years ago. She recounted that blood drop as if it were indelibly etched in her mind along with the loss of her father. She is clearly haunted by that day along with other members of her family.

In the end, the criminal justice system must demonstrate it always seeks to get it right.

Kidd was released from prison soon after issuance of this statement.

Deandre Jackson Case

Deandre Jackson sentenced to 26 years in prison for the fatal shooting of Maryanna Pennington and wounding of others

A Jackson County judge on Aug. 6, 2019, sentenced Deandre Jackson to 26 years in prison for the Nov. 12, 2016 fatal shooting of Maryanna Pennington and the wounding of three other women inside a vehicle near 21st and Cleveland.

Jackson County Judge John Torrence noted in sentencing Jackson that government actions are intended to encourage the possession and use of firearms. "When you couple that with anger, fights, domestic strife, what can only be described as insignificant conflict, it sadly ends up with shell casings," he continued.

Still, the shooting of the four women in November 2016, the judge added, was tragic and inexplicable.

In June, Jackson pleaded guilty to ten felony counts in connection with the Nov. 12, 2016 shooting. Jackson, dob: 12/1/1991, of Raytown, MO, pleaded guilty to Murder 2nd Degree, Unlawful Use of a Weapon, three counts of Assault 1st Degree and five counts of Armed Criminal Action.

The judge sentenced Jackson to 26 years on each of the counts, setting all the sentences to run concurrently.

According to court records, Jackson fired into a stranded vehicle with four women inside near 21st and Cleveland on Saturday, killing Pennington, 25. The women's car had broken down and they were calling for help. A witness told police that Jackson shot into the vehicle. More than 30 spent shell casings were found at the scene. A witness told police a woman earlier identified as the defendant's girlfriend had been in an altercation with Pennington a few hours before the fatal shooting.

Jackson pleaded just before his trial was set to begin.

Assistant Prosecuting Attorneys Dan Nelson and Jennifer Tatum prosecuted the case on behalf of the state of Missouri.



Brandon Howell Case

Brandon Howell sentenced to five consecutive life sentences for south KC shootings in 2014

A Jackson County judge sentenced Brandon Howell to five consecutive life sentences for the fatal beating and shooting of five persons in their south Kansas City neighborhood in September 2014..

On May 23, 2019, the judge sentenced Howell to Life without Parole for each Murder 1st Degree conviction and set those sentences to run consecutively. She also sentenced Howell to Life in prison for each of four Armed Criminal Action conviction, plus 15 years on a Burglary conviction and 1 year on a Stealing. All those sentences were set to run concurrent to the Life without Parole sentences.

In April, a jury found Howell guilty of 11 felony counts: five Murder 1st Degrees, four Armed Criminal Actions, Burglary and Stealing.

According to court documents, Howell tried to steal a vintage Jaguar from the residence of Ann and George Taylor, severely beating the elderly couple. They died later at the hospital. Howell allegedly shot and killed the Taylor's neighbors -- Lorene Hurst and her son, Darrel Hurst, and Susan Choucroun -- as Howell drove off in one of the Taylor's vehicles, a Toyota SUV. He was later arrested near Interstate 29 and Barry Road in the Northland.

At the sentencing hearing, at least one representative of each victim's family told the judge of the irreparable loss that the families have suffered. "Nothing can take away our pain," said Kara Taylor, granddaughter of Ann and George Taylor.

Assistant Prosecuting Attorney Lauren Barrett asked the judge to run the sentences consecutively to ensure that the defendant never is released from prison. "There can be no chance ... that Brandon Howell is able to receive a parole hearing to be a free man in our community," she said.

Assistant Prosecuting Attorneys Jamie Hunt, Michael Hunt and Barrett prosecuted the case on behalf of the state of Missouri.

