

STATE OF NEW YORK: COUNTY OF OSWEGO: COUNTY COURT

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

ALAN L. JONES, Defendant

INDICTMENT


08C-182

THE GRAND JURY of the County of Oswego, by this Indictment accuse

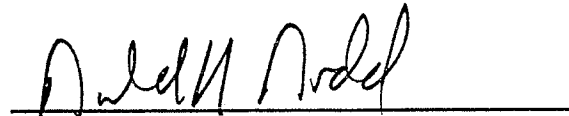
ALAN L. JONES

of the crime of MURDER IN THE SECOND DEGREE, a CLASS A-1 FELONY, committed as follows:

On or about August 29, 2008, inside of a residence located at 1678 State Route 64, Town of Palermo, County of Oswego, State of New York, the said defendant under circumstances evincing a depraved indifference to the human life of Erin Maxwell, did recklessly engage in conduct which created a grave risk of death to her and thereby caused her death by strangulation with a rope, in violation of §125.25(2) of the Penal Law of the State of New York.



CONSTANCE C. SIDERIS
GRAND JURY FOREPERSON



DONALD H. DODD
DISTRICT ATTORNEY

PEOPLE V. ALAN L. JONES
710.30 STATEMENT

INDICTMENT #08C-182

Please be advised that the People intend to offer at time of trial evidence of a statement made by the defendant to a public servant as follows:

All of the notices are sum and substances of the conversations with Alan Jones are attached as follows:.

- 1) On September 11, 2008, at approximately 8:30 A.M. to 11:00 A.M., at Lot 12, Kerfien Mobile Park, Town of Volney, County of Oswego, State of New York, to Inv. Todd Grant.
- 2) On September 11, 2008, at approximately 8:30 A.M. to 11:00 A.M., at Lot 12, Kefien Mobile Park, Town of Volney, County of Oswego, State of New York, to Inv. Michael Grande.
- 3) On August 29, 2008, at approximately 9:38 P.M. at the New York State Police Barracks, Fulton, New York, to Inv. Michael Dolly.
- 4) On August 30, 2008, at approximately 1:00 A.M. through 7:15 A.M., at the New York State Police Barracks, North Syracuse, New York to Inv. Paul Olson.
- 5) On August 29, 2008, at approximately 5:40 P.M., at 1678 State Route 264, Town of Palermo, County of Oswego, State of New York, to Trooper Finkle.
- 6) On August 29, 2008 to August 30, 2008, at approximately 9:30 P.M. to 7:15 A.M., at the New York State Police Barracks, Fulton and at the New York State Police Barracks, North Syracuse to Sr. Inv. Bourgeois.
- 7) On August 29, 2008, at approximately 6:30 P.M. to 6:50 P.M., near 1678 State Route 264, Town of Palermo, County of Oswego, State of New York to Inv. Karl Stonebarger.

STATE OF NEW YORK
COUNTY

COURT

COUNTY OF
TOWN of

OSWEGO
VOLNEY

THE PEOPLE OF THE STATE OF NEW YORK

-VS-

Alan Jones

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of the statements made by the defendant to a public servant,
TO WIT:

Defendant was interviewed on 9/11/08 at his residence, LT # 12, Kerfieu Mobile Park, T/Volney, NY at approximately 8:30AM until approximately 11:00AM and made the following statements:

Jones stated that before Erin's death his typical day would start when he got up between 1PM and 3PM. He would usually then set up his laptop at the kitchen table and proceed to go online, and more specifically, begin playing Guild Wars. He stated he remains on the internet, in some form, for most of the rest of his waking day. He states that he sleeps approximately 9 hours each day and his bedtime varies with what activity (on the computer) he is involved in. Jones stated that other than playing games via the internet, Jones has a keen interest in the Sterling Renaissance Fair which is held each summer in Sterling NY. He stated he buys a season pass for the event each season. Very often attending with his family and friend, Lovell, in period attire. Jones advises he is also very interested in Science, which his step-father Warren Maxwell often teases him about. Jones stated that Warren often pokes fun at what he doesn't understand. Jones stated that since Erin's death, he believes he and his stepfather (Warren) are getting along better than ever. Jones stated that he believes that he got up from bed at around 3:00PM on that day, and as usual, set up his laptop in the kitchen, logged on and began playing Guild Wars. He stated that his stepfather Warren and his stepsister Erin were the only other people at the house until his mother arrived home from work. He stated that he may have originally told the police that his mother had arrived home from work that Friday at around 5:00PM, but that was not accurate. He stated that he has since learned from his mother that she arrived home at her usual time, about 4:30PM. Jones stated that when he originally stated it was 5:00PM, he was basing that on the fact that, that whole week his mother had been working a little later than normal at work, and arriving home close to 5PM all week. No matter what the time she arrived home, Jones stated that he recalls her and his stepfather doing some routine things around the house for about 15 or 20 minutes after she got home, and then both she and Warren departed for Walmart. He stated that his mother told him that he would have to get Erin her dinner and that she was putting Erin in her room before they left. Jones stated that by putting Erin in her room, that meant she was latching the door from the outside, which he said prevented Erin from getting out of her room and getting into things. He stated that this was customary, only the usual time Erin was made to go to her room for the night was later, around 6:00PM. Jones stated that he believed that they left for Walmart sometime between 4:50PM and 5:00PM. He stated that he was playing Guild Wars when they left. He stated that within 10 or 15 minutes after they left, Erin called out to him from her bedroom asking him if he would get her dinner. Jones stated that he subsequently got up from the computer and fixed her dinner. He stated that he cooked her a hotdog in the microwave, then warmed up some Spaghettios and put both of them in a bowl together. Jones stated that he then brought the dinner to Erin's room. Jones stated that he warmed the food up for 3 minutes, not 2, as Erin had expressed dissatisfaction with the temperature of her dinner in the past. He stated that when he approached the door to her room he looked through the screen door and saw Erin by the foot of her bed and it looked to him like she was standing sideways against the wall. He said that he then called to her a couple of times but she didn't respond. He stated that he would normally just hand her meal to her through the door without having to unlock the door and enter the room. Jones stated he then opened the door and walked into the room toward Erin and could then see what looked like a green string or rope around her neck that he thought she was holding onto. He said that when he could see her face, he then realized that she was in distress and when he looked closer he could see the other end of the green rope around her neck was attached to a small screw protruding from the window casing on the wall next to her bed. Jones stated that he believes that Erin's feet were off the floor and she was suspended in the air. He said he then put the bowl of food down on the floor and then lifted Erin's body up slightly and easily dislodged the rope from the screw with his hand. He stated the rope was not hung over the screw but was stuck on the screw between the rope's braids. But the screw did not protrude all the way through the braids and it was stuck approximately a 1/2 inch to an 1 inch from the end of the rope. He said he then placed her onto her bed and removed the rope from around her neck. Jones stated there was no knot, and the rope came off fairly easily. He stated that he hadn't seen that rope before and did not know where it came from. He stated that his mother told him after the incident that possibly Erin had gotten it from her grandmother. Jones stated that her eyes were open, not rolled back in her head, but kind of glazed over. He stated he didn't think that Erin was breathing so he then

