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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR PACIFIC COUNTY

STATE OF WASHINGTON,  
Plaintiff,

vs.

MARTIN A. JONES,  
Defendant

) Case No. **10 1 00025**

) DECLARATION OF PROBABLE  
) CAUSE

) (Attached)

DAVID J. BURKE, Prosecuting Attorney for Pacific County, submits the attached declaration of probable cause Submitted by Detective David B. Killeen of the Washington State Partol. Based on the attached declaration, I believe there is probable cause to charge the defendant with one count of criminal attempt to commit murder in the first degree with firearm enhancement and one count of assault in the first degree.

Dated this 16<sup>th</sup> day of February, 2010.

DAVID J. BURKE, Prosecuting Attorney

By David Bustamante

DAVID BUSTAMANTE, WSBA #30668  
Senior Deputy Prosecuting Attorney

Pacific County Prosecuting Attorney  
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Pacific County  
ARRESTEE INFORMATION AND PROBABLE CAUSE SHEET  
(To be completed by the arresting officer)

Incident No: WSPT 00239R Felony  Misd.  Citation Issued: Yes  No   
Offense Date 02/13/2009 Time of Arrest 0255 Time of Booking \_\_\_\_\_

**Arrestee Identification**

Name: Martin A. Jones

DOB: 03/25/1964

AKA: \_\_\_\_\_

SS#: [REDACTED]

Address: 915 35<sup>th</sup> Ave., Seaview WA

**Co-Arrestee/Suspects Identification**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Charges**

- Attempted murder 1<sup>st</sup> degree RCW 9A.32.030
- Assault in the 1<sup>st</sup> degree RCW 9A.36.011
- \_\_\_\_\_

**Victim(s)** 5 35<sup>th</sup> Ave., Seaview WA

Name: Trooper Scott Johnson Phone #: \_\_\_\_\_

Address: Washington State Patrol Meter #: \_\_\_\_\_

Name: George Hill Phone #: \_\_\_\_\_

Address: Hills Towing Meter #: \_\_\_\_\_

- Attempted murder 1<sup>st</sup> degree RCW 9A.32.030
- Assault in the 1<sup>st</sup> degree RCW 9A.36.011
- \_\_\_\_\_

**Location of Incident**

SR 103 at 13th Street in the city on Longview, Washington.

**Incident No: \_\_\_\_\_ PROBABLE CAUSE STATEMENT (S)**

NOTE: Except for warrant booking/arrests, you must state Probable Cause for each new felony, misdemeanor, or traffic offense. Include the types and approximate value of property damage or taken property in property offenses and the type and amount of controlled substance in drug cases. For citation cases, attach a copy in addition to stating probable cause. Failure to provide a statement of probable cause herein will result in prisoner's automatic release. Attach extra sheet if necessary.

On February 13, 2009, at about 12:16 a.m., Trooper Jesse Greene of the Washington State Patrol observed a black passenger van traveling north on SR 103 near mile marker 1 traveling faster than the posted speed limit of 35 mph. The trooper's radar indicated at speed of the vehicle to be 46 mph. Trooper Greene stopped the vehicle near the intersection of 13<sup>th</sup> Street. Trooper Greene contacted the driver and sole occupant of the vehicle. She was identified as Susan M. Jones, date of birth: 10/24/1964. Trooper Greene requested Susan Jones to complete a battery of standardized field sobriety test. As a result of those test Trooper Greene place Susan Jones under arrest for Driving Under the Influence (DUI).

SR 103 at 13th Street in the city on Longview, Washington.

Washington State Trooper Scott Johnson arrived to assist Trooper Greene. Trooper Greene took Susan Jones to the Long Beach Police Department to administer the breath test. Trooper Johnson stayed with the vehicle while it was being impounded by Hills Towing. Tow operator George Hill arrived to impound the vehicle. During the impound process a white male pedestrian arrived at the scene from the north and contacted George Hill and asked what he was doing Hill responded he was impounding a vehicle from a DUI arrest. He then continued walking south and contacted Trooper Johnson. He had a brief contact with Trooper Johnson before continuing south past the scene.

