

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

POLICE NO. :	21-001487
PROSECUTOR NO. :	095463472
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
JOSEPH A. COOK)	
909 SW Summit Falls Drive)	CASE NO. 2116-CR
Lees Summit, MO 64081)	DIVISION
DOB: 12/06/1986)	
Race/Sex: W/M)	
<div style="background-color: black; width: 150px; height: 15px;"></div>)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Dwi - Death Of Another Not A Passenger (577.010-033Y20205404.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 577.010, committed the **class B felony of driving while intoxicated – resulting in death**, punishable upon conviction under Sections 558.011 and 577.010, RSMo, in that on or about March 6, 2021, US 50 Hwy & Chipman Rd in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol, and acted with criminal negligence by driving on the wrong side of the road, and as a result caused death to Kevin Daniels, and Kevin Daniels was not a passenger in the vehicle operated by the defendant.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

The facts that form the basis for this information and belief are contained in the statement(s) of facts filed contemporaneously herewith, 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

State vs. Joseph A. Cook

Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Michael J. Hunt
Michael J. Hunt (#34818)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO 64050
(816) 881-3856
mhunt@jacksongov.org

WITNESSES:

1. Travis L. Cramer, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. Kevin A. Daniels, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
3. PO Michael Ervin, 10 NE Tudor, Lees Summit, MO 64086
4. PO Mitchell Kelley, 10 NE Tudor, Lee's Summit, MO 64086
5. PO Derrick Liggett, 10 NE Tudor, Lee's Summit, MO 64086
6. PO Hans Morris, 10 NE Tudor, Lee's Summit, MO 64086
7. PO Lukas Pace, 10 NE Tudor Road, Lees Summit, MO 64086
8. Michael Perkins, 10 NE Tudor, Lee's Summit, MO 64086
9. PO Cameron Price, 10 NE Tudor, Lee's Summit, MO 64086

STATEMENT OF PROBABLE CAUSE

LSPD Complaint: 21-001487

Date: 03-10-2021

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

1. I have probable cause to believe that on 03-06-2021, at US 50 Hwy & NW Chipman Rd. City of Lee's Summit, Jackson County 64081, Joseph A. Cook, W/M, 12-06-1986 [REDACTED] committed one or more criminal offenses.
2. The facts supporting this belief are as follows:

On 03-06-2021 at about 2232Hrs, the Lee's Summit Police Department began receiving calls of a driver going the wrong direction on US 50 Hwy near Colbern RD and Chipman RD. The vehicle was reported to be going eastbound on US 50 Hwy in the westbound only lanes of traffic. Moments later, there was a report of a vehicle crash on US 50 Hwy in the westbound lanes near NW Chipman RD. exit. Witnesses in the area were also reporting that one or both of the vehicles involved in the crash were on fire. It was found that eight witnesses: Annie Bottley, Earryl A. Brooks, Travis Cramer, Jhonta Garlington, Amie & Bryan Ladd, Cindy Murphy (original 911 caller), and Stephen Trusler either called 911 on 03-06-2021 or reported later that they observed a pick-up truck going eastbound in the westbound only lanes of US 50 Hwy.

Officers with the Lee's Summit Police Department arrived at the scene of the crash to find two pick-up trucks had collided and a fire had started and was involving both vehicles. The vehicles involved in the crash were a red 2007 Ford F-150 pick-up and a gray 2014 Ford F-150 pick-up. The investigation determined that there was only the two drivers occupying the two involved vehicles. The driver of the gray Ford pick-up truck was later identified as Joseph A. Cook. Cook is the registered owner of the gray Ford (1PC-E61, MO). The driver of the red Ford pick-up truck was later identified as Kevin A. Daniels. Daniels is the registered owner of the red Ford (6PF-E56, MO). The two vehicles struck each other head on in the roadway and stuck together post collision. The force of the crash caused both vehicles to rotate (together) about 90 degrees before the crash stabilized. A fire began due to the crash and it began to engulf the engine and passenger compartment of the red pick-up truck. Portions of the gray pick-up were also damaged by fire.

Witness Travis Cramer stated he was driving westbound on US 50 Hwy at Chipman Rd. Cramer stated that he was in the right lane when a gray F-150 came over the bridge and passed him going eastbound in the left lane. Cramer said he heard a vehicle crash, looked behind him and saw a fire from the crash. Cramer stated he called 911 at 2233Hrs. Cramer stated the gray F-150 struck a red F-150.

Non-involved motorists traveling on US 50 Hwy (both east and west) stopped when driving up on the crash scene and several of them went to the scene of the crash in an attempt to help. Several motorists attempted to gain access to the red pick-up truck, however due to the intensity of the fire, access to the red truck could not be gained. Joel Ford, Gustave Kropff, Kevin Mccaw, Joy Schaeffer, and unknown others were able to gain access and remove Joseph A. Cook from the gray pick-up truck. The Lee's Summit Fire Department arrived on scene and the fire was extinguished. After the fire was extinguished, Kevin A. Daniels was located in the passenger compartment of the red pick-up truck and he had been killed in the crash.

Joseph A. Cook was transported by ambulance to Truman Medical Center in Kansas City. Ofc. Price with the Lee's Summit Police Department followed the ambulance carrying Cook.

Paramedic Myles Collins with the Lee's Summit Fire Department was the lead caregiver for Cook in the ambulance while in route to Truman Medical Center. While treating Cook, Collins stated he could smell a strong odor of alcohol on Cook's breath when he would speak. Collins also stated that Cook told him he was coming from a bar but did not remember where. Cook stated to Collins that he had been drinking but could not elaborate on what he drank or how much. Collins noted that Cook had slurred speech but he also stated that Cook looked as if he had hit his head during the crash.

Once at the hospital, Ofc. Price made contact with Joseph A. Cook. Cook was making comments at the hospital such as "I'm sorry for the lost family member", admitted to having three drinks, "I made a huge mistake and will be proven in court of law". Ofc. Price noticed that Cook's speech was slurred when he spoke. Cook was not able to recall what happened but knew he was in a hospital. Due to the fact Cook was driving his vehicle the wrong way on US 50 Hwy resulting in a motor vehicle crash, the admission of drinking prior to the crash, and his slurred speech, Ofc. Price informed Cook that he was under arrest for driving while intoxicated. Ofc. Price read Cook Missouri Implied Consent. Cook requested to

Speak to an attorney. Ofc. Price allotted Cook 20 minutes to contact an attorney. Once this time expired, Ofc. Price asked Cook one last time if he wanted to call his wife. Cook attempted a call that went unanswered. Cook then stated he did not want to answer any questions without a lawyer present.

On 03-08-2021 Ofc. Perkins with the Lee's Summit Police Department received an investigative subpoena for toxicology reports from Truman Medical Center for the treatment of Joseph A. Cook. On 03-11-2021, I received a toxicology report for Joseph Cook from Truman Medical Center. The toxicology report shows that on 03-07-2021 at 0007Hrs, Joseph A. Cook had a blood alcohol serum level of .261.

Michael Perkins #0810

Name

/s/ Michael Perkins

Signature