



MISSOURI STATE HIGHWAY PATROL  
PROBABLE CAUSE STATEMENT

21NW-CR00038

Electronically Filed - NEWTON - January 11, 2021 - 10:08 AM

STATE OF MISSOURI }  
COUNTY OF NEWTON }  
DATE: 01/07/2021

Missouri State Highway Patrol  
CASE # 210008997  
OCN:

I, **TPR T. MORRIS**, 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 **HIBEN, KEVIN ANDREW**, currently residing at **29285 SOUTH 4470 RD, VINITA, OK 74301**, born: **05/01/1985**, social security number: [REDACTED] hair/eye color: **BROWN/GREEN**, height/weight: **6' 1" / 160**, committed the offense(s) listed below on **01/06/2021** at **2125 hours**, at/on **CRD-JUTE ROAD WEST OF MO 86, MO**

TYPE	STATUTE	CHARGE CODE	DESCRIPTION
FEL A	565.072	565.072-001Y20201399.0	DOMESTIC ASSAULT 1ST DEGREE - SERIOUS PHYSICAL INJURY

2. State the facts that support a finding of probable cause to believe crime(s) was/were committed and that the accused committed the crime(s)

On Wednesday, January 6, 2021, at approximately 2125 hours, a single vehicle crash occurred on Jute Road, west of MO 86. It involved a 1994 Ford F-350 and a tree. The vehicle was driven by KEVIN ANDREW HIBEN, 35, of Vinita, Oklahoma. The vehicle traveled off the left side of the roadway and collided with a tree, overturned, and trapped four occupants inside. The occupants, TH, ZH, MH, and JH, were not properly restrained (no safety devices used). The force from the impact with the tree caused the vehicle to collapse into itself, on the passenger side, thus causing serious injuries to each. JH, at the time of the crash, was laying across the lap of ZH and MH. They were transported to Freeman West Hospital by the Newton County Ambulance District. The driver, Hiben, was uninjured, but was transported by EMS to the hospital as well.

During the investigation, it was determined Hiben had deliberately drove the vehicle into the tree. He knowingly attempted to cause serious injuries to his family. This was based on information received from statements made to the medical staff and child services case workers, from the children themselves. As a result, HIBEN is charged with four (4) counts of Domestic Assault-1st Degree (Class A Felony).

3. For the issuance of a warrant in the misdemeanor case, **complete at least one of the following.**

A. I believe the defendant will not appear in court to respond to a criminal summons because  
*Insert facts to show the defendant will not appear, e.g. there is an outstanding warrant for failure to appear*

**Out of state resident**

B. I believe the defendant poses:*Insert one or all of the following*  
*Insert facts showing defendant is a danger to victim, e.g. cursing victim, assaulted victim, threatened victim.*

(1) a danger to a crime victim because

*Insert facts showing defendant poses a danger, e.g. intoxicated to a level which is unsafe*

(2) a danger to the community or to any other person because

I, knowing that false statements on this form are punishable by law, state that the facts contained herein are true

/s/ TPR T. MORRIS  
Signature

01/07/2021  
Date

3. For the issuance of a warrant in the misdemeanor case, **complete at least one of the following.**

A. I believe the defendant will not appear in court to respond to a criminal summons because  
*Insert facts to show the defendant will not appear, e.g. there is an outstanding warrant for failure to appear*

B. I believe the defendant poses:*Insert one or all of the following*

*Insert facts showing defendant is a danger to victim, e.g. cursing victim, assaulted victim, threatened victim.*

(1) a danger to a crime victim because

**He purposely attempted to cause serious physical injury to his family members.**

*Insert facts showing defendant poses a danger, e.g. intoxicated to a level which is unsafe*

(2) a danger to the community or to any other person because

**Committed assault using a motor vehicle to intentionally injury another.**

I, knowing that false statements on this form are punishable by law, state that the facts contained herein are true

/s/ TPR T . MORRIS

Signature

01/07/2021

Date