Joseph Nelson Case

Joseph L. Nelson pleads guilty to the murder of three persons; sentenced to 33 years in prison

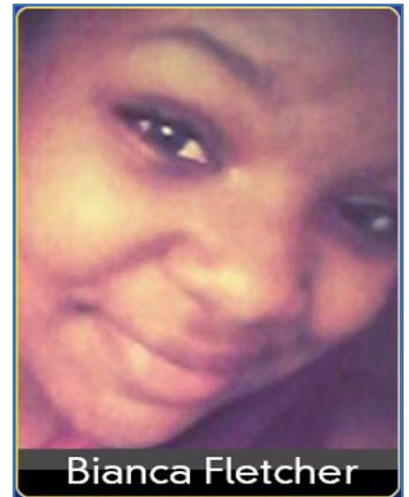
A Kansas City man, 26, pleaded guilty Jan. 24, 2019, to the murder of three persons, including a 1-year-old child, in a Kansas City residence in September 2015.

Joseph L. Nelson, dob: 9/3/0/1992, will serve 33 years in prison, as a result. Three of those years were tacked onto the sentence because Nelson was convicted of tampering with a potential witness. Nelson pleaded guilty to three counts of Murder 2nd Degree, Armed Criminal Action and one count of Tampering with a Victim or Witness in a Felony Prosecution.

A Jackson County judge sentenced Nelson to 30 years on each of the Murder 2nd Degree and three years on the Armed Criminal Action conviction. All those sentences were set to run concurrently. In addition, the judge sentenced Nelson to 3 years in prison on the Tampering with a Victim or Witness In a Felony Prosecution. Those 3 years were set to run in addition to the 30 years for a total sentence of 33 years in prison.

According to court records, Bianca R. Fletcher, 17; Shannon Rollins Jr., 18, and Fletchers 1-year-old son, Joseph, were fatally shot on Sept. 8, 2016 in a residence in the 5900 block of East 84th Street in Kansas City. A witness told police that Nelson was in an argument with Fletcher. She threw a diaper at him and he shot her to death. He then killed her 1-year-old son and another teen, Rollins, who witnessed the fatal shootings. Nelson later told a witness, "I killed them. I killed them." Nelson also described how he collected shell casings at the scene and sold the murder weapon. Later, Nelson was also indicted by a Jackson County grand jury for trying to induce a witness to falsely testify that someone else had killed the three victims.

Nelson was scheduled to stand trial when he decided to enter his pleas. Family members of the victims were in court to testify to their grief over the loss of their loved ones.



Joseph Wyatt Case

Defendant sentenced to 40 years for crimes that resulted in Independence officer's severe injuries

A Jackson County judge sentenced Joseph Wyatt, 30, to 40 years in a Missouri prison for the robbery and kidnapping of 82-year-old Billy Fowler, a series of crimes in March 2017 that also resulted in Independence Police Officer Tom Wagstaff severely injured by a gunshot.

In December 2018, a judge found the defendant guilty of eight felony counts: Robbery in the First Degree, two counts of Armed Criminal Action, Burglary, Kidnapping, Resisting Arrest, Attempted Robbery, and Tampering with a Motor Vehicle.

In February 2019, the judge sentenced Wyatt to 30 years on one Robbery conviction, and 15 years on the Kidnapping, Burglary 1st Degree and second Robbery 1st Degree conviction, plus 4 years on Resisting Arrest and 7 years on Tampering With a Motor Vehicle. The judge set all those sentences to run concurrently. He also sentenced Wyatt to 5 years on each Armed Criminal Action conviction and set those to each run consecutively to the other charges for a total of 40 years.

Members of the Independence Police Department were present in the courtroom for the sentencing, in support of Wagstaff.

Michael Hunt, a Chief Trial Assistant in the Jackson County Prosecutors' Office, told the court: "This was a brazen attack that the defendant must pay commiserate with the damage he inflicted."

Daviune Minor Case

Repeat sex offender ordered to serve 87 years for child-sex convictions

A Jackson County judge ordered Daviune C. Minor, 34, to serve 87 years in a Missouri prison for repeated child-sex convictions involving young children in Kansas City.

