



ORIGINAL

**IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA**

FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

AUG 30 2021

JOHN D. HADDEN
CLERK

JULIUS DARIUS JONES,

Appellant,

vs.

THE STATE OF OKLAHOMA

Appellee.

Case No. D-2002-534

**SUPPLEMENT TO OBJECTION TO NOTICE PURSUANT TO 22 O.S. 2021, §
1001.1(D) REGARDING EXECUTION DATE**

JULIUS DARIUS JONES, through undersigned counsel¹, herein supplements his Objection to the Notice Pursuant to 22 O.S. 2021, §1001.1(D) Regarding Execution Date with new information received from General Counsel for the Oklahoma Pardon and Parole Board after his Objection was filed on August 27, 2021.

On July 30, 2021, Counsel for Mr. Jones first received an Investigative Report dated May 1, 2021 from General Counsel for the Oklahoma Pardon and Parole Board. (See Ex. H.) On Page 8 of that Report, which was appended as Exhibit A to the Objection filed with this Court on August 27, was the following:

15. INVESTIGATOR RECOMMENDATION:

Next scheduled parole date: None

Option 1: Commute to Life Without Parole Potential Release Date: N/A
Parole Date: N/A

¹ Undersigned counsel appears only for the limited purpose of presenting these matters to the Court on behalf of Mr. Jones.

Option 2: Commute to Life Potential Release Date: Life Parole Date
Immediate parole eligibility/next available docket

(Ex. A at 8.)

Recommendation is defined as “a: the act of recommending b: something (such as a procedure) recommended 2: something that recommends or expresses commendation.” *See* Merriam-Webster <https://www.merriam-webster.com/dictionary/recommendation>, (last visited August 29, 2021). Applying this common-use definition of the word “recommendation,” counsel understood the phrase “Investigator Recommendation” on Page 8 of the Report to mean just that: the recommendation of the investigator.² (*See* Ex. A.) At the time the Report was provided, there was nothing in General Counsel’s transmittal email, or anything else, that gave counsel any reason to believe that the word “recommendation” had any meaning other than its plain one. (*See* Ex. H.)

On August 27, 2021, Mr. Jones filed an Objection Regarding Execution Date in this Court. Later that evening General Counsel for the Board advised Mr. Jones’s counsel that the term “Investigator Recommendation” on Page 8 of the Report did not have the common

² Counsel made it clear in the Objection that the ultimate determination of whether to commute Mr. Jones’s death sentence would occur when the Board votes at the hearing on September 13, 2021. (*See* Objection at 5 (“At that hearing, the Board will vote on whether to recommend that Mr. Jones’s death sentence be commuted. If the Board votes to commute Mr. Jones’s death sentence, that recommendation will proceed to Oklahoma Governor Kevin Stitt who will decide whether to accept or reject the Board’s recommendation. If the Board declines to recommend a commutation of Mr. Jones’s death sentence, or if the Governor rejects a favorable recommendation from the Board to do so, then Mr. Jones’s death sentence will remain intact.”).)

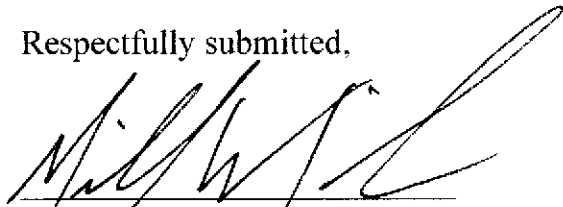
use meaning of the word “recommendation.” (Ex. I.) Specifically, General Counsel advised that:

The PPB’s [Pardon and Parole Board’s] investigators do not make recommendations to the Board on whether or not they should recommend a commutation to the Governor. Due to the high volume of commutation hearings held since 2019, the Board asked staff to include options for reduced sentences that are within range for the offense(s) being considered. Those options are included in the “Investigator Recommendation” section due to software limitations preventing staff from creating a new field specifically for that information. . . . The PPB’s investigator was not making a recommendation on how they should vote on Julius Jones’ commutation. She was merely providing the options of “Life Without Parole” or “Life” as potential reduced sentences, as is the practice for all commutation considerations at a Stage II hearing.

(*Id.*)

In light of this after-the-fact disclosure, Mr. Jones brings this new information to the attention of this Court. Whether this Court decides to consider the reasons outlined in Part III of Mr. Jones Objection, he has advanced other significant reasons for this Court to decline to schedule an execution date.