NOTICE

(Penal Law §210.45)

In a written instrument, any person who knowingly makes false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury
this 16th day of October, 2008.

INV. [Signature]
COMPLAINANT

710.30 CONTINUATION SHEET

PEOPLE vs. Alan Jones

PAGE 2 of 2

left her room to get the cordless telephone and he called 911. Jones stated that the 911 operator then asked him some questions and instructed him on how to do CPR on Erin as he made his way back into the bedroom. He stated that he moved Erin's body onto the floor as he was instructed and began CPR. Jones stated that a few minutes later he stopped doing CPR when the paramedics knocked on the door, as he went to let them in. Jones stated that once EMT's had arrived, he had no further involvement with resuscitation attempts, and Erin was transported to the hospital. Jones stated that he decided not to go with Erin to the hospital because the animals might need food or water and they didn't need for anything else to happen. Jones stated that he did not know whether Erin was alive or not when she was taken away. Jones said that he was then interviewed by a uniform trooper, who took a brief statement from him. Jones stated that sometime after finding his stepsister he also called his mother's cellphone to tell her what had happened. He stated that he thinks all he told her was that there had been an accident and that Erin had something around her neck.

IN: [Handwritten Signature]

STATE OF NEW YORK

COUNTY OF Oswego
OF

County COURT

THE PEOPLE OF THE STATE OF NEW

-VS-

Alan Jones

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

Page 1 of 3 - Defendant was interviewed on 9/11/08 at his residence, LT # 12, Kerfieu Mobile Park, T/Volney, NY at approximately 8:30AM until approximately 11:00AM and made the following statements:

Jones stated that before Erin's death his typical day would start when he got up between 1PM and 3PM. He would usually then set up his laptop at the kitchen table and proceed to go online, and more specifically, begin playing Guild Wars. He stated he remains on the internet, in some form, for most of the rest of his waking day. He states that he sleeps approximately 9 hours each day and his bedtime varies with what activity (on the computer) he is involved in. Jones stated that other than playing games via the internet, Jones has a keen interest in the Sterling Renaissance Fair which is held each summer in Sterling NY. He stated he buys a season pass for the event each season. Very often attending with his family and friend, Lovell, in period attire. Jones advises he is also very interested in Science, which his step-father Warren Maxwell often teases him about. Jones stated that Warren often pokes fun at what he doesn't understand. Jones stated that since Erin's death, he believes he and his stepfather (Warren) are getting along better than ever. Jones stated that he believes that he got up from bed at around 3:00PM on that day, and as usual, set up his laptop in the kitchen, logged on and began playing Guild Wars. He stated that his stepfather Warren and his stepsister Erin were the only other people at the house until his mother arrived home from work. He stated that he may have originally told the police that his mother had arrived home from work that Friday at around 5:00PM, but that was not accurate. He stated that he has since learned from his mother that she arrived home at her usual time, about 4:30PM. Jones stated that when he originally stated it was 5:00PM, he was basing that on the fact that that whole week his mother had been working a little later than normal at work, and arriving home close to 5PM all week. No matter what the time she arrived home, Jones stated that he recalls her and his stepfather doing some routine things around the house for about 15 or 20 minutes after she got home, and then both she and Warren departed for Walmart. (con't)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 10 day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this ___ day of ___, YR ___.

Eric Michael D. Grasse
COMPLAINANT
MICHAEL D. GRASSE

STATE OF NEW YORK COUNTY OF Oswego
County COURT OF

THE PEOPLE OF THE STATE OF NEW)
)
--VS-)
)
Alan Jones)
)
Defendant)

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

(con't page 2 of 3 pages) He stated that his mother told him that he would have to get Erin her dinner and that she was putting Erin in her room before they left. Jones stated that by putting Erin in her room, that meant she was latching the door from the outside, which he said prevented Erin from getting out of her room and getting into things. He stated that this was customary, only the usual time Erin was made to go to her room for the night was later, around 6:00PM. Jones stated that he believed that they left for Walmart sometime between 4:50PM and 5:00PM. He stated that he was playing Guild Wars when they left. He stated that within 10 or 15 minutes after they left, Erin called out to him from her bedroom asking him if he would get her dinner. Jones stated that he subsequently got up from the computer and fixed her dinner. He stated that he cooked her a hotdog in the microwave, then warmed up some Spaghettios and put both of them in a bowl together. Jones stated that he then brought the dinner to Erin's room. Jones stated that he warmed the food up for 3 minutes, not 2, as Erin had expressed dissatisfaction with the temperature of her dinner in the past. He stated that when he approached the door to her room he looked through the screen door and saw Erin by the foot of her bed and it looked to him like she was standing sideways against the wall. He said that he then called to her a couple of times but she didn't respond. He stated that he would normally just hand her meal to her through the door without having to unlock the door and enter the room. Jones stated he then opened the door and walked into the room toward Erin and could then see what looked like a green string or rope around her neck that he thought she was holding onto. He said that when he could see her face, he then realized that she was in distress and when he looked closer he could see the the other end of the green rope around her neck was attached to a small screw protruding from the window casing on the wall next to her bed. Jones stated that he believes that Erin's feet were off the floor and she was suspended in the air. He said he then put the bowl of food down on the floor and then lifted Erin's body up slightly and easily dislodged the rope from the screw with his hand. He stated the rope was not hung over the screw but was stuck on the screw between the rope's braids. But the screw did not protrude all the way through the braids and it was stuck approximately a 1/2 inch to an 1 inch from the end of the rope. He said he then placed her onto her bed and removed the rope from around her neck. (con't)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 10 day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this ___ day of ___, YR ___.