The judge sentenced Minor, dob: 5/12/1985, to 25 years on each of three convictions of Statutory Sodomy 1st Degree and 4 years on each of three convictions of Incest. The judge set those sentences to run consecutively for a total sentence of 87 years. A Jackson County jury in August convicted Minor of those charges.

Assistant Prosecuting Attorneys Lauren Barrett and Kelly Collins and Chris Accurso prosecuted the case on behalf of the state of Missouri.

A woman with dark hair pulled back, wearing a dark blazer over a light-colored blouse, is speaking in a courtroom. She has her hands raised in a gesture of emphasis. In the background, a man with white hair and a beard, wearing a suit and tie, is seated and looking towards the camera. The setting includes large windows with blinds and wooden paneling.

DIVERSION

Expanding Diversion in Jackson County

Opportunities to handle traditional criminal cases in an alternative way – through diversion – has increased greatly in last two years

We know how the wheels of justice turn in America. After an arrest, a defendant is usually charged with a crime once police present the case to a prosecutor. Then the defendant must stand trial or plead guilty with the court to conclude his or her criminal case.

In the early 1990s, Jackson County was among the nation's leaders in creating a new path, at least for drug possession cases.

Known as Drug Court, the Jackson County Prosecutor's Office became a champion of this effort to offer first-time drug offenders a new opportunity. Participate with treatment providers in Drug Court for a specific term and you might be able to have your felony case dismissed. Today, nearly every county in America has adopted this type of "diversion" program from traditional prosecution.

The Jackson County Prosecutor's Office has initiated a significant effort to expand these diversions beyond Drug Court, Veteran's Court and Mental Health Court.

Dion Sankar, Program Administrator at the Jackson County Prosecutor's Office, said the office first began to focus in 2013 on cases that commonly resulted in a low-level probation known as Suspended Imposition of Sentence. In 2016, Jackson County Prosecutor Jean Peters Baker tasked her staff with expanding the program and formalizing it to ensure equal access and opportunity for all eligible persons. "We had this place and established method to settle drug cases and help people," Sankar recalled of the early thoughts about expanding diversions in Jackson County. "But we had these other cases, where we thought when appropriate we could also divert them and help all of the people involved."

"The burden of a felony conviction is a heavy one," Prosecutor Baker said. "A felony will follow an individual for a lifetime greatly limiting opportunities in employment, student loan assistance and even renting a home in a safe neighborhood. This reality requires that we provide different pathways through the criminal justice system. We must offer opportunities to qualifying individuals who can restart their future from this program without the consequences of that scarlet letter known as a felony conviction. Our community will also benefit from fewer felons who successfully completed our program."





This diversion program is called New Start. The program quickly began to focus on cases which often resulted in Suspended Imposition of Sentence probations. To adequately address public safety needs the program excludes crimes of violence and sex crimes. Prosecutors began to make new offers in those cases, allowing defendants to move directly to pretrial supervision by Missouri Probation & Parole officers, rather than going through the traditional court process and ending up with a Suspended Imposition of Sentence probation.

Probation and parole, Sankar said, was curious whether this new approach would be more helpful to clients and require fewer resources from the system. Initially, they capped participants at 50. Then, after seeing the program's benefits, they lifted any cap on the number of participants, Sankar said.

This helped create some new efficiencies in the system, Sankar noted. In a matter of eight to twelve months, he said, these cases could be

completed, rather than two or three years of probation, not to mention the months required to fashion a plea agreement.

This holds other benefits, Sankar noted. For one, defendants can keep their jobs or other commitments, such as school, with less disruption. Likewise, while on pretrial supervision, defendants are informed that any new arrests, charges or criminal contacts with law enforcement may result in their termination from the program. Furthermore, defendants are required to take part in similar activities as are offered in probation. For example, they may be required to take an anger management class or other counseling. And in keeping with the values of restorative justice and in an effort to foster change, the defendant is required to give back to people impacted by their actions. To that end, the terms of this program requires defendants to acknowledge their conduct, complete community service and make restitution payments and apologize to the victims involved.

