# IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA AT ANCHORAGE

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#### IN THE DISTRICT COURT FOR THE STATE OF ALASKA

#### THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

ATN:

Plaintiff,

Police Case #:

V.

Court No. 3AN- 21 - 09155 CR

JOSEPH THOMAS JONES SR

DOB:

OL:

APSIN ID:

Defendant.

COMPLAINT

Victims' Rights Act Certification

I certify that this document and its attachments do not contain 1) the name of a victim of a sexual offense listed in A.S. 12.61.140 or 2) a residence or business address or telephone number of a victim of or a witness to any offense unless it is an address used to identify the place of the crime or it is an address or telephone number in a transcript of a court proceeding and disclosure of the information is ordered by the court.

Domestic Violence Offenses per A.S. 18.66.990(3) and (5):

I 1 All counts

[X] None

[ ]Specified below

#### COUNT 001

Murder in the Second Degree AS 11.41.110 (a)(2)

### COUNT 002

Assault in the Third Degree AS 11.41,220 (a)

I, Detective G. CURTIS, DSN 61549, signing this complaint under penalty of perjury or personally appearing before the undersigned District Judge and being duly sworn, state:

COUNT 001

On or about the 3<sup>rd</sup> day of December 2017, near 68<sup>th</sup> & O'Brien in Anchorage, Alaska, JOSEPH JONES SR ( shot and killed the victim JOSHUA STATHAM ( using a .380 caliber firearm, which is an Unclassified Felony offense being contrary to and in violation of AS 11.41.110 (a)(2) and against the peace and dignity of the State of Alaska.

Detective G. Curtis / 61549

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#### COUNT 002

On or about the 3<sup>rd</sup> day of December 2017, near 68<sup>th</sup> & O'Brien in Anchorage, Alaska, JOSEPH JONES SR ( ) recklessly shot at second victim J.W. ( ), who was standing across the street, placing him at risk of imminent serious physical injury by means of a dangerous instrument, which is a Class C Felony offense being contrary to and in violation of AS 11.41.220 (a) and against the peace and dignity of the State of Alaska.

#### FACTS AND CIRCUMSTANCES:

#### A. This Investigation: APD Case #

- This affidavit is based on my review of reports, audio and/or video, photographs, and statements filed in the above Anchorage Police Department case and my independent investigation.
- On 12/03/2017, at approximately 2245 hrs, APD received multiple calls from citizens
  reporting gunshots being fired and vehicles leaving in the area of 68th and O'Brien. It was
  reported to APD that a person was seen loading another person into a vehicle, that left the
  scene.
- 3. Officers arrived in the area and everyone involved in the shooting was gone. Officers located the scene and found two different calibers of bullet casings: .380 automatic PPU and .40 caliber Smith & Wesson. The APD Crime Scene Team found the .380 casings on the south part of the intersection of 68th and O'Brien, which would appear to place one shooter on O'Brien facing 68th. Officers also located a partially eaten eggroll or taquito and Mikes Hard Lemonade can near the .380 casings. The .40 caliber casings were found near the middle of the intersection, closer to the northern side of 68th. Two (2) bullet fragments were also recovered near where the .40 caliber casings were located.
- 4. At the crime scene, witnesses described three vehicles being stopped at the intersection of 68th at O'Brien. One vehicle was described as a Cadillac, the second was a GMC Yukon, and the third appeared to be a White Newer-Model SUV.
- 5. Witnesses said that a person from the white SUV had helped lift someone on the ground into the rear seat of the same vehicle. This vehicle was determined to have been driven by ALLEN FRANKLIN-SANTACROSE, who was the only occupant before getting out to put JOSHUA in the rear seat. All three vehicles left westbound on 68th.
- At approximately 2255 hrs, APD Officers were dispatched to Alaska Regional Hospital, where a gunshot wound (GSW) victim was brought in by a male in a White Chevy Equinox. The GSW victim was identified through his Alaska OL as JOSHUA STATHAM.
- Officers at Alaska Regional Hospital determined that the victim at the hospital was related to the shooting at 68th and O'Brien. Officers then transported the driver of the white SUV