Erin Michael D. Grant
COMPLAINANT

MICHAEL D. GRANDE

STATE OF NEW YORK
County COURT

COUNTY OF Oswego
OF

THE PEOPLE OF THE STATE OF NEW

-VS-

Alan Jones

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

(con't page 3 of 3) Jones stated there was no knot, and the rope came off fairly easily. He stated that he hadn't seen that rope before and did not know where it came from. He stated that his mother told him after the incident that possibly Erin had gotten it from her grandmother. Jones stated that her eyes were open, not rolled back in her head, but kind of glazed over. He stated he didn't think that Erin was breathing so he then left her room to get the cordless telephone and he called 911. Jones stated that the 911 operator then asked him some questions and instructed him on how to do CPR on Erin as he made his way back into the bedroom. He stated that he moved Erin's body onto the floor as he was instructed and began CPR. Jones stated that a few minutes later he stopped doing CPR when the paramedics knocked on the door, as he went to let them in. Jones stated that once EMT's had arrived, he had no further involvement with resuscitation attempts, and Erin was transported to the hospital. Jones stated that he decided not to go with Erin to the hospital because the animals might need food or water and they didn't need for anything else to happen. Jones stated that he did not know whether Erin was alive or not when she was taken away. Jones said that he was then interviewed by a uniform trooper, who took a brief statement from him. Jones stated that sometime after finding his stepsister he also called his mother's cellphone to tell her what had happened. He stated that he thinks all he told her was that there had been an accident and that Erin had something around her neck.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 10th day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this ___ day of ___, YR ___.

For Michael D. Grande
COMPLAINANT
MICHAEL D. GRANDE

STATE OF NEW YORK
COUNTY

COURT

COUNTY OF OSWEGO
COUNTY of OSWEGO

THE PEOPLE OF THE STATE OF NEW YORK
-VS-

Alan L. JONES

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of the statements made by the defendant to a public servant,
TO WIT:

08/29/2008, While at the SP Fulton barracks with S/I Steven Bourgeois, the defendant Alan L. Jones 06/07/1981 was interviewed regarding the death of Erin Maxwell age 11. This interview took place at approximately 9:38pm in the office of S/I Bourgeois and after having been apprised of his constitutional rights Alan agreed to talk about this incident.

Alan was then asked to explain what happened that afternoon: Alan stated he resides at 1678 ST-264 along with his mother, Lynn Maxwell along with his step-father Lindsay Maxwell and his step-sister Erin Maxwell. Alan stated was asked about the incident at the residence occurring in the afternoon involving Erin. Alan stated his mother and step-father had left the residence sometime between 5 & 5:30pm and that he had been told he was responsible for feeding Erin her dinner. Alan stated at the time he was playing an on-line game called "Guild Wars" on his lap top computer in the kitchen and that Erin was in her room getting ready for bed. Alan stated Erin had a bedtime of about 6:30 pm as she would get into trouble, by getting into things. Alan stated Erin's bedroom is off the living room and that she had called out to Alan to make her dinner maybe 10 minutes after his parents left. Alan stated he then remembered he was told by his mother that he had to take care of this. Alan stated he fixed Erin her dinner which consisted of opening a can of Spaghetti O's then cutting up a hot dog and putting it in then microwaving the meal. Alan stated this process took about 10 minutes and then he went to Erin's bedroom door to give her the meal. Alan stated her bedroom door is a half door with a screen on the top side. Alan stated he called to Erin who did not answer him; Alan said Erin was standing near the foot of her bed facing her dresser. Alan stated he went into the bedroom, walked over to her and shook her then he saw Erin had a green rope around her neck that the opposite end was attached to a screw in the window frame. Alan stated Erin's feet were not touching the floor indicating they were a couple inches above the floor, her body was straight and her arms were at her sides. Alan stated Erin was leaning slightly back Erin did not appear to be breathing and she seemed to be unconscious. Alan stated he then picked Erin up and took the rope off the screw, laid Erin on the bed, left the bedroom to call 911. Alan stated he then followed the instructions from the dispatcher to perform CPR which was difficult as he had to keep picking up the phone for further instructions. Alan stated he continued his CPR efforts until he was relieved by responding EMS personnel.

Alan was asked what Erin was wearing when he entered the bedroom, stating she had on a pinkish or red colored night gown that came down to her knees, with some sort of a face on the front.

Alan was asked about the rope he observed and where it may have come from. Alan stated he had never seen that rope before and had no idea where it may have come from.

Alan was further asked about the circumstances surrounding Erin and how he took her down, and about the rope. Alan stated he took the rope from Erin's neck, and described there being a loop in one end with the free end passing through like a slip knot. Alan stated the opposite end was attached somehow on the screw in the braid of the rope.

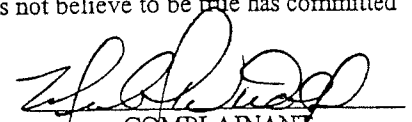
Alan was asked how this incident could have happened and Alan stated it must have been an accident. Alan was asked to elaborate and stated Erin may have been fooling around with the rope on her neck, while standing on her bed and twirling the loose end that somehow became caught on the screw and she could have fallen off the bed.

Alan was asked if he heard any noises or thrashing about coming from Erin's room. Alan stated he did not hear any such noise explaining he has difficulty hearing.

NOTICE
(Penal Law §210.45)

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Affirmed under penalty of perjury
this 16th day of October, 2008.


COMPLAINANT

Alan was asked about his computer and internet habits. Alan stated he engages quite often in on-line gaming. Alan was asked about on-line pornography to which he was hesitant to respond. It was explained that the concern would specifically be "Child Pornography", Alan responded that there was no Child Porn on his computer. Alan then relented that he had observed "Adult Pornography" on line but that his preference was "anime" or animated pornography.

Alan was confronted that this story did not seem plausible and was asked numerous times about the scenario he described. Alan maintained this was how the events unfolded. Alan was asked if he had engaged in a fantasy with Erin that got out of hand. Alan did not say no, but stated "I don't know what to tell you, I told you what had happened."

Alan was then more directly asked, if he had put the rope around Erin's neck and choked her? Alan responded with words to this effect no, I wish there was more I could tell you, but I have told you what happened.