Prosecutor Baker asked that the program not assess fees for the clients' supervision. So the partners – the prosecutor's office, the court and the Missouri Probation & Parole – have absorbed the costs internally. Probation & Parole does the assessment of the client, directs them to the most appropriate services, then supervises them through the program.

Public defenders, at first, Sankar noted, were hesitant to allow their clients into the New Start program. They were concerned about their clients having to acknowledge their crimes, even in limited circumstances. Private attorneys, interestingly, immediately saw the benefits of the program to their clients and they were more than eager to get their clients into this new diversion program, Sankar said.

Slowly, public defenders have come around. They understand the harmful impact of a criminal history of conviction and they see how this program can benefit their clients, Sankar said. Victims can also see benefits from this program. In addition to the quicker case resolution, victims have the opportunity to be made whole with restitution payments while at the same time knowing that defendants will be held accountable should they fail to meet their

diversion terms. To date, fewer than a dozen individuals have been terminated from the diversion program, Sankar added. “We have a very high success rate,” he said.

Currently, the number of clients in Drug Court hovers over 300, while New Start has a maximum currently of 100 clients. Up to 80 persons may be taking part in Veterans Court. All cases are on dockets maintained in Division 50, Commissioner Fry’s court or Drug Court.

Three client advocates, social workers, assist Drug Court clients with a variety of services intended to help them graduate and improve their chances of success at school, a job or even a better home life.

Assistant Prosecuting Attorney Chivonne Scott, who works closely with Commissioner David Fry in Drug Court and also manages the New Start clients, said the expanding diversion programs has given her new insight. “You used to think in terms of guilty or not guilty,” She said. “But I’ve now seen two groups graduate (from Drug Court) and it’s taught me to look at justice in a different way.”

“This changes the way you view justice.”

New Partnerships

New hospital-based program and a new Crime Strategies Unit grow in 2019

A number of new partnerships with the prosecutor's office were initiated or enhanced in 2019. Among the most notable was the office's oversight of COMBAT. The county's violence and drug prevention program was transferred in 2018 by voters to the oversight of the prosecutor's office, and last year it underwent a number of transformations.

Under a new director, Vince Ortega, who was named in late October 2018, COMBAT hired a new deputy director, Dawna Shumate, and added a new budget coordinator, a crime analyst and a new communications marketing administrator. COMBAT also held, with the prosecutor's office, a series of four community meetings around the county, soliciting input from citizens about COMBAT programs.

In addition, the prosecutor's office initiated with Truman Medical Center a new hospital-based program to help shooting victims recover from their emotional trauma related to being a victim of crime. UMKC-based counselors are offering services to the victims, and social workers will also follow up with the victims once they have returned home. Studies have shown that these victims of shootings are at a high risk for being victims of homicide or other non-fatal shootings.

The prosecutor's office also initiated a new effort in Jackson County to better assess and more effectively address violent crime in our community. Modeled after a program in Manhattan, NY, the crime strategies unit was initiated with the hiring a new crime analyst. The former employee of the Manhattan DA's office will work with police agencies to gather data for the necessary first step of mapping crime in Jackson County.

Once areas are identified for intervention, the unit will work with the appropriate police personnel to reduce the identified violent crime, focusing on the most prolific offenders. The office will also coordinate its efforts with the appropriate community organization impacted by the violence.

Homicides in Jackson County: An Exploration of the Data

In recent years, Kansas City has ranked among the nation's most violent cities. In this analysis, we examine more closely how the law enforcement and criminal justice system responded in 2019 to the challenge of solving and disposing of homicide cases.