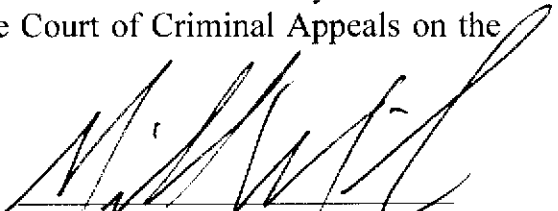
Respectfully submitted,



MICHAEL W. LIEBERMAN, OBA #32694
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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on the Attorney General of Oklahoma by depositing a copy with the Clerk of the Court of Criminal Appeals on the date that it was filed.



MICHAEL W. LIEBERMAN

EXHIBIT H

From: [Kyle Counts](#)
To: [Dale Baich](#)
Cc: [Amanda Bass](#); [Tom Bates](#)
Subject: RE: Julius Jones Commutation Hearing
Date: Friday, July 30, 2021 9:51:12 AM
Attachments: JONESJULIUS(1).pdf

I realized after I mailed the hard copy that the investigative report hadn't been added to the folder yet, so I'm attaching it to this email. I verified everything else will be on the thumb drive.

Thank you,

Kyle Counts

General Counsel
Oklahoma Pardon and Parole Board

From: Dale Baich <Dale_Baich@fd.org>
Sent: Friday, July 30, 2021 9:47 AM
To: Kyle Counts <Kyle.Counts@ppb.ok.gov>
Cc: Amanda Bass <Amanda_Bass@fd.org>; Tom Bates <Tom.Bates@ppb.ok.gov>
Subject: [EXTERNAL] Re: Julius Jones Commutation Hearing

Good morning Kyle,
Thank you for your email and letter. We will review it and if any additional questions arise, we will be in touch.
Have a nice weekend and take good care.

dale

sent from my iPad

On Jul 30, 2021, at 7:09 AM, Kyle Counts <Kyle.Counts@ppb.ok.gov> wrote:

Good morning Dale,

Please see the attached letter regarding Julius Jones' upcoming commutation hearing. We are mailing out the hard copy today along with the materials you requested. Have a good weekend.

Best,

Kyle Counts

General Counsel
Oklahoma Pardon and Parole Board

2915 N. Classen Blvd. Suite 405

Oklahoma City, OK 73106

Phone: (405) 521-2373

Fax: (405) 602-6437

kyle.counts@ppb.ok.gov

<https://www.ok.gov/ppb>

<Ltr to Dale Baich 2021.07.30.pdf>

INVESTIGATIVE REPORT
STARTED BY: Lisa Reading
SUBMITTED BY: Lisa Reading
DATE REPORT COMPLETED: 05/01/2021

DOCKET/TYPE: 06/2021 Commutation

FACILITY/SECURITY: OSP/Maximum

NAME: JULIUS D. JONES

PERSONAL APPEARANCE: No

NUMBER: 270147

AGE/SEX: 07/25/1980 (41/M)

RECEPTION DATE: 04/29/2002

REBILL DATE:

OFFENSE COUNT: 1

OFFENSE: #Murder I

SENTENCE: Death

COUNTY: Oklahoma County

CF: 99-4373

OFFENSE HISTORY: None

Prior Board Consideration: 3/2021 Stage I Commutation - Passed to Stage II

JAIL TIME: 0 days

CRD: Life w/o Parole

PRD/CR: Life w/o Parole ()

NUMBER PRIOR INCARCERATIONS: 0

NUMBER OF OTHER CONVICTIONS: 8

PAROLE ELIGIBILITY AUTHORITY: Commutation

LAST BOARD CONSIDERATION: None

NEXT BOARD CONSIDERATION: None

1. CC AND/OR CS CASES OR DETAINERS:

CS: Possession of Firearm AFC1F, Count 2, 15 Years, Oklahoma County, CF 99-4373, (CS to controlling sentence)

2. DISTRICT ATTORNEY'S VERSION:

On July 28, 1999 Julius Darius Jones murdered Paul Scott Howell in front of Mr. Howell's two young children and sister for the purpose of stealing his vehicle. Please accept this letter as the State of Oklahoma's request that you deny Jones's request for a commutation hearing.

Over the last few years, Julius Jones and his attorneys have engaged in a coordinated and alarmingly successful of misinformation, spurred by media frenzy which is specifically targeted to manipulate and mislead the public through dissemination of half-truths and, frequently, outright lies. I respectfully submit this letter for the one simple fact that Jones would have this Board disregard: Truth matters.

