

PROBABLE CAUSE STATEMENT

Date: 12/9/2019

Report #: 2018-80302

I, E. Knox , a Detective with the Independence, Missouri, Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that between 01/11/16 until 10/30/18 , Adalberto Gaitan, (Race- White, Sex- Male, DOB- 11/24/84, Address-341 Elmwood, Kansas City, Missouri, ██████████ committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 10-30-18 at 1624 hours, PO Warren was dispatched to the Independence Police Department Headquarters to contact Children's Division worker Jesse Frazier, who wanted to report a sex offense that had occurred at ██████████ Jones, Independence, Jackson County, Missouri.

PO Warren spoke with Jesse Frazier who stated he had received a hotline call alleging possible sexual abuse on a 10 year old female, ██████████ (DOB 01/11/08). Children's Division Worker Frazier stated he responded to Ott Elementary School and spoke with ██████████ CD Worker Frazier said during the interview ██████████ stated the Defendant, Adalberto Gaitan, calls her into his bedroom and touches her "In my private parts".

On 12/03/18, the Victim, ██████████, was interviewed at the Child Protection Center by Forensic Interviewer, Tyann Wiederholt. During the interview, ██████████ stated "My dad was doing awful things." The Victim stated, "He touched where he was not supposed to touch me." The Victim stated during the interview she was 8 or 9 years old when he first started to touch her and the last time the Defendant touched her was when she was 10 years old on October 30, 2018.

The Victim stated the Defendant would call her into her mother's bedroom and make her get on the bed. The Victim stated the Defendant would put his hand on her shoulder then move it to her bottom area. The Victim said "he moved his fingers in the middle", indicating the Defendant put his fingers in her "vagina". The Victim stated, "he had sharp nails, it hurt inside", referring to her vagina hurting. The Victim said she was shocked and scared when this happened and was waiting for a chance to escape and she did escape when she had the chance.

The Victim said the Defendant put his "private part" inside her "vagina" more than one time. She indicated after one incident she went to the bathroom to "check" the inside of her vagina and found "white things" then stated "I had to clean it out" with toilet paper.

The Victim said the Defendant put his "private part" in her "butt" more than one time. She said "he put a movie on and took off his underwear and tried to put his private in my butt, it felt like a hard rock." She stated after one incident her "butt" hurt at school. She said she saw the Defendant's "sperm". The Victim said, "I still see it on my underwear when I go to the bathroom."

The Victim said the Defendant grabbed her arm and put the palm of her hand on his private. The Victim stated the Defendant touched the middle of her "vagina" but not on the inside with his finger and it made her "vagina" feel fuzzy. The Victim stated the Defendant told her, "This was our little secret".

The Victim described being nervous when the Defendant would call her to his room. She stated when she was in the fourth grade she tried to get away from him but he grabbed her and she struggled and moved to escape. The Victim stated the Defendant would touch her boobs under her bra but sometimes struggled to get in her bra.

The Victim stated her brother did not see anything happened and the Defendant would hide her when her brother would come in the room. The Victim stated this would not happen on Wednesdays and Thursdays because her mother did not work those days.

On 04/09/19, Detective Harraman attempted to interview the Defendant, Adalberto Gaitan but he declined to provide a statement.

On 12/04/19, Detective Knox interviewed [REDACTED] (DOB 09/11/90), the mother of the Victim, at police headquarters. [REDACTED] stated she has two biological children with the Defendant, the Victim and [REDACTED] (DOB 07/12/06). She identified the Defendant as Adalberto Gaitan with two birth dates, 12/03/84 and 11/24/84. [REDACTED] stated she and the Defendant moved to the address of [REDACTED] Jones Street, Independence, Jackson County, Missouri in July of 2008 and she moved from the address in December 2018.

[REDACTED] said she was notified of the above by a phone call from Children's Division telling her the Victim had been abused. [REDACTED] said she was working long hours and during the evenings during this time. She said the Defendant was home with the children. She stated during this time, the Victim was very angry and mad that [REDACTED] had to work a lot. She said the Victim would also dress in layers for a couple months prior to October.

Detective E. Knox 1248

/s/ Detective E. Knox 1248

Print Name

Signature