The data presented here comes from police agencies in Jackson County, which are required by the U.S. Department of Justice Department, to report their crime data. It is released every October. Data for this analysis also is drawn from the Jackson County Prosecutor's Office's records management system.

"These are amazingly strong results," said Jean Peters Baker, Jackson County Prosecutor. "I expect others will be surprised by this data because they often hear that prosecutors fail to deliver good outcomes. But this data supports what prosecutors know, our office produces many of the most talented lawyers in our state.

"We will continue to improve our efforts. We visit every homicide scene and we've developed a robust review process for each homicide presented to us.

"Reducing violence in our city is a great challenge," Baker added. "We must all focus together – community, law enforcement and the criminal justice system – to find new ways to benefit victims and improve the safety of our community."

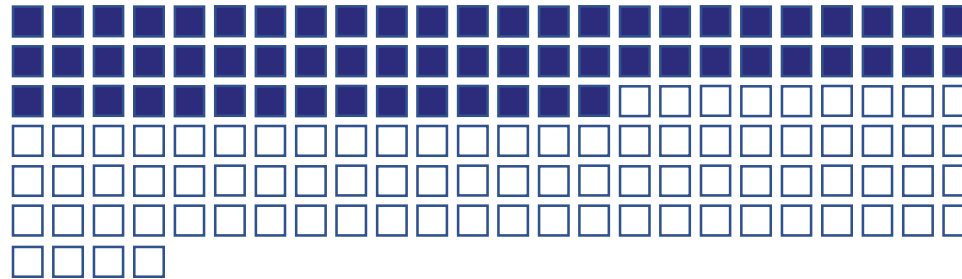
Overall, the analysis of 2019 data showed:

- A majority of homicides in Jackson County do not result in criminal charges because they are not solved by police and presented to prosecutors. The Kansas City (MO) Police Department by year's end solved or cleared 43 percent of the homicides that occurred – a total of 63 cases, out of 148 total homicides in 2019.
- Not all KCPD-reported homicides are in Jackson County, but the vast majority are. According to KCPD's daily homicide analysis, six of Kansas City's 148 homicides were reported by KCPD in Clay or Platte counties.

- Outside of KCPD, 20 homicides were reported by other Jackson County police agencies in 2019. Police solved 19 by year's end, and prosecutors filed 17. Prosecutors also charged as a homicide a drug overdose not reported initially by Lee's Summit Police as a homicide.
- In 2019, police agencies in Jackson County, including KCPD, presented 112 homicide cases to the Jackson County Prosecutor's Office.
- Of the 112 cases, 15 were declined due to self-defense issues, lack of evidence and other reasons, including a defendant's death or wrong jurisdiction. Charges were filed in 85 of those cases, while 19 were under review at year's end.
- The Jackson County Prosecutor's Office had a 98.4 percent conviction percentage for homicide cases it disposed of in 2019. Of 61 total homicide cases disposed in 2019, not one was dismissed. And only one case was lost. That defendant, it should be noted, remains in prison on a related case and he also faces a firearms charge in federal court related to the conduct originally charged in the state's homicide case.
- The average prison sentence for murder convictions in Jackson County in 2019 was 23.2 years. Among those cases resulting in conviction in 2019 were five Murder 1st Degree life-without-parole verdicts. In comparison, the three-year average (2015-17) for Murder 2nd Degree sentences in the state of Missouri, reported by the Missouri Department of Corrections, was 21.7 years, while Murder 1st Degree averaged 30 years for that same period of time.

Jackson County Prosecutor's Office

Out of **148 total homicides** in Kansas City, Missouri*, KCPD solved **63** by year's end.