In his commutation application, Jones states that prior to trial he "had gotten into trouble previously, but none of it was violent." That is patently untrue. More than year before he killed Paul Howell, Julius Jones began engaging in an escalating pattern of criminal conduct. On March 11, 1998 he was caught by employees at the Foot Locker in Quail Springs mall attempting to shoplift merchandise under his shirt. When the clerk attempted to stop Jones and give him an opportunity to simply put the merchandise back, Jones instead shoved the clerk to the ground and attempted to flee. However, he lost his footing and was apprehended by the store manager.

Jones acquired his first adult felony conviction in the fall of 1998, while he was still enrolled as a freshman at the University of Oklahoma, when he applied for a state photo ID card using another individual's name and birth certificate. He pleaded guilty to the crime of Unlawful Use of a False or Fictitious Name on an Application for Oklahoma Identification Card in Oklahoma County Case No. CF 1998-8657 on December 1, 1998, and was placed on a 3 year deferred sentence. The next day he was arrested by Oklahoma City police after leading officers on a pursuit that reached speeds of 70 mph on city streets and 50 mph in a residential area.

One week later, Jones was caught by a loss prevention officer at a Midwest City Target store attempting to steal some pagers from the electronics department. That same day, he also pawned a CD player that had been stole from WalMart the day before, averring that he had owned the item for two months. On May 26, 1999, Jones to the crimes of Larceny of Merchandise From Retailer in Oklahoma County Case No. CF 1998-7151 and Making False Declaration of Ownership to Pawnbroker and Concealing Stolen Property in Oklahoma County Case No. CF 1999-401. He was sentenced in both cases to concurrent one-year suspended sentences, with the first thirty days to be served in the county jail, and his deferred sentence in CF 1998-8657 was accelerated to a suspended sentence as well.

Notably, exactly two months before Jones was sentenced in these cases, his OU transcript reflects he had completely withdrawn from OU after being placed on academic probation his first semester with a 0.8 cumulative GPA. A letter from OU later found in his room during the execution of a search warrant also revealed that Jones had lost his financial aid because he failed to complete a minimum number of academic hours, and he failed GPA.

On March 3, 1999, Jones was arrested by Norman police officers driving a stolen Honda Accord. When officers allowed him to reach into the vehicle to purportedly retrieve his identification, Jones instead reached for a loaded handgun under the driver's seat, ignoring officers' commands to show his hands. Officers were able to pull him away from the vehicle and arrest him; Jones admitted to them that he was not allowed to have the gun because he was a convicted felon.

On March 18, 1999, Norman police officers caught Jones hiding in some bushes outside of a bank at 3:38am. He had a ski mask, gloves, and a water pistol painted to look like a real handgun on his person.

Nineteen days before murdering Paul Howell, Jones committed an armed robbery at the Royal Jewelers jewelry store inside Quail Springs Mall. On July 9, 1999, just after the store had opened, Jones approached the store owner and placed a gun to his head. At that time, Jones wore a pair of women's stockings pulled down over his head and a bandana tied around the bottom half of his face, and a pair of gloves. When the store's phone rang, he said, "Don't pick up the phone or I will shoot you." Scared for his life, the victim allowed Jones to take whatever he wanted, which turned out to be every gold chain in one of the store's cases. He later gave some of the chains to Christopher Jordan and his then-girlfriend, Annaliese Presley; Jordan helped him pawn most of the rest.

A couple of weeks later, Jones committed back-to-back car-jackings at the Hideaway Pizza on Western Avenue in Oklahoma City. On July 21, 1999 - exactly one week before the murder of Paul Howell - he ambushed Dr. Vernon Hoffman after he and his two friends, who were visiting from England, were leaving the restaurant. The two other men were already seated in Dr. Hoffman's Lexus in the parking lot when Mr. Jones, wearing a bandana over his face and gloves, pressed a gun to the side of Dr. Hoffman's head. He ordered Dr. Hoffman, "Get in and drive." When Dr. Hoffman didn't move, Jones took the keys from him and forced him into the back seat of the car. Jones then started to drive the car away. Fortunately, Dr. Hoffman had the presence of mind to yell for the others to "run for their life," and the three men were able to bail out of the moving vehicle and run for help. Jones fled with the Lexus. At the murder trial, Annaliese Presley testified that Jones called her on the phone and told her that he had a Lexus and she would "look cute in it." Presley assumed he had stolen the Lexus because he did not have money for that kind of car. According to Christopher Jordan, Jones quickly sold the Lexus to an individual near Rose State College in Midwest City for \$4,000. Law enforcement later recovered the vehicle in Midwest City. All of the owner's contents were missing.