Alan was asked about guilt feelings revolving around his child hood and how he felt when doing something bad. Alan's did not seem to have a response for this, but had a smirk on his face.

Alan was asked about death and dying, and he stated he did not view death in what he called a typical manner. Alan stated that when you die, he believes you are simply "recycled".

At about 11:40 pm this interview was then temporarily stopped and relocated to SP N. Syracuse which Alan voluntarily consented to attend.

[Handwritten signature]
10/16/2008

STATE OF NEW YORK COUNTY OF Oswego
County COURT Town OF Palermo

THE PEOPLE OF THE STATE OF NEW)
)
 -VS-)
)
 Alan L. Jones dob - 06/07/81)
)
 Defendant)
)

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

The following ORAL statements to Inv. Paul Olson at NYSP North Syracuse during an interview conducted between the hours of 1:00 am and 7:15 am on 08/30/08:

- 1) That he had lived a normal life with a normal upbringing.
- 2) That he suffers from no physical, mental, psychological or emotional ailments, and has lived a healthy life. That he has never sought any treatment for emotional issues or mental issues. That he has attended college and has a high IQ.
- 3) That in his early childhood he had a problem with an ear tumor, which was corrected at that time. He can hear and understand the questions he is being asked just fine.
- 4) That his relationship with his step-sister Erin was good. That Erin has recently become a discipline problem to her mother and she has behavior problems.
- 5) That Erin is put to bed in her room by his mother and step-father at about 6:00 pm because she has been a behavior problem. That she has to stay in her bedroom from that point on.
- 6) That his mother, step-father and he practice paganism, and his younger step-sister, Erin Maxwell, had been ridiculed by family members on at least one occasion for showing an interest in Christianity.
- 7) That he often baby sits Erin in the absence of the others, and was alone with Erin on 08/29/08 at the residence, after his step father and mother left at approximately 5:00 to 5:10 pm.

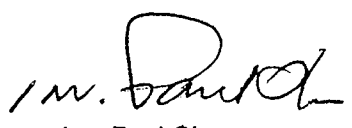
In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE

Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this ____ day of _____, YR ____.



Inv. Paul Olson
COMPLAINANT

STATE OF NEW YORK COUNTY OF PAGE TWO
COURT OF

THE PEOPLE OF THE STATE OF NEW

-VS-

Alan L. Jones dob - 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

- 8) That before the two left, they told him to feed Erin.
- 9) That he had last seen Erin in the house at about 4:00 pm, and he had since been elsewhere in the house playing computer video game.
- 10) That after the parents left, and while alone in the house with Erin, he heard her call to him from her bedroom and ask him to get her something to eat.
- 11) That he responded and said OK, but then ignored her request for about 15 to 20 minutes, because he was engrossed the game he was playing.
- 12) That when he was finished and ready, he then got up and prepared Erin a hotdog.
- 13) That when he went to her bedroom to give her the food, he looked in the room from the doorway and called to her to take her he had the food. That she did not respond, and that he saw her standing facing away from him at the end of her bed.
- 14) That when she did not respond to him, he then entered the room. That as he neared where she was standing, he noticed that she was hanging by a rope cord. That she was positioned at the end of the bed near a window.
- 15) That the end of the rope cord was hanging from a screw at the top of the window. That she was wearing a pi nightgown and appeared that she was not breathing.

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NOTICE

Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this ____ day of _____, YR ____.



Inv. Paul Olson

COMPLAINANT

STATE OF NEW YORK

COUNTY OF PAGE THREE

COURT

OF

THE PEOPLE OF THE STATE OF NEW

-VS-

Alan L. Jones dob - 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

16) That he removed Erin and lied her on the bed. That he removed the rope cord from her neck and lied it on the bed.

17) That he then called 911 on the phone and tried to administer CPR following the instructions of the 911 operator.

18) When specifically questioned about the observations he made of Erin's feet and where they were when he purported found her, he was inconsistent in his claims, stating: That he was sure and then not sure if her feet were on the ground or n when hanging. That part of her may have been touching the wall and maybe not. That he was unsure what part of her body was closer to the bed and/or the wall. That he was not sure if her feet were closer to the wall then her head, or her head was closer to the wall then her feet. That "I dont know." or "I dont remember". That "I put the food down on the bed at some poi and later moved it for the rescue people."

19) When pressed for specific details. That "I just took her down." He stated that he was not positive how he got her down, in what order he did things, whether he had to lift her weight off the tension of the rope or not, whether he held her up aroun the waist, under her rear, under her arms, or which arm he used to get the rope down. That "I don't know." That "I do remember". That "I know I just got her down."

20) In response to the specific question as to whether he was in the room when she was hung, he stated that he was not. In response to the specific question as to whether he put the rope around her neck, he stated that he had not. In response to the specific question as to whether he thought Erin did this to herself or was trying to commit suicide, I stated he did not know. He stated that she was not depressed and gave no signs she was going to do this. In response to the specific question as to whether he ever had to or was asked to discipline Erin, he stated no. In response to the specific question as to who he thought did this, he stated "I do not know"

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE

Affirmed under penalty of perjury this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me this ___ day of ___, YR ___.

Inv. Paul Olson

Inv. Paul Olson

COMPLAINANT

STATE OF NEW YORK

COUNTY OF PAGE FOUR

COURT

OF

THE PEOPLE OF THE STATE OF NEW

--VS--

Alan L. Jones dob - 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

In response to the specific question as to what he thought happened, he stated that he did not know.

In response to whether he had any additional information he could provide to help in finding the truth about what happened, he said "I dont know."

21) When pressed about his feelings and his lack of visible responses and lack of emotion displayed throughout the enti interview, including, when told that Erin had died at the hospital, he stated that he was not emotional because "Death doe not affect me the way it does other people, like Christians"

22) When further questioned by S/Inv. Bourgeois and I, he made a further comment about that "people die" and that he d not understand why people react to it the way they do.

23) While providing a DNA swab to Inv. Bourgeois, he made the statement "You are not going to find my DNA in her."

24) When questioned about his social life he indicated to me he had been involved in many on- line relationships, but or one "in person" with a male, which broke up shortly after the two met in person.

25) When later questioned by Inv. Bourgeois about why he had previously told him outside of my presence that he was n gay and that he did not engage in relationships on line with males or with males otherwise, he denied that he had ever to him that.

