

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,)
)
Plaintiff,)
)
vs.) Case No. CF-2012-1619
)
JACOB CARL ENGLAND)
ALVIN LEE WATTS)
)
Defendants.)

DISTRICT COURT
FILED
APR 13 2012
SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

AMENDED MOTION FOR DETENTION WITHOUT BOND

The State of Oklahoma, pursuant to Article II § 8 of the Oklahoma Constitution and *Brill v. Gurich*, 965 P.2d 404 (Okla. Cr. 1998) requests that the above named Defendant be held without bond pending trial.

The information in this pleading is provided for the purposes of this application for a “no-bond” holding.¹ On April 6, 2012, police responded to several locations in north Tulsa. Further investigation showed that three individuals – 54-year-old Bobby Clark, 49-year-old Dannaer Fields and 31-year-old William Terrell Allen – had been shot and subsequently died. Two other individuals – 44-year-old Deon Lawayne Tucker and 46-year-old David Wayne Hall – were shot but lived. The investigation revealed that witnesses reported in three of the shootings that those responsible were in a white truck. The shootings, according to police reports, were random, took place within a short period of time in a five-mile radius in north Tulsa. Each victim was an African American.

¹ The Defendants are presumed innocent until proven guilty. Ultimately, any evidence presented in a court of law will have to be objectively evaluated by a judge and/or a jury. The information in this pleading is a brief summary of what is contained in police reports.

When the Defendants were taken before a magistrate on April 9, 2012, the Hon. Bill Hiddle set an aggregate bond of \$9.16 million. At the time the bond was set, this Court had limited information regarding the crimes. However, the Tulsa County District Attorney's Office obtained investigative reports from the Tulsa Police Department on April 12, 2012 and, based on the information in those reports, has filed this motion to hold both Defendants without bond, pursuant to *Bruce Brill v. The Hon. Noma Gurich*, 965 P.2d 404 (Okla. 1998).

In support of this request, the State offers the following information/argument:

1. That Defendant is charged in the following pending cases all listed below:

CF-2012-xxxxx

Ct. 1 – MURDER IN THE FIRST DEGREE

Ct. 2 – MURDER IN THE FIRST DEGREE

Ct. 3 – MURDER IN THE FIRST DEGREE

Ct. 4 – SHOOTING WITH INTENT TO KILL

Ct. 5 – SHOOTING WITH INTENT TO KILL

Ct. 6 – MALICIOUS HARASSMENT

Ct. 7 -- MALICIOUS HARASSMENT

Ct. 8 – MALICIOUS HARASSMENT

Ct.9 – MALICIOUS HARASSMENT

Ct. 10 -- MALICIOUS HARASSMENT

2. Oklahoma law, pursuant to *Brill, supra*, allows the Court to determine the amount of bail and, if supported by the evidence, the Court has the discretion to hold the Defendants without bond.
3. Three of these charges are potentially capital offenses. Investigative reports from the Tulsa Police Department clearly show that the proof of guilt is evident and the likelihood of the Defendants receiving multiple convictions is great. Based on the police reports, the evidence includes admissions by both Defendants as to their involvement in the three murder charges and the two SWIK charges.
4. All of these charges are violent and serious offenses and the maximum sentence for First Degree Murder is death or life without parole, depending on whether the State seeks the death penalty. The two SWIK charges carry up to life in prison.
5. The criminal history of Defendant Jake England is minimal. Records to date show he has a Driving Under Suspension and a municipal traffic ticket. Records show Alvin

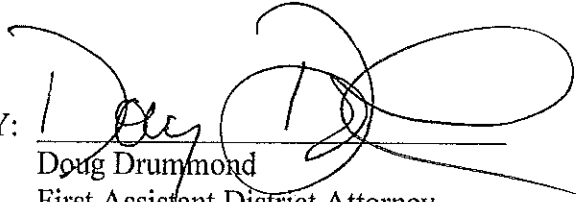
Lee Watts has arrests for Assault and Battery, KCSP and Aggravated Assault and Battery.

6. The State does not have information regarding the reputation and mental condition of the Defendants and is still gathering information as to how long the Defendants have resided in Tulsa County.
7. It is not known what family ties and relationships the Defendants have in this community. The State does not have specific information at this juncture regarding employment status, record of employment and financial condition. To date, the State has no information on anyone in the community who would vouch for the reliability of the Defendants.
8. The State argues that these crimes were senseless acts of violence and showed no respect for human life. In a brief time span, the State alleges these two men randomly shot five humans, killing three of them. There is no evidence to date than any of the victims did anything to provoke the Defendants and, in fact, were innocent bystanders. This information clearly indicates that both Defendants are a danger to to public safety in this community and they have strong incentive to flee the jurisdiction if they were able to make bond.
9. Based on the factors outlined in *Brill*, as discussed above, the State contends that there is no condition or combination of conditions which will ensure these Defendants do not harm anyone else in the community. The above information as well as the investigation to date clearly justify holding both men without bond. The State acknowledges that both Defendants, once represented by counsel, have a right to a hearing on this matter, but the State asks this Court to hold without bond until such a hearing can take place.

Respectfully submitted,

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BY:


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