The next night, Jones accosted Dr. Anon Lapsi as he was leaving the restaurant from having dinner with friends. When

Dr. Lapsi reached his new Mercedes-Benz in the parking lot, Jones, again wearing a bandana over the bottom half of his face, held a gun directly at Dr. Lapsi's head and demanded, "Give me the keys. Give me the keys." He then drove the car away. Police eventually recovered the Mercedes in the parking lot of Jones' Norman apartment. All of the owner's contents were missing. After the killing of Paul Howell, Edmond crime scene investigators located the keys to Dr. Lapsi's Mercedes in a Cutlass shared by Jones and Jordan as they processed the vehicle for evidence of the murder. Dr. Lapsi positively identified Jones as the armed robber both at the preliminary hearing for the robbery case and the murder trial. On June 13, 2006, Jones pleaded guilty to the crimes of Robbery With Firearm and Possession of a Firearm After Felony Conviction in Oklahoma County Case No. CF 1999-5144.

On the evening of July 28, 1999, 45 year old Paul Howell, a father and well-respected Edmond businessman, and his sister, Megan Tobey, took Mr. Howell's seven-and-nine year old daughters to the Target at Penn and Memorial in north Oklahoma City to do some back-to-school shopping. After loading their new backpacks and school supplies into Paul Howell's Suburban, the family made a spur-of-the-moment decision to get some ice cream on their way home. Shortly after 9:00pm they made their way through the drive-thru of the Braum's ice cream store located off of Broadway Extension near Memorial Road, then proceeded home.

What Mr. Howell could not know was that his murderers were following close behind. Earlier that afternoon, Julius Darius Jones and his close friend, Christopher O'Neal Jordan, set out to steal a Suburban. They had learned from Jones's robberies of the Lexus and Mercedes the week before that it was difficult to off-load stolen foreign made vehicles. They had been advised they would have better luck disposing of GMC products. They also knew that the vehicle would be worth more money if the column were not punched and the keys were with it. With that aim in mind, Jones and Jordan set out in the bronze 1972 Cutlass Supreme they were known to share, roaming the streets of Edmond looking for a Suburban to steal.

Around 2:00 or 3:00pm, one of Jordan's neighbors, Eekie Prater, observed Jordan driving his Cutlass slowly down the street then pull into the driveway of the home of the Nichols family, who owned two new Suburbans. Both vehicles were gone that day, however, as the Nichols were on vacation, and the Cutlass pulled out and drove away. Prater observed that sitting next to Jordan in the passenger's seat was another black male, who he described as being in his "late teens, early 20s" with hair "close to his head."

Jordan testified that he drove Jones around for a while that afternoon, looking for a Suburban. They passed several in business parking lots and driving along the roads. But Jordan testified that they ultimately decided it would be better to wait until it got dark outside. By around 9:00pm, they saw a brown Suburban pull into a Braum's drive-thru, and decided they had their target.

At the same time, Michael Peterson and his wife were sitting on the curb in front of the Braum's eating ice cream when they observed the bronze Cutlass circle the parking lot a couple of times and back into a parking space. A few minutes later, the Cutlass drove away with no one ever exiting or entering the vehicle. Peterson testified that there were two young black males in the car, who both appeared to be in their early twenties. He described the driver as having "corn roles" in his hair and one of them as wearing a white shirt. At the trial, Christopher Jordan confirmed that he and Jones had backed into a parking space at the Braum's waiting for Paul Howell's Suburban to leave the drive-thru.

After getting their ice cream, Mr. Howell drove his family back to his parents' Edmond home where he and his girls were staying at that time. Jones and Jordan stalked close behind. Paul Howell pulled into his parents' driveway and Jordan stopped his Cutlass a little ways down the street. As the Howell family gathered their ice cream and new school supplies out of the Suburban, Jones exited the Cutlass, gun in hand, and put on gloves, a stocking cap, and pulled a red bandana over his face.

Paul Howell had just opened his car door and stepped out of the vehicle when Jones approached him and pressed a .25 caliber Raven pistol to the left side of Mr. Howell's head. Jones then fired. The weapon was shot at such close contact to Mr. Howell's head that the skin around the entrance wound was seared with the shape of the gun's barrel and sight. The gunfire came with no warning. Megan Tobey testified that she had not even seen the gunman approach. She had just turned to the back seat to tell the girls to make sure they had everything when she heard a gunshot. She then heard the shooter say, "Where are the keys? Where are the keys?" By the time she turned back around, the shooter was already reaching into the car with the keys in his hand. Ms. Tobey immediately grabbed her nieces out of the back seat and ran for the house. She estimated they had taken about five steps when the shooter yelled at them "Stop!" and fired his gun again. Mercifully, the three were able to escape into the house uninjured.

