



**OKLAHOMA  
PROBABLE CAUSE AFFIDAVIT**  
Choctaw Nation VS STANSBURY, BRANDON

**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA COURT  
STATE OF OKLAHOMA**

Plaintiff, )  
Choctaw Nation )  
VS )  
Defendant, )  
STANSBURY, BRANDON )

Case No 202202019

CF-22-70

FILED  
CHOCTAW NATION OF OKLAHOMA  
DISTRICT COURT CLERK

FEB 07 2022

SUSAN LOZANO  
COURT CLERK

BY J. Phlips DEPUTY

**PROBABLE CAUSE AFFIDAVIT FOR ARREST WITHOUT WARRANT**

Comes now the undersigned Affiant, and states upon Oath or Affirmation that the following information and facts are correct to the best of the Affiant's knowledge and belief. The undersigned believes that probable cause exists for the detention of the below named ARRESTEE for the below listed crimes committed on the below listed date, in McCurtain County , Oklahoma.

**Subject Name** STANSBURY, BRANDON

<b>DOB</b>	02/06/1997	<b>SSN</b>		<b>Sex</b>	Male
<b>Race</b>	White	<b>Hair</b>	Blond or Strawberry	<b>Eye</b>	Brown
<b>Height</b>	5 FL 10 In.	<b>Weight</b>	200	<b>Ethnicity</b>	Not Hispanic Origin
<b>Address</b>	904 SW Arkansas, Idabel, Oklahoma 74745				

**Arrest Date / Time** 02/06/2022 09:38

**Arrest Location / City** MCSO

**Offense Location / City**

**Offense(s) Committed / Anticipated Charge(s)**

21 O.S. § 437(1) - Assists prisoner to escape if the prisoner was confined a felony.

21 O.S. § 421(C) - conspiracy to commit felony

57 O.S. § 21(A) - Brings into any jail or penal institution any weapon, explosives, drugs, alcohol or money or financial document for a person other than a inmate.

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STATE OF OKLAHOMA VS STANSBURY, BRANDON (Continued)

**Facts & Circumstance that support probable cause to arrest the above named person are**

McCurtain County Sheriff Office is cross commissioned with the Choctaw Nation Tribal Police. I, Richard Williamson is commissioned with the McCurtain County Sheriff Office as a Domestic Violence/Sexual Assault Investigator. I am currently cross commissioned with the Choctaw Nation Tribal Police. The crime occurred in Choctaw Nation of Oklahoma as a new ruling from the Supreme Court. The Defendant in this case is a Choctaw Nation Tribal Member CN008510. The victim is a non - Tribal Member

On February 03, 2022, while working in my current jurisdiction as a Special Victim Unit Investigator, and ICAC task force member who is representing the McCurtain County Sheriff Office in McCurtain County Oklahoma, I, Richard Williamson was given the information.

I was advised that four inmates who were identified as Kolby Watson, Justin Huges, Donnie Kale Middlebrooks, and Jerome Rutherford Jr. have escaped from the McCurtain County Jail Trust. I was advised that all inmates were being housed in "H" block.

On the date of the jail escape, Brandon Roy Scott Stansbury did a count of inmates at 0800. I was advised that Brandon moved Jerome Rutherford and inmate Cooper from "J" pod to "H" pod just before Jerome escaped. Cooper was caught by jailer Stockton, while trying to escape. This was done without authorization from supervisors or administration. I was advised that it is jail policy that before moving any inmates that supervisor must be notified and must be logged in the jail log. Neither was done by Brandon. Located in "H" pod was tools used to pry open and remove bolts from a hatch that led to the roof of the jail and allowed the inmates to escape.

I was advised that it is standard jail policy to do a count of inmates at shift change and mealtimes. This includes printing off the jail roster with photograph to confirm all inmates are present. Stansbury was seen on video doing the count with a sticky note. It was discovered that inmates escaped by using tools that were found to pry open a hatch open and escape through the roof of the building. Kolby Watson was last seen on video 0730 and escaped when Brandon did the head count and did not report Watson was escaped from the jail.