Detective G. Curtis / 61549

## (ALLEN FRANKLIN-SANTACROSE) and a Silver GMC Yukon (LAMEESA STATHAM), to the Anchorage Police Department to speak to Detectives. Both people

- 8. According to medical staff, the GSW victim, JOSHUA, had suffered one gunshot to the left-side abdomen and was severely bleeding internally. The male died from his injury a short time later, in the morning hours. The bullet was later found lodged in his spine after puncturing his iliac artery, small intestine, and large intestine.
- 9. When interviewed, ALLEN told detectives that he was a long-time friend of the victim and had been asked to help JOSHUA and his fiancé (LAMEESA) move to an apartment near 68th and Lake Otis. ALLEN stated that he had pulled into the Tesoro Gas Station off 68th and tried to call JOSHUA for directions, but he did not answer. This was verified with obtained phone records.
- 10. ALLEN stated he then pulled onto 68th to head westbound when he saw two vehicles and three people in the street. He recognized LAMEESA as one of the people. ALLEN said that one of the vehicles was JOSHUA's Yukon, and the other was an older vehicle, like a Cadillac.
- 11. While still traveling westbound towards the group, the unknown male began shooting. When asked what he looked like, ALLEN said the shooter was wearing a jacket with a hood (parka style fur over hood), but it was dark, and he was not close enough to make out facial features.
- 12. ALLEN said that he saw JOSHUA on the ground yelling for help. He pulled up quickly next to JOSHUA, who told him that he had been shot, and helped him into the rear seat of his Equinox on the driver side. At the time, JOSHUA was still conscious. He then drove west bound on 68th to the Seward Highway, where drove at a high rate of speed towards the hospital. ALLEN said that he was trying to keep JOSHUA awake by talking to him and missing the turn to Providence. which is why he ended up going to Alaska Regional Hospital instead.
- 13. By the time ALLEN arrived at the hospital, JOSHUA was no longer conscious, and had slid from behind the driver seat all the way to the passenger side. ALLEN commented that he wasn't able to lift JOSHUA out of his vehicle and had to get assistance from several hospital staff. ALLEN did not recall seeing anything in JOSHUA's hands but did say they did jostle him a bit while pulling him out of the vehicle and getting him inside.
- 14. ALLEN said that he did not see where the shooter ran because he was focused on JOSHUA and getting him into his car. He believed the shooter probably ran past the Church behind them (the Church is on the north side of 68th behind Tesoro) because the guy did not run past ALLEN when he jumped out to help.
- 15. Detectives interview LAMEESA, who told them that she and her fiancé JOSHUA had recently got an apartment off 68th & Lake Otis and had been moving that day. She said they had just finished moving several more oversized items into their new apartment when she went out to their GMC Yukon and found that her phone, a White Samsung Galaxy Note 4