Because Jones disguised his face, Ms. Tobey was not able to positively identify him as the shooter. She described the gunman as being a black man wearing a white t-shirt and a black stocking cap. He had a red bandana folded like a triangle tied around his face, covering everything below his eyes. The stocking cap covered the top of his head down to "probably the top of his eyebrows. And it came above where his ear goes on about a half an inch to an inch." She testified, "I could see no braids."

The Howell family called 911, and first responders were on the scene within minutes. Paul Howell's father immediately ran outside to check on his son, but by that time the Suburban was gone and Mr. Howell was lying unresponsive in the front yard. He was pronounced dead shortly after arrival at the hospital.

As the Oklahoma Court of Criminal Appeals found in affirming Julius Jones's convictions and sentence, "the evidence presented against Jones was overwhelming."

Edmond crime scene investigators quickly began processing the scene after Paul Howell was transported away by ambulance. They located two spent .25 caliber shell casings in the driveway. The medical examiner later removed the

fatal .25 caliber projectile from Mr. Howell's head.

Meanwhile after the murder, Christopher Jordan testified he drove the Cutlass from Edmond to the northwest Oklahoma City apartment of Ladell King, who was supposed to help him and Jones find a seller for a stolen vehicle. Jones arrived at King's apartment complex about fifteen minutes later driving Mr. Howell's Suburban. Ladell King and his girlfriend, Vickson McDonald, both testified that Jones arrived in the parking lot after dark on July 28, 1999, in the Suburban. Jones backed the Suburban into a parking spot under a carport then got out to speak to Mr. King. King's neighbor, Gordon Owens, was also standing outside that night and confirmed that he saw Julius Jones, whom he had met before, standing next to the Suburban talking to King and gesturing toward the vehicle.

Ladell King described Jones that night as wearing a black stocking cap on his head, a white t-shirt, dark jogging pants, a red bandana hanging from his neck and brown cotton gloves on his hands. King testified that when he first approached the Suburban, Jones told him not to touch it. King looked in the vehicle and saw a child's book bag sitting on the seat. Jones asked King, "Get ahold of your boy?" referring to Kermit Lottie, who was known to run a chop shop and was expected to buy the stolen vehicle. King indicated he had not contacted Lottie. Jones asked King if he could use the phone, and King led him into a vacant apartment across from his with a phone that they usually used. King overheard him talking to a girl on the phone. Jones and Jordan then left in the Cutlass around 10:30pm. They left the Suburban overnight in the parking lot. Jones paged King around midnight that night. King called him back, and Jones asked if he had talked to Lottie about the Suburban yet. He responded that he had not.

Christopher Jordan testified that he and Jones drove from to his brother, Laymon Jordan's, house on the south side of town. Annaliese Presley also testified that Mr. Jones told her he was at Laymon Jordan's house the night of the murder. That night, Jones told Christopher Jordan about the robbery. He said "that he was hiding behind a tree and as he came out of the tree a little girl waved to him and said hi." And that is when he claimed the gun went off "on accident." The following morning, Christopher Jordan dropped Jones off at his parents' house, and Jordan drove to his grandmother's house, where he was staying at that time.

Later that afternoon, King paged Jones, Jones called him back, and King told him he needed to move the Suburban. Jones asked if he had gotten in touch with anyone about buying the vehicle, and King confirmed that he had. Jones called him back a short time later and said he could not find Christopher Jordan, so King picked him up at his parents' house in northwest Oklahoma City.

King testified he and Jones drove together in King's Firebird and discussed moving the Suburban. They arrived back at King's apartment complex, and Jones got into the Suburban. King drove the Firebird with Jones following behind in the Suburban to Central Grocery, a convenience store located in southeast Oklahoma City, four blocks from Kermit Lottie's auto shop. Jones and King then went into the convenience store and purchased some snacks. The store's surveillance video, which captured both men in the store that afternoon, as well as still images taken from the video, were admitted at trial.