**Interview of Kason Watson**

On January 22, 2022, Kason Watson was subcontracted with Tracy Harrington who was hired to do electrical repair for the jail in "H" block. It was later confirmed that Kason Watson was the biological brother of inmate Kolby Watson.

On February 04, 2022, I interviewed Kason, he stated that after the job was complete that they did a tool count of the tools that were brought into the jail and that all tools were accounted for. Kason stated that once he left the jail, he noted that a pair of pliers were missing, and he stated that he reported it to his boss Tracy. Kason stated that he did not report it to the jail, because "they acted like they did not care so why should I". Kason stated that he observed that his brother escaped on Facebook and on February 03, 2022, Kolby came to his home on Lavender Road. Kason stated that he visited with his brother for a short time and was told by his brother that it is "okay" if he is out as long as he is back before the shift change at 8 o'clock like they have been". Kason stated that Kolby advised him that he has been escaping the jail for the past three days and planned on going back to the jail. It was later determined that this was on the same shift that Brandon works on three days that prior. Kason reported that he did not contact the Sheriff Office when his brother left because he thought his brother was going to go back to the jail. On February 04, 2022, when Kason noted that he did not make it back, he contacted Deputy Bruce Johnson and reported to him that his tools were missing from the job he did at the jail in January. Kason did not report to Deputy Johnson that he saw his brother the day prior. Kason was placed into custody and resides in McCurtain County Jail Trust.

**Other inmates interviews**

Myself along with Deputy Brian Sears began to interview inmates that were in the same pod as the escapees, I spoke with inmate identified as Damon Tate. Tate stated a Jailer he identified as Brandon Stansbury. Damon stated that he witnessed Jailer Stansbury bringing contraband in the jail to the inmates. Tate stated he witnessed Stansbury give methamphetamine to Inmate Aaron Paul Victory Jr. in the evening of February 03, 2022. Tate stated Victory came to his cell after Stansbury left and asked him if he wanted to do some of the methamphetamine that he got from Stansbury.

Tate stated he has seen Stansbury drop marijuana and methamphetamine in the cell block next to his. Tate stated he observed inmate Cameron Shoults would place an order of drugs and cellular phones and was told that someone would come to Stansbury's residence to drop the product off. Tate stated Stansbury has an ice chest on his porch that the person would place the items in and he would get out and bring them in the jail and disperse to the inmates. After gathering intelligence for confirming the residence of Stansbury there was a blue in color ice chest on the front porch. Tate stated that he has observed other inmates use phones in the jail to place orders for narcotics that was believed to be made to Stansbury.

**Search Warrant**

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A search warrant was prepared with the assistance of Choctaw Tribal Investigator Matthew Barreras and was signed by Choctaw Tribal judge for the residence of Brandon. The search warrant was executed with the assistance of Tribal Officer Robert Toon. After a knock and announce was completed and no answer a breach of the back door was made damage from the breach was photographed. It was determined that no person was inside at the time. During the search of the residence, an ice chest that is blue in color was on the front porch as described. After searching the ice chest, located inside was marijuana was found inside along with ammo and other items. Inside the home, I located various cell phones that will be requested a warrant for data extraction. Also, in the home. Located were several guns that were noted. Various small amounts of baggies with white powder residue that with my training and experience as a law enforcement officer is believed to be methamphetamine inside. Also located in the home was suspected drug paraphernalia with white powder residue. Dominion and control was located in the form of a insurance bill with the name Brandon Stansbury. All evidence was photographed and collected and will be secured in the evidence room at the McCurtain County Sheriff Office.

**Brandon Arrest and interview**

Brandon was located at the home of his mother by Tribal Officer Toon. Brandon was placed into custody and taken to the McCurtain County Sheriff Office. I was able to interview Brandon. He was read his rights under the Miranda Rights, and he waived his rights and agreed to speak to me. The interview was video, and audio recorded. Brandon was interviewed and asked about the allegations against him. He stated that he did bring narcotics into the jail, Brandon advised that right before he was suspended for the assault on inmate, he was confronted by inmate Kolby. Kolby told him that there would be someone in his mailbox and that Brandon would bring it to him or he would kill his family. Brandon stated that he was suspended for the assault and after he got back from the suspension a person that he identified as Kenny Holt told him that if he did not bring what is left, he would kill his family. Brandon stated that notes was left on his door also making threats. Brandon did not report the threats to anyone. Brandon stated that he did as he was told and that the inmates used the cellphones that were brought into the jail to contact him and tell him that "product" would be put in the ice chest on his front porch. Brandon denied knowing what he brought in as it was prepackaged and wrapped up and he just delivered it. When the search warrant was executed, the narcotics located in the ice chest was not prepackaged where you can not tell what it is.