26) When questioned about the cats in the freezer, he stated that his step-father had meant to bury them, but could not dt to the ground temperature. When pressed about the fact that it was now August, he stated that you could not bury anymor

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE

Affirmed under penalty of perjury this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me this ___ day of ___, YR ___.

Inv. Paul Olson

COMPLAINANT

STATE OF NEW YORK

COUNTY OF PAGE FIVE

COURT

OF

THE PEOPLE OF THE STATE OF NEW

-VS-

Alan L. Jones dob - 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

animals in the ground around the house, because you could not dig down anywhere without hitting animals already buried.

27) When asked during the course of the interview if there were any questions he thought I should ask him that could cle this matter up, he stated that he could not think of any.

[Lined area for additional text or evidence]

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NOTICE

Affirmed under penalty of perjury this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me this ___ day of ___, YR ___.

[Signature of Paul Olson]

Inv. Paul Olson
COMPLAINANT

BCI-11 POLYGRAPH EXAMINATION AGREEMENT AND RELEASE FORM

Place SP NO. SYRACUSE

Date 08/30/08

1. I, ALAN L. JONES, voluntarily - without threats, duress, coercion, promises of immunity or reward - agree and stipulate to be interviewed and / or take a polygraph (truth-verification) examination for the mutual benefit of myself, the State Police, and ERIN MAXWELL.

2. I fully realize that: I am not required to take this polygraph examination; I may remain silent the entire time I am here; anything I may say can be used against me in any court of law; I may first consult with an attorney or anyone I wish before either signing this form or being interviewed and / or taking the examination; I may have an attorney present, and if I cannot afford an attorney and desire one, an attorney will be appointed for me prior to any questioning; and I have the opportunity to exercise all these rights at any time I wish during the entire time I am here. Nevertheless, I consent to the use of electronic hearing and recording devices, and I voluntarily request and authorize the State Police to now proceed with the polygraph examination.

3. I do hereby authorize the New York State Police to disclose both orally and in writing the polygraph results and opinions to OSWEGO COUNTY DA'S OFFICE.

4. I am fully aware that the expert opinion may be that I have not been truthful. Nevertheless, in consideration of and as an inducement for the State Police to give me this polygraph examination, I knowingly hereby release and hold free from all liability whatsoever the New York State Police for taking the examination.

5. As a further consideration and inducement to have the New York State Police conduct the polygraph examination, I claim that I am in good mental and physical condition and that I know of no mental or physical ailment which might be impaired by taking the polygraph examination.

Important Notice: This agreement and release form is a legally binding contract. If not completely understood, do not sign but seek competent advice, such as that rendered by an attorney (lawyer).

PAUL OLSON
Polygraph Examiner

X Alan Jones
Signature of person to be examined

1:17 AM
TIME

N/A
Signature of Parent or Guardian (If Applicable)

6. This polygraph examination was concluded at _____ on the above date. I completely re-affirm in its entirety my above agreement. In addition, I knowingly and intelligently continued to waive all my rights, including those listed in paragraph (2) above, and I willingly made all the statements that I did make.

7. I also certify that during the entire time I was here I was well treated, submitted myself freely to the polygraph examination knowing that I could stop at any time I so desired by merely saying I wished to stop or that I wished to consult an attorney or any other person. I remained here of my own free will, knowing that I could leave this room at any time I so desired, and that there were no threats, promises, or any harm whatsoever done to me during the entire period I have been here, either in connection with the polygraph examination or my again signing this agreement and release form.

PAUL OLSON
Polygraph Examiner

Signature of person examined

TIME

- X THIS TEST IS ABOUT TO BEGIN, PLEASE REMAIN STILL?
- 1 ARE YOU IN THE STATE OF NEW YORK?
- 2 CONCERNING Erin and what happened to her last night, DO YOU PLAN ON ANSWERING ALL OF MY QUESTIONS TRUTHFULLY?
- C3 NOT REGARDING your sister, Erin, DID YOU EVER DO ANYTHING ILLEGAL OR IMMORAL THAT YOU WOULDn't want to become public knowledge?
- R4 DO YOU KNOW FOR SURE how that rope got around Erin's neck?
- C5 NOT REGARDING Erin, DID YOU EVER DO ANYTHING THAT YOU TRY TO KEEP SECRET ?
- R6 Did you hang Erin by that rope?
- C7 NOT REGARDING Erin Maxwell, DID YOU EVER commit a crime that you never got arrested for?
- R8 REGARDING WHETHER YOU hung Erin in her room on that rope, Did you do that?
- C9 NOT REGARDING THAT CASE ABOUT Erin, DID YOU EVER sacrifice any animal?
- R10 Could Erin truthfully say that you have had sexual contact with her, even if it was only once?
- C11 NOT REGARDING Erin, DID YOU EVER CHEAT ANYONE WHO TRUSTED YOU?
- XX THIS PART OF THE TEST IS NOW OVER, PLEASE REMAIN STILL.
- 1A ARE YOU OVER THE AGE OF 18?
- 1B ARE YOU IN THE UNITED STATES OF AMERICA RIGHT NOW?
- 2A ARE YOU INDOORS RIGHT NOW?

Alan Jones

3:47 AM

THE COMMUNICATION FORM

NAME: Alan L. Jones DATE: 08-30-08
(Please print your full legal name. Thank you.)

Questions to Ask My Polygraph Expert

1. What is the margin for machine error or inaccurate interpretation?

2. _____

3. _____

(Over, Please)

This is your polygraph examination. I want to make sure you are asked those test questions you want to be asked.

Therefore, please write those test questions you want to be asked.

Thank you very much!

1. _____

2. _____

3. _____

4. _____

SUPPORTING DEPOSITION (CPL Sec.100.20) GENL-4 REV 01/98E
STATE OF NEW YORK

New York State Police.

