

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

POLICE NO. :	17-005161
PROSECUTOR NO. :	095439590

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
RODRIQUEZ FRANKLIN)	
1211 Sw Highland,)	CASE NO. 1716-CR
Lees Summit, MO - 64081)	DIVISION
DOB: 08/19/1998)	
Race/Sex: /;)	
SSN: XXX-XX ██████)	
)	DEFENDANT.

COMPLAINT

Count I. Dwi - Death Of Another (577.010-024Y20175403.0)

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 C felony of driving while intoxicated**, punishable upon conviction under Sections 558.002, 558.011 and 577.010, RSMo, in that on or about January 21, 2017, at around E. 73rd & Prospect Ave, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of marijuana, a controlled substance, and acted with criminal negligence by driving at an excessive speed and failing to maintain the proper lane of traffic and as a result caused the death of Kaeden M Hernandez.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

OR IN THE ALTERNATIVE

Count I. Involuntary Manslaughter 1st Degree (565.024-001Y19840909.0)

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The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **class C felony of involuntary manslaughter in the first degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about January 21, 2017, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of Kaeden M Hernandez by driving a vehicle at an excessive speed and failing to maintain the proper lane of traffic, causing a crash which killed Kaeden M Hernandez.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

Count II. Dwi - Death Of Another (577.010-024Y20175403.0)

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 C felony of driving while intoxicated**, punishable upon conviction under Sections 558.002, 558.011 and 577.010, RSMo, in that on or about January 21, 2017, at E. 73rd & Prospect Ave, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of marijuana, a controlled substance, and acted with criminal negligence by driving at an excessive speed and failing to maintain the proper lane of traffic and as a result caused the death of Zachary M Meyers.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

OR IN THE ALTERNATIVE

Count II. Involuntary Manslaughter 1st Degree (565.024-001Y19840909.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **class C felony of involuntary manslaughter in the first degree**, punishable

State vs. Rodriquez Franklin

upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about January 21, 2017, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of Zachary M Meyers by driving a vehicle at an excessive speed and failing to maintain the proper lane of traffic, causing a crash which killed Zachary M Meyers.

The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, 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
Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Daniel Portnoy
Daniel Portnoy (#62186)
Assistant Prosecuting Attorney
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WITNESSES:

PO Marc A. Catron , 1125 Locust, Kansas City, MO - 64106

SGT Jeffrey A. Cowdrey , 1125 Locust, Kansas City, MO - 64106

[REDACTED]

PO Lawrence R. Pollard , 1125 Locust, Kansas City, MO - 64106

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DET Kevin D. Richardson , 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 05-15-2017

CRN: 17-005161

I, Det. K. Richardson #4290

(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 01-21-2017, at E. 73rd Street & Prospect Avenue in

Kansas City, Jackson Missouri, Rodriquez Franklin B/M 08-19-1998
(County) (Date) (Address) (Name of Offender(s)) (Description of Identity)

committed one or more criminal offense(s).

Vehicular Manslaughter

The facts supporting this belief are as follows:

On 01-21-2017 at 0447 hours, Kansas City Missouri Police Officers were dispatched to the area of E. 73rd Street & Prospect Avenue, Kansas City, Jackson County, Missouri in regard to a fatality crash. Upon arrival, Officers observed what appeared to be a one vehicle collision into a tree. Officers at the scene notified the Accident Investigation Squad due to two of the vehicle's passengers being pronounced dead at the scene.

Officer M. Catron responded as the lead investigator. Officer Catron observed vehicle #1, a silver 2014 Hyundai Sonata 4 door, license #WL7S7C MO/2017, stationary on the west side of Prospect, partially split in two. Vehicle #1 had mostly uprooted a tree that it had collided with, which caused the rear of vehicle #1 to align with the front right side. The body of Passenger #1 (KH) was found still restrained in the front right seat. The body of Passenger #2 (ZM) was found on the ground under the vehicle and tree. The driver, identified as RODRIQUEZ FRANKLIN B/M 08-19-1998, was removed from the driver's seat by KCFD EMS MEDIC Zimmerli. FRANKLIN was transported to Research Medical Center.

Witnesses contacted at the crash scene stated it appeared vehicle #1 was chasing or racing another unknown make or model vehicle prior to the crash. observed vehicle #1 fail to stop at the red traffic signal traveling southbound on Prospect Avenue at a high rate of speed at Gregory Boulevard. estimated vehicle #1 was driving between 60-80 miles per hour prior to crash. advised it appeared vehicle #1 was trying to pass another unknown vehicle in the area of E. 73rd Street and Prospect Avenue, but lost control and strike a tree. Neither witnesses contacted at the crash scene could identify the driver of vehicle #1.

Surveillance video was recovered from two separate businesses in the area of the crash. Both videos showed vehicle #1 traveling at a high rate of speed southbound on Prospect Avenue. It appeared vehicle #1 was following a Pontiac G6 at the time of the crash.

The occupants of the Pontiac G6 were later identified and interviewed. Investigation revealed FRANKLIN'S girlfriend, was operating the Pontiac G6 directly in front of FRANKLIN'S vehicle southbound on Prospect Avenue just before crash. She stated, vehicle #1 began following her from the area of 50th Street & Euclid. However she didn't know whom was driving vehicle #1. advised she accelerated her car to between 100-120 mile per hour while she was driving south on Prospect Ave, in an attempt to get away from vehicle #1 which appeared to be chasing them. advised vehicle #1 kept up with them the entire time driving south on Prospect Avenue. stated when they arrived at the Police Station at 75 Street & Prospect Avenue she observed vehicle #1 was no longer behind them.

A search warrant was obtained for FRANKLIN'S blood. Toxicology results revealed FRANKLIN tested positive for cannabinoids, with a high level of Carboxy-THC.

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A search warrant was executed for vehicle #1. Blood was recovered from the left front armrest. FRANKLIN is the source of the blood identified on the left front armrest of the 2013 Hyundai Sonata.

Officer Catron investigation revealed vehicle #1 was traveling southbound on Prospect Avenue in excess of the posted speed limit. At a point north of E. 73rd Street, FRANKLIN lost control of the vehicle, left the west side of the roadway striking the curb. Vehicle #1 struck a large tree outside the west curb, uprooting it completely, with the vehicle coming to final rest against a utility pole.

FRANKLIN refused to provide a statement in regard to fatal crash.

Printed Name Det. K. Richardson #4290

Signature *Det. Richardson #4290*

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

Judge

Circuit Court of _____ County, State of Missouri.