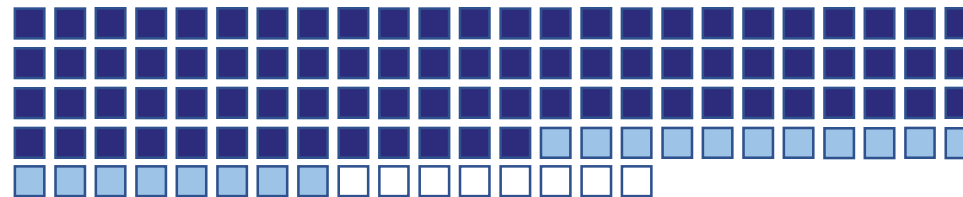


Of **20** homicides in Eastern Jackson County, police solved **19** by year's end**.



Police agencies in Jackson County submitted **112** homicide cases to the Prosecutor's Office

The Prosecutor's Office filed charges in **85***** cases and is currently reviewing charges in **19** cases



The Prosecutor's Office declined charges in **15** cases, including **3** from previous years.

5 Declined Due to Self Defense



5 Declined Due to Insufficient Evidence



2 Defendants Passed Away



3 Declined for Other Reasons****



* Six homicides occurred in Clay or Platte or Cass counties. Also, some 2019 homicides have been solved in 2020.

** Not included in solved cases is one case charged by prosecutors as a murder, although it was initially reported by Lee's Summit Police as an accidental drug overdose.

*** Seven cases were submitted in late 2018.

****Two uncertified juvenile cases referred to Family Court and one 2012 case wrongly listed in records system as being charged.

*****This analysis does not include vehicular fatalities.



2019 Homicide Analysis

Jackson County Prosecutor's Office

The Prosecutor's Office disposed of **61** homicide cases.



Of those cases, **20** went to trial with **19** guilty verdicts and **1** not guilty verdict*.



Also, **41** defendants entered a guilty plea in those homicide cases in 2019.



Average sentence given for a Murder 1st or 2nd Degree conviction in Jackson County in 2019**:

23.2 years

* Defendant is incarcerated in Missouri Department of Corrections (MDOC) for 5 years on a subsequent firearms charge stemming from the homicide.

** The three-year average sentence (2015-2017) for Murder 2nd Degree in Missouri was 21.7 years, while the average for Murder 1st Degree was 30 years.