As short time later Trooper Johnson was in the process of conducting a vehicle inventory when Hill noticed the same person who walked by earlier come up from behind of Trooper Johnson. Hill stated he saw the persons hand come up to the back of Trooper Johnson's head. Hill stated he did not see a weapon at that time, but he heard a sound he recognized as a gunshot. He stated just prior to the gun shot he observed Trooper Johnson start to turn his head away from the weapon. After the shot the shooter stepped back and made some kind of a chuckling sound. Hill ran after the subject for a short distance when the subject turned and fired his weapon at Hill striking the van in the passenger side window. At that point Hill retreated back behind his tow vehicle. Hill contacted Trooper Johnson. Trooper Johnson advised Hill he had been shot in the back of the head. At that time the subject returned passing in front for Trooper Johnson. Trooper Johnson fired two rounds.

Washington State Trooper Scott Johnson arrived to assist Trooper Greene.

The initial investigation lead detectives the home of Susan and Martin JONES. Lewis County K-9 tracked from the scene to the JONES resident 915 35<sup>th</sup> Place Sea View, Washington, which is approximately 1 mile south of the scene. Hours after the shooting, Martin was interviewed by detectives. Hill was driven by the house to view JONES to identify JONES as the shooter. Hill stated at that time that JONES was not the person who shot Trooper Johnson and fired at him. A

After the shooting, Martin was interviewed and the shooter. Hill stated at that time that highly medicated Trooper Johnson was shown a photo of JONES, at that time Trooper Johnson stated could not identify JONES as the shooter.

On February 13, 2010, sketch artist from the Thurston County Sheriff's Office contacted Hill and completed a sketch of the possible suspect. At the time of completion, Hill was not satisfied with the completed drawing. On February 14, 2010, the sketch artist contacted Trooper Johnson at the hospital and completed a second sketch of the subject. The second sketch was different from the first and looked much more like JONES than the first sketch. On February 14, a photo montage was completed with JONES included and shown to Trooper Johnson. Without any hesitation Trooper Johnson identified JONES as the shooter.

With this new information detectives attempted to locate JONES. At the time JONES was contacted, his suitcases were packed indicating he was planning on leaving the area. JONES was taken into custody and advised of his Constitutional Rights, without incident. JONES never made comment or made any statements of the incident to detectives.

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The facts of the alleged criminal activity took place in Pacific County, Washington.  
I certify under penalty of perjury under the Laws of the State of Washington that the foregoing statement(s) of Probable Cause are true and correct.  
Date: 02/13/2010 City: Long Beach WA Arresting Officer's Signature: DAVID B. KILLEN

I certify under penalty of perjury under the Laws of the State of Washington that I read the foregoing affidavit of Officer \_\_\_\_\_ verbally telephonically to Judge/Judge Pro Tem \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ am/pm. I further certify that said Judge/Judge Pro Tem has authorized me to check the box as checked below.  
Correction Officer: \_\_\_\_\_ Printed Name: \_\_\_\_\_

- ( ) THE FOREGOING AFFIDAVIT ESTABLISHES PROBABLE CAUSE SUFFICIENT TO DETAIN THE ABOVE NAMED ARRESTEE.
- ( ) THE FOREGOING AFFIDAVIT DOES NOT ESTABLISH PROBABLE CAUSE SUFFICIENT TO DETAIN THE ABOVE NAMED ARRESTEE.

I certify that the above checked box was authorized telephonically by me on the date shown above.

Verify that the above checked box was authorized

Date Signed \_\_\_\_\_

Judge/Judge Pro Tem \_\_\_\_\_

\*Original to Judge who authorized Probable Cause

\*\*Copies to Jail and Prosecutor's Office

Date Signed \_\_\_\_\_

Judge \_\_\_\_\_

\*Original to Judge who authorized Probable Cause

\*\*Copies to Jail and Prosecutor's Office