Because King knew Lottie did not allow to bring stolen vehicles directly to his shop, they left the Suburban parked outside the store and both rode in the Firebird to the shop. Kermit Lottie testified that King pulled up to his auto body shop that afternoon in a red Firebird. Lottie could tell there was someone he did not recognize sitting next to King in the passenger seat. He testified that he had not met Julius Jones before. King and Lottie both testified that King talked to Lottie about buying a Suburban. However, Lottie quickly became suspicious when he realized the description King gave of the Suburban matched the description given on the news of a Suburban stolen during the murder of an Edmond man the night before. He told King he did not want to get involved with that vehicle because a man had been killed.

After briefly stopping by the Suburban in the Central Grocery parking lot, King drove Jones back to King's apartment and let him use the phone in the vacant apartment. Christopher Jordan and Ladell King both testified that around 5:30pm, King drove Jones to the gym where Jordan was playing basketball.

3. OFFENDER'S VERSION OF INSTANT OFFENSE:

In the summer between his freshman and sophomore year of college at Oklahoma University, he spent time away from his apartment near campus in Norman and back home with his parents and siblings in Oklahoma City. Chris Jordan was a person he played on the basketball team with at John Marshall High School, and they reconnected earlier in the year in 1999 after bumping into one another at a basketball game. On July 28th, 1999, Chris and his girlfriend came to his parents' house in the morning in his girlfriend's red Geo Prism. Chris had a 1972 Cutlass that had broken down, and he was going to go with Chris that morning to Auto Zone to help get the battery recharged. Around lunch time Chris drove him to see his girlfriend at the accounting firm she worked at. He saw her for about 20 minutes and then Chris drove him to Chevy's Garage to pick up his car which was in the shop for transmission repair. The mechanic needed parts to repair the transmission, so he took the car back. On the way home, the transmission was leaking fluid and smoking. They ran into Ladell King, who was a friend of Chris's and who he had met through Chris a few weeks earlier, and Ladell flagged him down. Ladell lived close by and said he could park his car outside his apartment until he could figure out how to get the car back

to the shop. That was around 4:00pm. Chris dropped him off at his parents' house around 4:30pm. They were planning to go to his apartment in Norman so he could get some clean clothes and Chris was going to pick him up later in the day. Chris didn't come back to pick him up until much later that night. He remembers being mad at Chris because he was supposed to come get him much earlier. While he was waiting for Chris, he played games with his sister and brother and around 8:00pm his mother, father, sister, brother and he had a spaghetti dinner. The dinner sticks out in his mind because it was close to his birthday and one of his friends had given him a large birthday cookie. Sometime after dinner he went to get the cookie and there was only one piece left because his brother and sister had been eating it behind his back. Between 9:30 and 10:00pm, his mother drove his brother to work. He was at home when she left and home when she returned. He told her about his birthday cookie being gone when she returned. Between 11 and 11:30pm that evening, Chris finally picked him up and they drove to his apartment in Norman. He and Chris had words because Chris was so late. Chris seemed a bit off and told him he got into it with some guys and shot at them. He was shocked but didn't ask any questions. His thought at the time was the less he knew the better. He and Chris left Norman around 2:00am and headed back to Oklahoma City. They hung out at the apartment of Chris' brother, Laymon Jordan, between 2:30 and 3:00am. They talked, drank, played dominos and, at some point, he fell asleep. Early the next day Chris drove him to pick up his car. Chris followed him to Championship Auto where he dropped off the car to get the transmission repaired. Chris then dropped him off at his parents' house around 8:30am and he went to sleep. Sometime during the day Ladell started paging him looking for Chris. He told Ladell that he didn't know where Chris was, and Ladell asked him to help move a car since he could not reach Chris. Ladell said he would give him something (which he understood to be money) if he helped. He needed money so he agreed and Ladell picked him up around the corner from his parents' house in a red Firebird. Ladell kept asking if he knew where Chris was. When they got to Ladell's apartment, Ladell asked him to follow him in a Suburban that was parked there. That made him suspicious and he refused because he was pretty sure the Suburban was stolen based on stories he'd heard from Ladell about how he would steal cars and change the serial numbers. Ladell instead drove the Suburban and he followed in Ladell's car. Ladell parked the Suburban at the grocery store and went inside. After a minute, he went into the store. He doesn't remember if Ladell bought anything. They left the store and drove together in Ladell's Firebird to the auto shop. He later learned (after he was arrested) that the auto shop was a chop shop run by a man named Kermit Lottie. Ladell went into the garage while he waited in the car. Ladell returned 10 or 15 minutes later and looked spooked. The drove in silence back the to grocery store where the Suburban was parked and Ladell sat parked behind it for several moments as if thinking. Ladell said the garage didn't want the Suburban because there was "a body on the truck," or something like that. He didn't know what Ladell was talking about, but he had a bad feeling and should have bolted and gone to the police, but he didn't. Ladell seemed obsessed with find Chris, so he suggested that he (Ladell) look for him at the Macklanburg Recreational Center where they played ball. They saw Chris's Cutlass parked outside and Ladell walked in. He walked into the gym after Ladell and could see him and Chris having what looked like a serious discussion. Ladell left the gym in his car, and Chris drove him back to his parents' house. Chris insisted on turning on the news. It was then that he learned that someone had been killed the night before in a robbery of a Suburban. Chris left, but left his car at his parents' house. He thinks at that point things were starting to add up to him that Ladell and Chris were involved. He should have gone to the police, but he didn't. That was stupid and he regrets it, but he was becoming concerned for his family's safety. After midnight on Friday, Chris called and asked him to pick him up at a laundromat because he was locked out of his grandmother's house. He was insistent. Because he left his car at his parents' house, he took Chris's car to pick him up and they drove back to his parents' house. He went to the living room couch to watch TV and called some girls on the family phone, then fell asleep. Chris said he needed to make calls

