

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HENDRICKS )

IN THE HENDRICKS SUPERIOR COURT

CAUSE NO:

## **PROBABLE CAUSE AFFIDAVIT**

**I swear and affirm, under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing and following representations in this document submission are true.**

**In support of affiant's assertion of Probable Cause, the following facts are known to affiant, to wit:**

STATE OF INDIANA, COUNTY OF Hendricks SS: Detective Randy Pratt, of the Indiana State Police for 31 years after having been sworn upon my oath, swears (affirms) that:

On 3-25-22, I learned from officers at the scene and Mr. Joseph Jackson (DOB 7/30/1999) that Mr. Jackson had called for a tow truck near the east bound rest park on I-70 which is the 64 mile marker because he had suffered a flat tire on his gray Jeep. There was some sort of altercation between Mr. Jackson and the tow truck driver after the Jeep was already loaded on the flatbed of the tow truck. The tow truck driver called 911 and stated that he had been shot approximately 5 times at the east bound ramp to the rest park which was where he was laying when authorities arrived. The tow truck driver provided information that the suspect was driving his tow truck, which is owned by Curtis Garage and Wrecker, with the gray Jeep already loaded on the flatbed truck. Then Plainfield Officer Gruca located the tow truck matching that description at the I-70 off ramp. Officer Gruca then attempted a traffic stop on I-70 just west of SR 267. Officer Gruca and Sumner conducted a felony traffic stop on the tow truck. Mr. Jackson complied and stopped the vehicle and complied with all commands. After Mr. Jackson was taken into custody, officers cleared the vehicle for additional passengers and observed a black handgun located in the driver's area of the tow truck. After officers secured the daughter from the vehicle, Mr. Jackson was read his Miranda Warnings and eventually transported to Plainfield PD for a formal interview after speaking with officers on scene at the traffic stop.

At the scene of the traffic stop on I-70 just west of SR 267 where the towing truck and Jeep were recovered, Plainfield Police Officer Sumner is on video reading Mr. Jackson his Miranda Warnings at this scene. Officer Sumner asked Mr. Jackson if he understood his rights and he said "yes sir". Mr. Jackson said "are you going to use it against me"? Officer Sumner replied it is a yes or no question. Then Mr. Jackson stated that I don't want to talk to you but I do want to explain what happened. Then Corporal Wuest said to Mr. Jackson "can you give us an understanding of what's going on"? Mr. Jackson then replied to this explaining that he got a flat tire, then a gentlemen approached him. This gentlemen apparently said something about his 4 year old daughter that was absurd and made Mr. Jackson uncomfortable and that is what sparked the whole situation. After stating this, he was worried about the officers hurting him that were standing near him while he was speaking. Corporal Wuest reassured Mr. Jackson that nobody was going to hurt him and Mr. Jackson continued speaking. He went on to say that the tow truck driver said to him that he needed to test his daughter out before he took him to his destination. He then asked the tow truck driver to take him to the Grey Hound Bus Station. Mr. Jackson then states "don't hurt my child please". The officers then tell him that his daughter is safe and sound in the back of a police car. Mr. Jackson continued on with his story, stating that the tow truck driver told him that he would not take him to his destination. Then Mr. Jackson says that the tow truck driver says to him that he is going to the I-70 rest park to assess his daughter. Mr. Jackson then states that everyone is around him and no one is listening. Corporal Wuest assured Mr. Jackson that he was listening and Mr. Jackson continued speaking.

Mr. Jackson goes on to say that the tow truck driver told him again that he wasn't taking him to the Greyhound Bus Station and that it wasn't possible. Then Mr. Jackson states that the tow truck driver continued making comments about his daughter. Then Mr. Jackson states that he told the tow truck driver to unhook my vehicle and let me go and the tow truck driver said "no". Mr. Jackson then states that the tow truck driver got out and started running after he made the comments about his daughter. Then Corporal Wuest asked him which direction the tow truck driver ran, Mr. Jackson said he just took off the other way essentially leaving him stuck in the truck with his car up on the tow truck. Mr. Jackson states that "he tried to hurt my family" when asked if he was hurt. When officers asked if the tow truck driver was hurt, Mr. Jackson stated "I don't know where he is". He then stated "he might be hurt". Corporal Wuest asked Mr. Jackson if there was a firearm involved and he nodded his head in the affirmative. Then Corporal Wuest asked if the firearm was his and he stated "yes sir". Corporal Wuest then asked Mr. Jackson if it was a fair assessment to say that he shot at the tow truck driver? Mr. Jackson did not answer verbally but he is seen on body camera as he nods his head in the affirmative.