COUNTY OF Onondaga
Town _____ of Lysander

Local Justice COURT

THE PEOPLE OF THE STATE OF NEW YORK)

--vs.--)

SUPPORTING DEPOSITION

(Defendant)

STATE OF NEW YORK)
COUNTY OF _____)

ss.

pg. 01 of 03 (Pro)

_____ of _____)

On	DATE 09/17/08	at	TIME STARTED 10:15 am	FULL NAME Investigator Paul Olson	CTV Baldwinsville	STATE NY
	DATE OF BIRTH NA		NO. & STREET NYSP - Lysander			

state the following: That I am currently employed as an Investigator with the State Police, and I am currently stationed at the Lysander Barracks. That I have been employed by the NYSP for 18 years. In the course of my career and duties, I have attended and completed outside training courses including courses in psychology, neurolinguistics and psychophysiology. Said courses have included training in interpretation of body language, interpretation of both verbal and non-verbal behavior, as well as, training in detection of deception. On 08/30/08 at approximately 12:00 am, I was recalled to duty by Lt. Troy Little to interview ALAN JONES, dob 06/07/81, relative to a suspicious incident being investigated by SP Fulton BCI involving an 11 year old girl who was reported by JONES to have been found hanging in her bedroom and not breathing. An interview of JONES was commenced at the SP North Syracuse barracks at approximately 1:00 am, after he had been re-advised of his Constitutional rights, and after he acknowledged that he would talk to me. In the course of said interview, JONES was first questioned about his childhood, his upbringing, his family life, his education, his work experiences, his interests, his likes and dislikes, his social life, his medical history and his relationship with other members of his family. JONES was asked open ended questions designed to enable him to relate details and elaborate. He related minimal information, often answering these questions in only a few words in a monotone dialogue. JONES' responses lacked any indication of emotion about any of these topics. The following information was offered: 1) that he grew up in (he feels) a normal situation and family (free of any form of abuse), but that his natural father left and bankrupted the family (He would not elaborate). 2) That his mother, step father (Warren) and he practice paganism, but that his step-sister, Erin, was not involved in that (He would not elaborate). 3) That his step-sister, Erin, was ridiculed by the others on at least one occasion for expressing at a younger age her interest in Christianity (He would not elaborate). 4) That his interests and most of his time is spent either on the computer, or reading, playing video games and digital art (He would not elaborate). 5) That he often babysits Erin in the absence of the others and has no problems or resentments regarding that (He would not elaborate). 6) That he has been involved with several relationships on line, but only one

NOTICE

(Penal Law Sec.210.45)

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Affirmed under penalty of perjury

this 17th day of SEPT., YR 08

- OR -

*Subscribed and Sworn to before me

this _____ day of _____, YR _____

M. Paul Olson
(SIGNATURE OF DEPONENT)

(WITNESS)
TIME ENDED 12:10 am
(NAME OF PERSON TAKING DEPOSITION)

SUPPORTING DEPOSITION CONTINUATION SHEET

PEOPLE vs. Alan Jones

relationship with a male who he met in person (He would not elaborate) 7) That the relationship with this male (who he would not identify) ended shortly after they met in person. 8) That his mother and step-father routinely put Erin to bed at 6:00 pm, and she is required to stay in her room from that point on until the following morning. (He would not elaborate, other than to state that she had behavioral problems) 9) That though he, his mother and Warren do not practice any form of sacrifice as far as their beliefs, he has been to ritual meetings with other area pagans who on at least one occasion, sacrificed an animal (He would not elaborate as to the who, what, where, when and why) 10) That Warren was keeping the frozen cats found in the freezer because when they died, they could not bury them because of the ground temperature (when pressed about the fact of why the animals had still not been buried even though it was now the month of August, he simply stated that the animals could not be buried due to the fact that there were already too many animals buried on the property, and there was no place to dig down without hitting another animal) 11) That he has had no serious physical or mental injuries or illnesses throughout his life and has sought no treatments for mental health issues. He did state that he had a prior condition with an ear canal tumor that was resolved. When pressed further regarding any and all of these topics for details, JONES provided none. He sat and did not respond to many questions put to him at all. JONES was then asked to provide an explanation of the events on 08/29/08. He related the following, but again refused to elaborate about any one of the following statements made: 1) That he had seen and talked to Erin in the house at about 4:00 pm. 2) That his mother and step-father had left the house at about 5:00 pm to 5:10 pm. 3) That he did not know where they were going or when they would be returning. 4) That before they left, they told him to feed Erin. 5) That after the parents left the house and were gone, he then was engaged in playing a video game and was pre-occupied with same. That while playing the game, he heard Erin call to him from her bedroom and ask him to get her something to eat. 6) That he said OK, and then initially ignored her request for about 15 or 20 minutes because he was engrossed in the game. 7) That when he was ready, he got up and prepared her a hot dog to eat in the kitchen. 7) That he then went to her bedroom to give her the food and looked in the room from the doorway. 8) That he saw her standing and she was not facing him. 9) That he called to her to let her know he had the food, but she did not respond. 10) That because she did not respond, he then entered the room, and as he neared where she was, he saw that she was hanging. 11) That she was located near a window at the end of her bed and that he saw there was a rope around her neck. 12) That she was wearing a pink night gown, and looked like she was not breathing. 13) That the rope was attached to a screw on top of the window. 14) That he removed her and lied her on the bed. 15) That he removed the rope/string from her neck and lied it on the bed next to her. 15) That he is not sure if her feet were on the ground when hanging. 16) That he then got the phone and called 911. 17) That he then followed the instructions of the 911 operator to try to give her CPR until rescue workers arrived. 18) That no one else was at the home other than he and Erin from the time his parents left until the time he called 911. JONES was asked to provide further explanation of 1) the exact position he had purportedly found the girl in, 2) the exact position of the rope, and 3) the exact actions he took in removing her (and the exact order in which his actions occurred). He was requested to stand up and act it out for member, but chose not to do so. JONES could provide no further logical, consistent or detailed explanation for how he managed to remove the child from the purported hanging position, or how, or in what order, he removed the child and the rope from the purported screw in the wall. He did state that he had put the food down on the bed upon attempting to do so. JONES provided no additional answers to any of the questions surrounding these issues other than that he "did not know", or he "did not remember". When asked outright whether he had placed the girl in a hanging position, he responded that he had not. When asked outright if he had put the rope around the girl's neck, he stated that he had not. When asked outright if he was in the room when she got hung, he stated that he was not. When asked if he had ever had sexual contact with Erin in any form, even once, he denied that he had. When asked if he knew what happened to Erin, he responded that he did not know. When asked what he thought had happened, he responded "I do not know." When asked if he thought Erin was trying to commit suicide he said he did not know. When asked if she was depressed, he said no, not that he knew. When pressed further about the relationship between the two, he responded simply that it was good, and he would not elaborate. He denied that he had ever had to discipline the child. When asked who do you think did this, he responded "I do not know." When asked if he would tell me if he had done something wrong, he responded "Yes, I would." During the course of the questioning, specifically related to ERIN and the 08/29/08 events, JONES showed no outward signs of emotion and no outward signs of appropriate behavior commonly associated with a person whose sibling was involved in such a grave situation, such as care, interest or concern for the victim or the gravity of the situation. He showed no signs of anguish, loss, sadness, anger, or any other emotion that one would commonly associate with such circumstances. He asked no questions, made no comments and made no suggestions to member that there might have been any responsible party other than himself.