and went upstairs to use the other phone line in his bedroom. (Looking back, he is sure that's when Chris hid the gun and bandana that the police later found in that room) By the time he woke up later Friday morning Chris was gone. After cutting the grass, he was on the phone with a friend and received a call on the other line from Ladell. (He later learned Ladell was in police custody and calling him from outside the house. The call was short. Ladell asked what he was doing and he told him he was talking to a girl. A second call came in and the person on the other end asked him if he was home. He knew something wasn't right and figured it had to do with Chris. He knew Chris was up to no good, but didn't want to be in the middle of it, so he said that Julius wasn't there and hung up. He left to find out what was going on. He didn't sneak out or jump out of a window. He left from the door in the back of the house that they always used to come in and go out of. He noticed several police vehicles on his block. On the next block, he ran into Chris, who was walking towards his house and said we should drive to Ladell's apartment to find out what was going on. Ladell's girlfriend told them that the police had Ladell. Chris told her not to worry about it and that he was going to talk to the police. When they got back in the car Chris asked him to tell his brother Laymon the police were looking for "us." He understood that to mean Chris and his brother, not Chris and him. Chris got out of the car near Macklanburg. He thought Chris was going to talk to the police like he said. He agreed to tell Chris's brother what was going on. He was arrested early Saturday morning in Laymon's apartment because he was afraid to go back to his house. He was in shock when he was arrested, handcuffed, and dragged to a police car. The officers were high-fiving one another and told him: "You know you're gonna fry." While being transferred from an Oklahoma City police car to an Edmond police car and officer removed his handcuffs and said, "Run n----r. I dare you, run." He stood frozen, knowing that if he moved, he could be shot and killed. He feels horrible for Mr. Powell and his family. He should never have helped Ladell move the Suburban and would not have done so if he knew what truly happened. He wishes he had talked to the police. He has been haunted by those terrible decisions every day for the past twenty years. He knows Ladell and Chris framed him to save themselves, but he absolutely did not commit this crime and was wrongfully convicted. He went to trial. He was found guilty and sentenced to death. His state and federal appeals have concluded. He is before this Board asking for his death sentence to be commuted to time served. (Interview Questionnaire 4/28/2021)

Date Interview Conducted: N/A

4. CHRONOLOGY OF PRIOR FELONY CONVICTIONS:

Count 1, Unlawful Use of Fictitious Name in Application for Oklahoma ID, 3 years deferred, 12/01/1998, Oklahoma County, accelerated to 1 year (30 days county jail, balance suspended) 5/26/99, expired 5/25/2000

, CF 98-7151

CC: Count 1, Larceny of Merchandise From Retailer, 1 year (30 days county jail, balance suspended), 05/26/1999, Oklahoma County, expired 5/25/2000

, CF 98-8657

CC: Count 1, Making False Declaration of Ownership to Pawnbroker, 1 year (30 days county jail, balance suspended), 05/26/1999, Oklahoma County, expired 5/25/2000

, CF 99-401

CC: Count 2, Concealing Stolen Property, 1 year (30 days county jail, balance suspended), 05/26/1999, Oklahoma County, expired 5/25/2000

, CF 99-401

Count 1, Robbery With Firearm, 12 years, 06/13/2006, Oklahoma County, discharged 4/5/2017

, CF 99-5144

CC: Count 2, Possession of Firearms, 12 years, 06/13/2006, Oklahoma County, discharged 4/5/2017

5. OTHER RELEVANT INFORMATION:

Offense Code	Offense Description	Sentence Count	Sentence Length in Years		Average (Mean)	Mode	Frequency of the mode	Mode Percent of all Sentences
			Minimum	Maximum				
No data available.								