- (SM-N910A) was gone; the cord having been ripped out of the power socket. She told JOSHUA, who suggested they drive around to see if they could find it.
- 16. LAMEESA said JOSHUA drove while she used his cell phone to try to call hers. LAMEESA said she saw a person, who ended up later being the shooter, walking in the area near their home, prior to the shooting. LAMEESA had noticed that the male took out a phone, touched the phone, then put it in his back pocket, each time she called. She said that JOSHUA had wondered if it was her phone.
- 17. LAMEESA stated that they met J.W., who was later shot at by JOSEPH during the altercation, met them while they were driving around. J.W. had been driving to JOSHUA's new place to help them move when they saw each other. LAMEESA and JOSHUA told J.W. that LAMEESA's phone had been stolen and they were looking for it. J.W. then followed behind them and they ended up at the Holiday at 68th & Lake Otis.
- 18. Security footage, which was taken from showed east and west bound traffic on E. 66th av. At about 2205 hrs, a GMC Yukon, believed to be driven by JOSHUA and LAMEESA is seeing traveling westbound on 66th. At 22:19 hrs, a person wearing dark colored pants, dark colored shoes, and a light-colored jacket with a hood walks through the parking lot. At 22:33 hrs, a white Cadillac, driven by J.W. stops in view of the camera, where it is met by the earlier GMC Yukon. They appear to speak briefly and then both vehicles' head east bound on 66th.
- 19. JOSHUA and J.W. both went inside the Holiday store. Security footage from inside the store, which was recovered by APD after the shooting, showed JOSEPH entering the store before the arrival of JOSHUA and J.W. It was noted that JOSEPHs clothing appear very similar to the male seen on the security camera footage near JOSHUA and LAMEESA's new apartment. While in the store, neither JOSEPH or JOSHUA and J.W. appear to recognize or pay attention to each other.
- 20. LAMEESA, who remained in the Yukon, continued trying to call her phone. Data records obtained from JOSHUA's phone revealed internet searches for how to locate a lost phone, in between calls made to LAMEESA's number. While calling her phone, LAMEESA stated that she noticed a black male adult inside the store, the same person they had seen walking earlier, taking a phone out of his pocket, handling it, then putting it away. She believed that the male is the one who had stolen her phone.
- 21. When JOSHUA and J.W. came back out, LAMEESA told JOSHUA what she had seen. They left Holiday travelled west bound on 68th. J.W., who believed they were going back to their home to unpack, following behind in his Cadillac. LAMEESA told detectives that they saw the male, walking near 68th and O'Brien. She described him as a black male with a white coat and fur around the collar. LAMEESA said that JOSHUA stopped the Yukon and got out to speak to the male.
- 22. J.W. later told police that he did not know why JOSHUA had stopped suddenly, and believed they were trying to call the phone again. His car was parked back by the north east corner of the intersection while JOSHUA had stopped near the western side of the

interaction. He saw JOSHUA get out of the Yukon and contact a black male adult wearing a winter jacket with maybe tan fur. J.W. tried to roll down his window to hear what was going on but was unable to because it was frozen, so he opened his door and stood next to his car. He stated he did not know who JOSHUA was talking to, but saw the male had a white phone out. J.W. recalled that LAMEESA's phone was also white.

- 23. Both LAMEESA and J.W. reported that JOSHUA and JOSEPH were speaking calmly and polite. LAMEESA said that JOSHUA asked the male where he got the phone from, eventually saying that he thought it belonged to his girlfriend. LAMEESA said that JOSHUA asked her if the phone was hers. She told detectives that she came around to the front of the Yukon and said that it did look like her phone. J.W. said that he did not see where LAMEESA was at during this, but saw JOSEPH holding the phone out and showing it to JOSHUA.
- 24. At this point, J.W. said that JOSHUA reached forward in a grabbing motion, but the phone fell to the ground. JOSHUA reached down and appeared to pull his pants up before straightening again. At this point, both LAMEESA and J.W. reported JOSEPH pulled out a gun and began shooting, hitting JOSHUA.
- 25. J.W., who was watching events unfold from a north eastern direction, said that JOSEPH pulled the gun out from his waist band and fired. JOSHUA attempted to grab the gun, but JOSEPH shot him again. J.W. stated that JOSEPH then fired again, towards what appeared to be in the direction of the hood of the Yukon, then pointed the gun at him and fired. J.W. reported that time slowed down when he saw the flashes. He said that he thought "this was it". At least two shots were fired at him, hitting his car on each side of him.
- 26. At this point, J.W. took out his gun, racked it, and returned fire. JOSEPH was moving backwards and then ran south on O'Brien st. J.W. reported that his gun was a .40 caliber pistol, which matched one of the two round calibers found at the scene, the other being a .380. (The gun was later test fired by the crime lab and the ballistics matched the shell casings found at the scene).
- 27. At about this time, ALLEN drove up to where JOSHUA was sitting on the ground and loaded him into his Equinox. LAMEESA followed ALLEN west bound on 68th. J.W. had difficulty remembering what he did next besides getting out of the area, as he was still in shock.
- 28. Detectives asked LAMEESA if JOSHUA had a firearm at the time. LAMEESA said no. APD did not find a firearm on JOSHUA's person, in his belongings collected at the hospital, or in the vehicles seized by police.
- 29. Detectives seized JOSHUA's phone, which LAMEESA had with her at the police station, for evidence. Detectives asked patrol to seize the Silver GMC Yukon, Alaska Plate driven by LAMEESA and the white Chevy Equinox with Alaska Plate driven by ALLEN. APD Detectives applied for and were granted search warrants, which were served on both vehicles.