NOTICE

(Penal Law Sec.210.45)

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Affirmed under penalty of perjury

this 17th day of SEPT, YR 08.

- OR -

*Subscribed and Sworn to before me

this _____ day of _____, YR _____.

M. [Signature]
(SIGNATURE OF DEPONENT)

(WITNESS)

TIME ENDED 12:10 PM
(NAME OF PERSON TAKING DEPOSITION)

SUPPORTING DEPOSITION CONTINUATION SHEET

PEOPLE vs. Alan Jones

(including Erin) or that police should be looking for any one else. He expressed no interest in helping to solve this mystery, and made no attempts to volunteer or convey information in an attempt to clear himself (as I would expect an innocent party to do) without specific prompting. JONES displayed several signs of having "guilty knowledge" and of having direct connection with this event, including 1) his lack of anger or agitated response when directly accused of wrong doing, 2) his lack of interest and attention when directly confronted with accusations and his lack of desire to clear himself of those accusations and actively assist in finding the truth, 3) his hesitation in responding to questions or his lack of any response to questions, 4) his attempts to "hedge" by "tuning out" (a common delay tactic associated with "mental escapism" to bury time, contrive answers and formulate a response due to the subject's inability to relate the truth for fear of consequence). JONES made no suggestion or comment that the police should be after or concentrating on anyone other than himself (as I would expect an innocent party to suggest). Throughout the interview, JONES displayed inappropriate behavior for the gravity of the circumstances, including feigned laughter and disinterest (behavior I would not expect from an innocent person being accused of such serious wrong doing). He appeared at times with a smirk on his face. He expressed no desire to know the status of Erin at the hospital. I observed throughout the course of the interview that JONES' non-verbal behavior was consistent with a person practicing deception. His non-verbal behavior repeatedly and consistently changed when the topic of conversation changed back and forth between the incident at hand involving Erin and other non-related topics. When questions were directed at him that were not directly related to the 08/29 events, he appeared comfortable in his seat. He sat back and had an open posture (positioning commonly associated with being open to questioning). He made eye contact with member in appropriate fashion although he remained monotone, without inflection in his voice at any point. He appeared focused on member and on the next question. When questions were directed at him that pertained to the issue at hand and the 08/29 events involving Erin, JONES' non-verbal behavior converted to "defensive" protective postures. He displayed behaviors commonly associated with being "closed off" to questioning and commonly associated with deception. These behaviors included fidgeting in the chair (a need to expend nervous energy), a closing of his extremities over the torso (a protective move to provide relief), a lack of appropriate eye contact (mental escape/avoidance), a lack of saliva (mouth dryness) and non-focus on the interviewer (looking down, at the wall, elsewhere in the room, etc.) All signs commonly associated with deception and subconscious guilt. At different points during discussion of the 08/29 events, JONES also appeared to intentionally lock his eye contact onto member (a behavior commonly associated with attempted "close off" to questioning, and stalling to formulate deception). At different points during the interview, JONES was provided breaks. At a latter point in the interview, S/Inv. Steven Bourgeois entered the interview room, and he advised JONES that the victim had succumbed to her injuries at the hospital. JONES had no visible response of emotion or surprise. He appeared disinterested and displayed no signs commonly associated with grief (such as any need to take a break or moment to catch up and conceptualize the bad news). When pressed regarding his feelings now that he was aware that his sister had died, he stated that "death does not affect me the way it does other people like Christians." When pressed as to why not?, he provided no response (It should be noted that Bourgeois had witnessed member's interview of JONES to that point behind one way glass without the knowledge of JONES). Inv. Bourgeois then secured a DNA sample from JONES with his consent in my presence. At that time JONES commented that we would not find his DNA in Erin. Inv. Bourgeois then questioned JONES as to why JONES had previously told him in a prior discussion that he had not engaged in relationships on line. He denied that he had told the Investigator this. JONES was further asked why he had previously told Inv. Bourgeois that he was not gay, when he was admitting to member that he was. He denied that he had done so. JONES was reminded that he had been previously asked by Bourgeois if his family knew he was gay, and that he had previously responded that he was not gay and not involved in relationships with any males on line or otherwise. He had no explanation for the discrepancies in his story on this topic. The interview was concluded.

NOTICE

(Penal Law Sec.210.45)

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Affirmed under penalty of perjury

this 17th day of SEPT, YR 08

- OR -

*Subscribed and Sworn to before me

this _____ day of _____, YR _____

M. Bourgeois

(SIGNATURE OF DEPONENT)

(WITNESS)

TIME ENTERED 12:10

(NAME OF PERSON TAKING DEPOSITION)

FROM INV. Paul Olson

BACKGROUND INFORMATION

Time: 1⁰⁰ AM Date: 08/30/08 Location: SP N SYR.

Incident # _____ Crime: Susp. Death
Miranda: Investigator: S/I Bourgeois

PERSONAL INFORMATION:

Phone: _____

Name: ALAN JONES Calling Name: _____

Age: 27 DOB: 06/07/81 Birthplace: SYR.

Address: _____

How Long: _____ With Whom: _____

Prior Address: _____

Previous States Lived In: _____

Sex: _____ Race: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

SS# _____ Wearing Glasses: _____

Required To Wear Glasses: _____ For What Reason: _____

Marital Status: _____ Children: _____ How Many: _____

Names BRIAN OLDER (Brother) Bullied by Age: _____

Sheela OLDER (Sister)

LYN (Mom)

Father John JONES (NAT.)