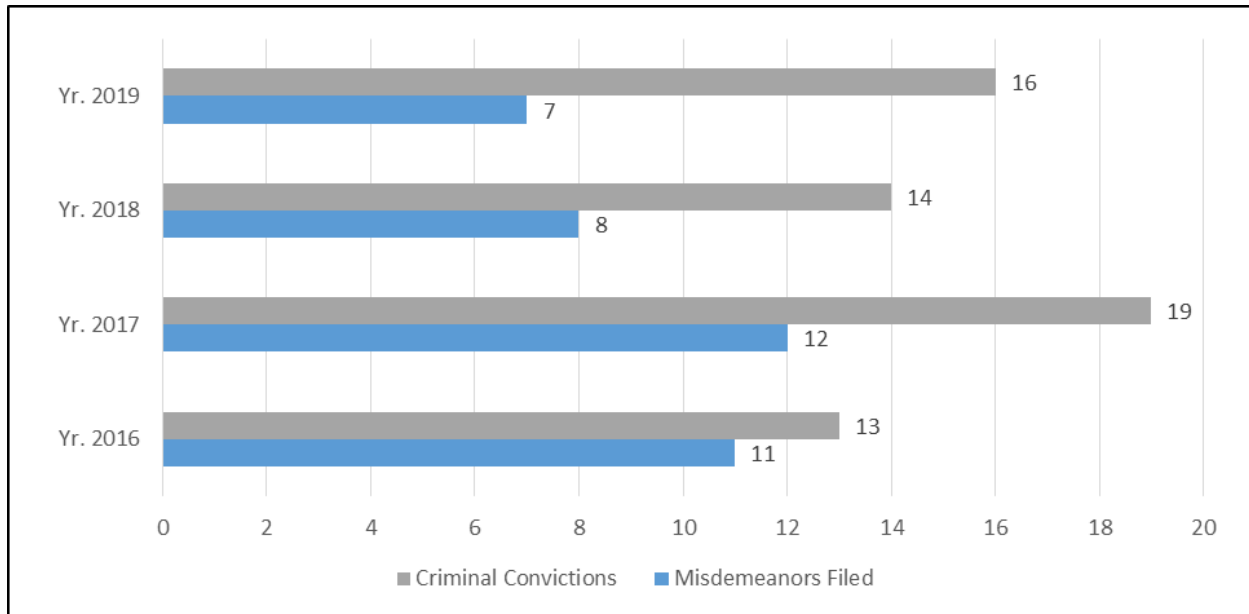
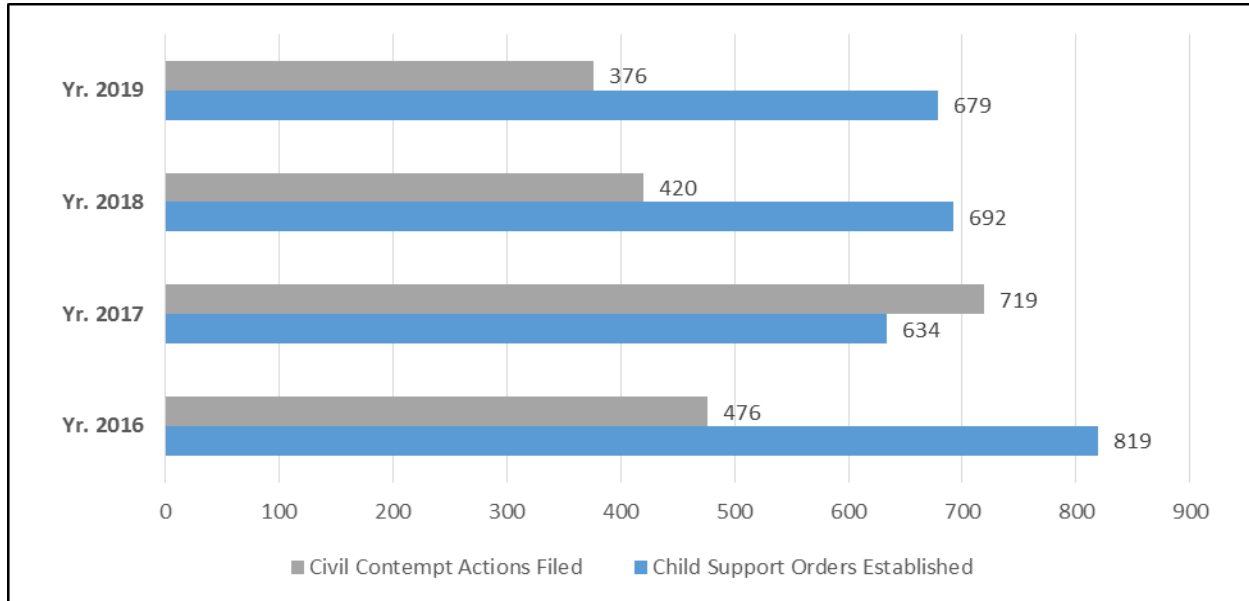
JACKSON COUNTY
PROSECUTOR'S OFFICE