- 30. One of the items taken from ALLEN's white chevy equinox was an SM-N900A Galaxy Note 3 Samsung cellphone. This phone was found wedged near the right front seat. This phone was forensically analyzed by the APD Cyber Crimes unit with a search warrant. The report from the search indicated that the phone belonged to JOSEPH THOMAS JONES SR.
- 31. When detectives in 2017 compared the DMV photo of JOSEPH to the black male adult in the Holiday surveillance footage, they matched. The clothing being worn by JOSEPH in the holiday also matched the clothing of the person walking through the parking lot of around 2200 hrs the night of the murder.
- 32. Due to the altercation and shooting involving a white Samsung Cellphone, which fell on the ground before the shooting near where JOSHUA was picked up by ALLEN, it is believed that JOSHUA grabbed the cell phone sometime prior to being helped into ALLENs vehicle. He had initially been conscious, but lost consciousness while enroute to the hospital, and either drop the phone when his body slid to the passenger side of the rear seat, or when ALLEN and hospital staff were trying to get him out of the car at the hospital.
- 33. Detectives contacted JOSEPH JONES over the phone on 01/04/2018, but after this initial conversation, were unable to locate or contact him again to schedule the interview. JOSEPH never responded to attempts to get ahold of him and then terminated the phone number he had provided.
- 34. Detectives put out a locate into the APSIN database, which is checked state-wide by law enforcement upon contacting people on a stop or during an incident, to contact detectives 24/7 so they can have a chance to interview him. Due to requirements set in place by APSIN, locates must be renewed yearly, or they are taken out of the system. JOSEPH did not have contact with law enforcement for an entire year, at which point the locate expired.
- 35. I was assigned the case in 2021 after the District Attorney's Office asked for some follow-up. JOSHUA's phone, an iPhone 6 Plus, had not been forensically analyzed in 2017 due to technological limits at the time. I submitted the evidence to the APD Cyber Crimes unit. APD CCU was able to gain access and generate a report.
- 36. After obtaining all the forensic data reports (Cellbrite reports), I read through them in their entirety. I then compared the reports of the JOSHUA phone, JOSEPH's phone, and ALLEN's phone to each other. I found information in both ALLEN and JOSHUA's phone that corroborated the accounts of the shooting from LAMEESA, J.W., and ALLEN.
- 37. Specifically, I reviewed communication regarding JOSHUA and LAMEESA moving and asking for help with the move to the area of 68th and Lake Otis, records showing ALLEN attempting to contact JOSHUA before coming upon the homicide scene, and JOSHUA's phone being used to repeatedly dial "LAMEESA" as well as internet searches for "lost android phone" in the phone's Safari browser before the shooting occurred and APD was notified.
- 38. I also found communication and information in the Cellbrite report from **JOSEPH's** phone that he was, at the time of the homicide, staying with a friend near