Brandon advised that he had no knowledge that the inmates were leaving on his shift and deny aiding in the escape of the inmates. Brandon stated he did not use narcotics and when advised that narcotics were located in several locations in his home including by his bed, he stated that it may be a friend of his that uses cocaine.


Brandon delivered narcotics into the jail to various inmates and moved inmates to the pod that they escaped from without authorization or logging it as per policy. The times that the inmates were leaving on days prior to and the day the escape was done Brandon was on shift and the jailer that was control of head count that he did not do correctly. Brandon help conspire and assist in the escape of the inmates.

Brandon was taken to the Bryan County Jail for booking and I am requesting charges through the Choctaw Nation Prosecutor Office.

AFCF ?     Time (1)     Time (2)    or Other

Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.

Officer Name: WILLIAMSON, RICHARD    Badge Number: 4504

  
\_\_\_\_\_  
Signature of Affiant

Subscribed and sworn before me on 2-6-22

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My commission number 21015762

My commission expires 12-7-25

Brian Sears  
 Notary Public



[ NO ] Sheriff's Affidavit Required ?

[ ] Bond Posted ?

[ ] A probable cause determination is not necessary, the arrestee bonded out of jail on \_\_\_\_\_

[ ] Appear in Court ?

The undersigned Judge of this Court having conducted a probable cause determination for the above named person's arrest without warrant by sworn testimony and/or affidavit finds:

[ ] This affidavit/testimony contains sufficient facts showing probable cause for the person's arrest existed at the time of the arrest. Arraignment before a court is ordered on \_\_\_\_\_

[ ] This affidavit/testimony contains insufficient facts to show probable cause for the person's arrest existed at the time of arrest. The arrestee is ordered released from custody immediately.

I make the preceding findings and order pursuant to Gerstein v. Pugh, 420 U.S. 103 (1975), and County of Riverside v. McLaughlin, No. 89-1817 (U.S. May 13, 1991) (Lexis 2528):

**FINDING OF PROBABLE CAUSE**

The Undersigned Judge of this Court, upon sworn affidavit, hereby determines there to be probable cause for issuance of an arrest without warrant.

Date 2/6/22

[Signature]

JUDGE OF THE COURT

.....  
 Date \_\_\_\_\_

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OFFICER / SUPERVISOR SIGNATURE

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## Re: Brandon Stansbury arrest



Mark Morrison

To ● Kelsey Rhae Long; ☒ **CNO Dist Judges**  
Cc ○ TribalProsecutor; ● Jana M Williamson; ○ Robert L. Apala

↩ Reply

↩ Reply All

➔ Forward



Sun 2/6/2022 9:01 PM

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I find probable cause to detain this arrestee. Clerk is authorized to stamp my signature on the affidavit and file same. This arrestee shall be held without bail until appearance.

IT IS SO ORDERED!

Mark A. Morrison

Judge of the District Court

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**From:** Kelsey Rhae Long <[kelseyl@choctawnation.com](mailto:kelseyl@choctawnation.com)>

**Sent:** Sunday, February 6, 2022 2:41:11 PM

**To:** CNO Dist Judges <[cnodistjudges@choctawnation.com](mailto:cnodistjudges@choctawnation.com)>

**Cc:** TribalProsecutor <[tribalprosecutor@choctawnation.com](mailto:tribalprosecutor@choctawnation.com)>; Jana M Williamson <[jwilliamson@choctawnation.com](mailto:jwilliamson@choctawnation.com)>; Robert L. Apala <[rapala@choctawnation.com](mailto:rapala@choctawnation.com)>

**Subject:** Brandon Stansbury arrest

Please see the attached arrest affidavit for Brandon Stansbury. He was arrested 2/6/22