Then while Trooper Mike Wright is talking to Mr. Jackson, he summarizes everything that he stated to Corporal Wuest and stresses that the tow truck driver said sexual comments about his daughter. Then after this Mr. Jackson states the tow truck driver took off running, Mr. Jackson states that he then shot rounds at him (the tow truck driver). Trooper Wright asked Mr. Jackson from inside the vehicle and Mr. Jackson stated that he initially started shooting him from the inside of the vehicle. Then Mr. Jackson states that "why would the tow truck driver run when he called him for help". Then Trooper Wright asked Mr. Jackson how many rounds he shot after he got out of the vehicle and Mr. Jackson stated "2 or 3 maybe". Trooper Wright then asked did he (tow truck driver) go down and Mr. Jackson nodded his head in the affirmative and he also stated "yes sir". Trooper Wright then asked what happened and Mr. Jackson stated that "I sat there for a minute and then I tried to call you guys". He also stated that the first signal did not go through then he tried to call again.

Some of the audio cannot be heard because of sirens and road side traffic.

Trooper Wright indicated to Mr. Jackson that he did not understand why the tow truck made it east bound from the rest park and now it is on the west bound side of I-70. Trooper Wright asked him if he turned the tow truck around at SR 267 and I-70 to go back west bound and Mr. Jackson nodded his head in the affirmative. Trooper Wright asked Mr. Jackson if this location is where he got stopped and Mr. Jackson stated "yes". When Trooper Wright asked Mr. Jackson why he turned around going west bound in the tow truck, Mr. Jackson replied "he didn't want to leave the crime scene".

Mr. Jackson's daughter was with him during these incidents in the tow truck. She is being forensically interviewed at Susie's Place at this time. I learned from ISP Detective Allen that she did not disclose anything that would help our case. That interview will be submitted into evidence by Detective Allen.

After we got Mr. Jackson to the Plainfield Police Department, he invoked his right to counsel several times but he was still talking even though I told him that the interview was over. While I was trying to leave the interview room, I heard Mr. Jackson utter "I did not mean to hurt him".

**On Saturday 3-26-22**, I was able to interview the victim in this case, Mr. Matthew Roberts. He gave me an approximately 8 plus minute recorded interview from his room [REDACTED] at Eskenazi Hospital. Here is a summary of the interview: Near the beginning of the interview I showed Mr. Roberts a BMV picture of Mr. Jackson Jr. and he immediately recognized him as the man that shot him. According to Mr. Roberts, when he arrived for this break down at the I-70 east bound Rest Park, he asked Mr. Jackson and his daughter to get in his truck mostly for safety concerns. Once they get in the truck, Mr. Roberts loaded his Jeep onto his flatbed truck. When Mr. Roberts got back in the truck, the 4 year old daughter moved up into the front seat. Mr. Roberts said good morning sweetie or honey to her. Then he says that Mr. Jackson told Mr. Roberts that she has a name and it is [REDACTED]. Then Mr. Roberts stated "I'm sorry I did not

realize". Mr. Roberts then says that Mr. Jackson responded that "it is not your responsibility to know that". Then Mr. Roberts explained what he was going to do. Mr. Roberts wanted to pull up into the rest park and talk about what they were going to do. Mr. Roberts stated that Mr. Jackson Then Mr. Roberts says that Mr. Jackson says that "I already know what we are going to do". He says that Mr. Jackson told him that since you have my car you are going to take me to the Greyhound Bus Station with no funny business. Basically Mr. Roberts says that he just wanted to pull over and talk about payment and what they were going to do as far as where to take them and his vehicle. Mr. Roberts told him there is no funny business sir. During this conversation, Mr. Roberts noticed a behavior change in Mr. Jackson and that he was acting strange. At this point, Mr. Jackson reached down with his right hand and told Mr. Roberts that I will kill you right here". Mr. Roberts stated you don't have to do that sir, I have a family. Mr. Jackson replied "I don't give a fuck". As Mr. Jackson pulled a black gun out, Mr. Roberts exited the vehicle but was first hit in the left forearm. At this point Mr. Roberts was on the ground, when he looked up and saw Mr. Jackson peering out of the tow truck with the black pistol. Mr. Roberts knew he had been hit several more times. Mr. Roberts witnessed Mr. Jackson exit the tow truck and was trying to operate the bed of the flatbed truck but he was not able operate the bed so Mr. Jackson got back in the tow truck and took off. Mr. Roberts observed that Mr. Jackson was not acting right and seemed to have already made his mind up and where he wanted to go and do. Mr. Roberts states that he believes that Mr. Jackson Jr. shot 5-6 times with the black pistol. This is just a summary of the interview. For full details, please review the recorded interview.

Also, while at Eskenazi Hospital I was able to obtain one bullet that was taken out of Mr. Roberts during surgery. I took possession of the bullet at approximately 0902 hours on Saturday 3-26-22. I signed their chain of custody form and received a pink copy for my records. I will later scan that into our RMS case report system. That bullet will soon be submitted into temporary evidence and a request for examination will be submitted.

Based on the above information, I would request that probable cause be found for the offenses of:

Attempted Murder IC 35-41-5-1 Level 1

Aggravated Battery IC 35-42-2-1.5 Level 3

Criminal Conversion IC 35-43-4-3 Level 5

Neglect of a Dependent IC 35-46-1-4

Carrying a Handgun without a License IC 35-47-2-1 Class A Misdemeanor

/s/ Randy Pratt 5536  
Detective Randy Pratt, AFFIANT  
Date: 3/28/2022