- Ave, which is a short walking distance from where LAMEESA and JOSHUA were moving into that day.
- 39. There were also messages and photos showing JOSEPH to be outside taking photos of the moon that night (which, according to nasa.org, was a "Super Full Moon" on 12/3/2017), as well as him sending text messages about being hungry before the homicide. I noted in the report that JOSEPH had quite a few job searches in his search history, with a large majority of the recent ones (to the time of the homicide) being Holiday jobs, requirements, pay, etc.
- 40. I was contacted by M.L., a relative of the decedent, who told me that they had heard I had been working on the homicide. They said they had heard many things on the street, including who killed JOSHUA. They said that person went by "JJ,". M.L. told me that they had done some investigating since the death of JOSHUA, and believed they found the shooter on Facebook. They said the shooter went by "JEREMY JONES" and forwarded me the webpage, noting that the name was now "JOE JONES," however, the profile had the same pictures, including photos of a child in the background.
- 41. I had not given any information out to any of the family, witnesses, or people directly involved as to who the shooter was in this case. I checked the link they provided and saw that the Facebook page for "JOE JONES" contained pictures and information that I had seen while reviewing the forensic report of JOSEPH's phone. I noted that the child in the Facebook profile pictures was the same child that JOSEPH had pictures of in his phone. I also found a second Facebook profile with similar pictures and information to the first, but with the name JEREMY JONES.
- 42. I contacted ALLEN, LAMEESA, and J.W. and asked them to tell me what they remembered from the night of the homicide. Each of them gave statements that were similar to what they had initially given APD. None of them had been shown a photo lineup. However, ALLEN informed me that he did not get a good look at the shooter. LAMEESA agreed to look at a photo lineup but did not show up and did not make herself available when additional attempts to set up a meeting were attempted.
- 43. J.W. agreed to look at a photo lineup. He also stated during the interview that when he discovered shortly after the shooting that his car had been hit twice. He said the bullet holes had hit on each side of where he had been standing to hear the conversation as his car window had been frozen. He said he was unsure why the male shot at him, as he had been standing there, but felt very lucky after seeing how close he had come to being hit.
- 44. J.W. came down to the Police HQ on 5/6/2021/ Detective B. LEE, who did not know the case, conducted a double-blind photo lineup with J.W. in a different room. This was recorded. The photo lineup contained a DMV photo of JOSEPH from the time of the homicide and five other black male adults of similar appearance to JOSEPH.
- 45. After the photo lineup was completed, I was informed that J.W. had picked out one of the one people almost immediately as the shooter, and when asked by Detective LEE how sure he was, J.W. had stated "100%". When I returned to my office, I saw that the photo he had picked was the DMV photo of JOSEPH JONES.

- 46. On 12/1/2021, J.W. came to APD HQ for another interview. J.W. marked on an aerial map of the intersection at 68<sup>th</sup> & O'Brien where he remembered everyone to be during the incident, including the vehicles.
- 47. During this interview, I noted that J.W. appeared traumatized while retelling the shooting and expressed that he believed he was going to die when JOSEPH JONES began shooting at him.
- 48. After the interview with J.W., I sought assistance from APD Patrol and Specialty Units in locating JOSEPH so that I could interview him and get his side of the story, however he no longer works at his last known place of employment I renewed the locate in APSIN for JOSEPH for 24/7 contact incase he was contacted by law enforcement in the State of Alaska.
- I applied for and was granted a Search Warrant for JOSEPH's known DNA through buccal swabs (3AN-21-04702sw).
- On 12/10/2021, Officers with the Anchorage Police Department Investigative Support Unit made contact with JOSEPH. JOSEPH arrived at APD at approximately 1745 hrs.
- 51. I spoke to JOSEPH in interview room 3 of the APD HQ. After introducing myself, my partner Detective Sarber, and that I wanted to speak to him about a cold case, I read JOSEPH his Miranda Rights at approximately 1836 hrs.
- 52. After hearing his rights, JOSEPH agreed to let me speak to him about the case. I told him that this case was from 2017 at the start of December involving a shooting off of 68th and Lake Otis. I showed JOSEPH the video still of him inside of the Holiday Gas Station, which was time stamped 12/03/17 10:40:43p. I told him that detectives saw him in the gas station when they were reviewing video. I asked if he remembered being in the Holiday on the 3rd at around 10 pm, and he said "yeah".
- 53. I told him that I wanted to figure out what happened and asked him to what he remembered happening that night. JOSEPH stated that he had talked to an attorney about it and asked if APD had gotten a statement. I told him that I had not seen any kind of statement from an attorney, and that the last contact we had with the attorney, we were told that they couldn't get ahold of JOSEPH.
- 54. He continued to talk about his actions, and said he wrote a statement to give. He then stated, without being asked, "Um, yeah pretty much, its, you know, it's a pretty crazy situation that happened..." I stopped JOSEPH, and explained the last contact we had with the attorney was that he was not able to get ahold of him, and we didn't have a statement. JOSEPH said that he hopped they still had it.
- 55. I stopped JOSEPH again, explaining that we didn't have the statement, but he had mentioned his lawyer, and I wasn't sure if he wanted to continue to speak to us. JOSEPH