Reference the DANR: Space limit reached for section; remainder of the protest letter is available for viewing on WebExtender.

6. EVALUATION OF PREVIOUS ADULT COMMUNITY SUPERVISION:

OK, Suspended, 05/26/1999, Expired 05/25/2000, Committed additional felonies., (J&Ss), (3 cases, 4 counts)

OK, Deferred, 12/01/1998, Accelerated to Suspended 05/26/1999, Committed additional felonies., (Acceleration Order, J&Ss)

7. EVALUATION OF ALTERNATIVE RELEASE PROGRAMS:

None

8. INSTITUTIONAL TRANSFERS:

None

9. DISCIPLINARY RECORD:

Date of last Misconduct Report: 03/23/2020

Total Misconduct Reports: 5

Past Year: 0

Violent or S/A related misconducts 2-10 years old:

03/23/2020, Disobedience to Order (A)

, Oklahoma State Penitentiary, Inspector General investigation concluded that Jones used inmate phones during his scheduled work period, and participated in a conference call not initiated by facility administration.

03/06/2020, Possession of Contraband (X)

, Oklahoma State Penitentiary, Possessed a charging cord for a cell phone.

10. SUBSTANCE ABUSE & MENTAL HEALTH HISTORY & TREATMENT:

Substance Abuse

None

Substance Abuse History & Treatment (offender)

Admits weekly use of alcohol and marijuana ages 15 to 19. (Interview Questionnaire)

No ASUS available.

Mental Health History & Treatment (offender)

Mental health code: 0 - No mental health history. (OMS)

Treatment

None

11. DOCUMENTED VIOLENT BEHAVIOR:

Shoved a store manager to the ground while attempting to shoplift 3/11/98. Identified as the perpetrator of a jewelry store robbery occurring 7/9/99 and an armed car-jacking occurring 7/21/99.

12. PROGRAM NEEDS AND PARTICIPATION:

No Programs Recommended

13. PAROLE PLAN:

Where and with whom offender plans to live:

He has a home offer with his parents in Oklahoma City, Oklahoma.

(Note to Board: There are consecutive sentences totalling 40 years) LR

Type of job and expected earnings:

Details were not provided. "To be supplemented prior to hearing."

Plans to attend school and how school will be financed:

He plans to attend the University of Oklahoma, to study ancient history, and to finance his education with grants.

14. PERSONAL INFORMATION:

Single, 1 dependent, Education: Some College

Primary Job Skill:

He had part-time jobs as a teaching assistant, at a fast food restaurant, and at a grocery store.

Employment History:

His work record was steady, but he was unemployed when arrested.

Family history related to criminal behavior:

Denies Criminal Behavior is related to personal family history

Source for above information:

(Interview Questionnaire)

15. INVESTIGATOR RECOMMENDATION:

Next scheduled parole date: None

Option 1: Commute to Life Without Parole Potential Release Date: N/A Parole Date: N/A

Option 2: Commute to Life Potential Release Date: Life Parole Date: Immediate parole eligibility/next available docket

EXHIBIT I

From: [Kyle Counts](#)
To: [Dale Baich](#)
Cc: [Amanda Bass](#); [Tom Bates](#); [Lisa Reading](#); [Jennifer Miller](#); [Jennifer Crabb](#)
Subject: Julius Jones Investigative Report
Date: Friday, August 27, 2021 5:28:23 PM

Dale,

I reviewed your filed objection and need to clarify the meaning of the section of the Pardon and Parole Board's investigative report titled "15. INVESTIGATOR RECOMMENDATION".

The PPB's investigators do not make recommendations to the Board on whether or not they should recommend a commutation to the Governor. Due to the high volume of commutation hearings held since 2019, the Board asked staff to include options for reduced sentences that are within range for the offense(s) being considered. Those options are included in the "Investigator Recommendation" section due to software limitations preventing staff from creating a new field specifically for that information. The Board knows the purpose of those options and they are included in the investigative reports for all commutations.

The PPB's investigator was not making a recommendation to the Board on how they should vote on Julius Jones' commutation. She was merely providing the options of 'Life Without Parole' or 'Life' as potential reduced sentences, as is the practice for all commutation considerations at a Stage II hearing.

Thank you,

Kyle Counts

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