FAMILY SUPPORT
DIVISION

FAMILY SUPPORT

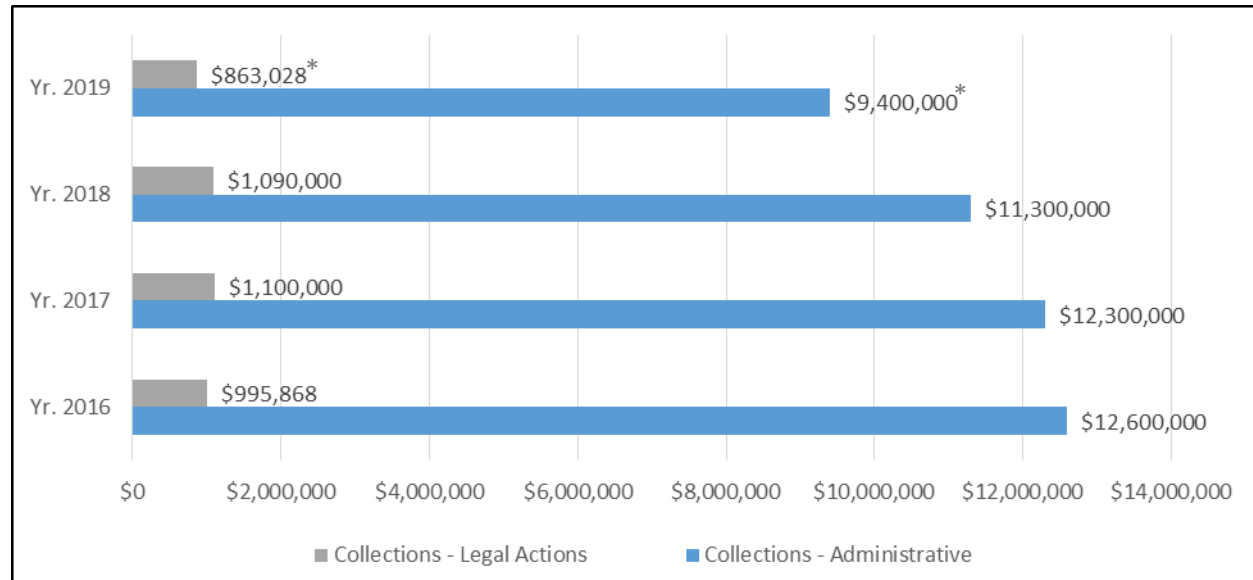
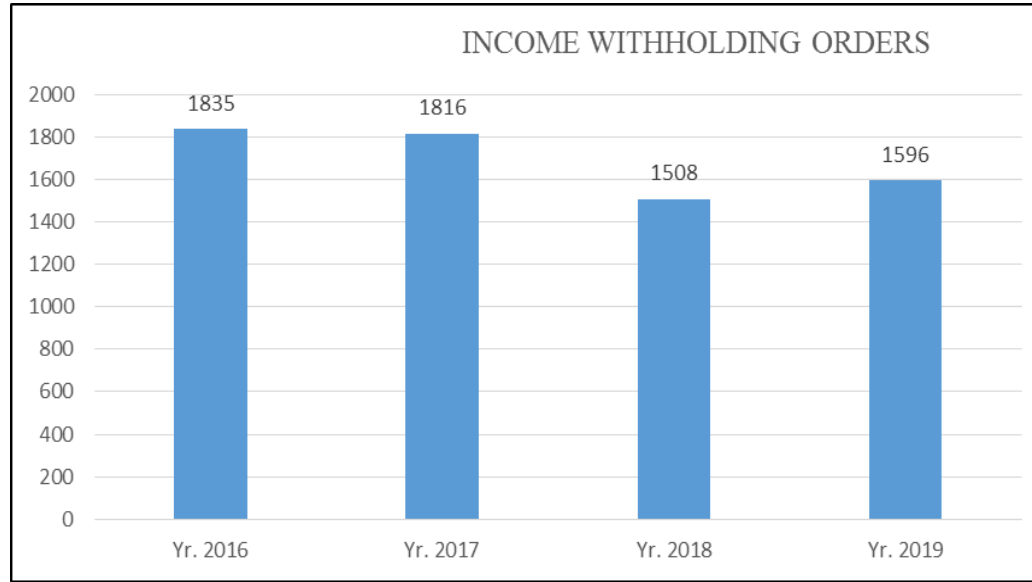
STATISTICAL DATA

FAMILY SUPPORT



STATISTICAL DATA

FAMILY SUPPORT



* Nearly 500 Cases were transferred out of the office in 2018 as part of a statewide case redistribution