- said that he felt that he should have his lawyer present, because he did not wish to incriminate himself.
- 56. I stopped asking JOSEPH questions, as he mentioned his lawyer. He continued and stated "At the end of the day, I know what happened, you know, was random. It was something random, it was something that happened out the blue, I wasn't expecting for it to happen, you know. At the end of the day, it was something that I felt like I was doing what was right to protect myself and my life".
- 57. JOSEPH said that it was in the statement, and he didn't mind talking about it, but he didn't want to get himself incriminated. I told him I understood. Detective SARBER asked JOSEPH if he would like us to call his lawyer, and JOSEPH said yes.
- 58. I spoke to the attorney that JOSEPH named over the phone. They agreed to come and meet with him. JOSEPH met with his attorney in an unrecorded room. After speaking to his lawyer, we were advised that JOSEPH would not be making any statements to us.
- JOSEPH was escorted back into the recorded room, where Detective Sarber served the search warrant for the buccal swabs on JOSEPH.
- 60. JOSEPH was advised to wait in the interview room at this time.
- 61. After going over the totality of the circumstances behind this case and looking at the statements from witnesses as well as the evidence gathered, I, Detective Gary Curtis, make this affidavit in support of an application for an arrest warrant for the participation of JOSEPH JONES SR (dob in Murder in the 2nd Degree for the death of JOSHUA and Assault in the Third Degree for recklessly shooting at the second victim J.W. For the reasons outlined in this affidavit, an arrest warrant is respectfully requested for violations of Alaska State Criminal Statue AS 11.41.110(a)(2) and 11.41.220(a).

### B. Defendant's Criminal History

APSIN shows that the defendant, JOSEPH JONES SR, has the following known convictions:

- 08/16/2018 | MIW5, CCW + FAILURE TO INFORM OFFICER | 3AN-18-5290
- 01/25/2007 | MISC/WEAPON 5-CONCEALED WEAPON | 3AN-06-12796

## REQUEST OF THE COURT

The affiant respectfully requests that the court issue an arrest warrant for JOSEPH JONES (08/07/1986) for one (1) count of Murder in the 2nd Degree under AS 11.41.110(a) and one (1) count of Assault in the Third Degree under AS 11.41.220(a).

FURTHER YOUR AFFIANT SAYETH NAUGHT,

Detective Gary Curtis
Anchorage Police Department

Files by Affiant

Tiles by Affiant

Attached

Judge/Magistrate/Notary

Holling

Detective G. Curtis / 61549

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IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
(City or town where the court is located)
State of Alaska  Plaintiff/Petitioner,
Defendant/Respondent.  Case No. 31N-21-09155 (R  SELF-CERTIFICATION (NO NOTARY AVAILABLE)
[If a notary public or other person with the power to take oaths is not available to notarize a document that you are filing with the court, you may fill out this form and attach it to your document.]
As allowed by AS 09.63.020, I, (Name) Det Gang Cuttis, certify under penalty of perjury that the following is true:
I am attaching this Self-Certification to the following attached document:  APO HCEST Warrant Code H  If the attached document is required to be served on another party, I have attached a copy of this Self-Certification to the document when I served it.
2. No notary public or other person with the power to take oaths is available to watch me sign because:  I live somewhere with no available notary public or other person who can take oaths.  I cannot access the courthouse or private notary for medical reasons including quarantine.  No Notes is Currently available at APP.
3. I told the truth to the best of my knowledge and belief in the attached document.
Signature:  Signed on: (date)   Z   10   20Z   at: (city)   A_Chorm Qe   , (state)   A    Mailing Address:  Cell Phone:   Email*:
* I authorize the court to email me court documents in this case to the email address above,

TF-835 (3/20)(cs)
SELF-CERTIFICATION (NO NOTARY AVAILABLE)