ERIN (II)

WARREN MAXWELL (STEP)

EDUCATION INFORMATION:

Education Level: _____ GED Obtained: _____

High School Attended: _____

College: College HIGH 12

HEALTH:

General Physical Condition: Good

Any Discomfort Now: N

Ever Treated For A Nerve Condition: N

Ever Treated By Psychologist/Psychiatrist: N

Ever A Patient In A Mental Hospital: N

Ever A Patient In A Hospital For Any Reason Ear Tumor Resolved AS child
CAN HEAR FINE

For: _____ Date: _____

Ever In Drug/Alcohol Rehab: N

Presently On Any Medication: N Type: NONE

For: _____

Suffering From Any Injuries/Ailments Presently: _____

What: _____

Ever Suffer From Any Injuries: _____ What: _____

When: _____ Where: _____

Ever Suffer From:

Diabetes N Ulcers N Blackouts N
Epilepsy N Hearing Loss Some (minor) Allergies N
Back Problems N Kidney Problems N Head Injuries N
High/Low BP N Asthma/Lung N Pregnant N

No problems hearing me whole P-C-TEST

Ever Have surgery: _____ When: _____

For: _____ Any Complications: _____

Last Time Used Marijuana: N Cocaine: N Heroin: N

Other Drugs: N

Alcohol Consumption This Week: N

Time Went To Bed Last Night: 5:30 AM Time Got Up This Morning: 3:30 PM

Tired Now: OK Time Ate Last: ? Hungry: Yes

FAMILY INFORMATION

Raised By Whom: mom

Brothers: Y Sisters: Y

How Do You Get Along With Your Father: (step) Good (NAT) ok

How Do You Get Along With Your Mother: Good

Are You Married: N For How Long: _____

How Do You Get Along With Your Spouse: NA NO Abuse

Any Previous Marriages: _____ Divorced: AS, child

Brain Locked
" Room
bed room @
every night

PERSONAL INTERESTS

What Do You Like To Do In Your Spare Time: VIDEO GAMES

Computer DIGITAL ART READ web Comics

Scale of 1-100 Level Of Honesty: 90

Worst Thing That Ever Happened To You: BIO DAD LEAVING - DRIVE US INTO Bankruptcy

Best Thing That Ever Happened To You: CANT think of

What Do You Want To Do With Your Life: _____

CRIMIANL HISTORY

ADmits Gay only 1 "in person" relationship
1 male

Ever Arrested: NO For: _____ When: _____

Where: _____ Jail Time Served: N

On Probation/Parole: _____ Date Probation/Parole Ends: _____

N

~~EMPLOYMENT HISTORY~~

only Job

Place Of Employment: Red's mkt - Pizza Got Fired

Never told why

How Long There: _____ Occupation: _____

How Do You Like Your Job: _____

How Do You Get Along With Co-workers: _____

How Do You Get Along With Bosses: _____

What Kind Of Employee Would Boss Say You Were: _____

Salary Per Week: _____ Previous Employer: _____

How Long There: _____ Reason For Leaving Job: _____

How Many Times Have You Been Fired From A Job: _____

Reason: _____

MILITARY SERVICE

Religion - Pagan
(Worship) Dad, the mom

Any Military Service: N _____ Branch: _____

Dates Of Service: _____ Discharge Type: _____

FINANCIAL HISTORY

Not me, I meet w/
Aria, Dad, mom
Sacrifice

Any Loans, Debts Or Payments Over \$100: _____

Total Credit Card Debt: _____ Student Loans: _____ Car Loan: _____

Mortgage/Rent: _____ Personal Loans: _____ Medical Bills: _____

How Far Behind In Any Payments: _____

Spouse Work: _____ Where: _____ Spouse's Salary: _____

CATS IN Freezer
LEFT till thaw when could not
bury - winter
then - can't bury w/out
HITTING other Animals

STATE OF NEW YORK
LOCAL CRIMINAL COURT

COUNTY OF OSWEGO
TOWN OF PALERMO

THE PEOPLE OF THE STATE OF NEW

-VS-

ALAN J JONES

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

THE FOLLOWING STATEMENTS WERE MADE TO TPR FINKLE AT THE RESIDENCE AT ABOUT 5:40PM INSIDE THE RESIDENCE OF 1678 ST ST 264 IN THE TOWN OF PALERMO.

TROOPER FINKLE-WHAT HAPPENED WHEN YOU FOUND YOUR SISTER?

ALAN JONES- I WAS MAKING HER (REFERRING TO ERIN MAXWELL) DINNER AND I WENT INTO HER BEDROOM AND I FOUND HER HANGING.

TROOPER FINKLE-CAN YOU SHOW ME WHERE SHE WAS HANGING?

ALAN JONES THEN WALKED INTO THE BEDROOM

TROOPER FINKLE-WHERE WAS SHE HANGING FROM?

ALAN JONES-THERE (POINTING TO A SREW IN THE MOLDING ON THE WINDOW)

TROOPER FINKLE-THAT SCREW THERE IN THE WINDOW?

ALAN JONES-YES

THE FOLLOWING STATEMENT WERE MADE OUTSIDE THE RESIDENCE INSIDE THE PATROL VEHICLE I WAS OPERATING-3D50-OCCURRED ON THE INCIDENT DATE FOLLOWING COMPLETING THE DEPOSITION:

TROOPER FINKLE-WHY WAS SHE ONLY IN A T-SHIRT? WAS SHE GOING TO BED?

ALAN JONES-IT WAS HER BEDTIME.

TROOPER FINKLE-IT'S ONLY 5:30PM?

ALAN JONES-SOMETIMES SHE WAS BAD AND HAD TO GO TO BED EARLY

In a written instrument, any person who knowingly makes a false statement which such ^{S.M.F} person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 7 day of OCTOBER, YR 08.

--OR--

Subscribed and Sworn to before me
this _____ day of _____, YR _____.

S.M.F
TPR [Signature]
COMPLAINANT

STATE OF NEW YORK
LOCAL CRIMINAL COURT

COUNTY OF OSWEGO
TOWN OF PALERMO

THE PEOPLE OF THE STATE OF NEW

-VS-

ALAN L. JONES DOB 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

On 08/29/08 Writer questioned the above defendant Alan L. Jones, 06/07/81, 1678 ST-264, Phoenix, NY, at SP Fulton regarding the death of his step-sister, Erin E. Maxwell. The Defendant made the following statements:

Alan Jones was asked to describe the events leading up to his discovering his step-sister, Erin with the rope around her neck. Jones stated the following: His mother and step-father had left the residence between 5:00pm and 5:30pm. At that time Alan said he was playing an internet computer game "Guild Wars" on his laptop computer in the kitchen and Erin was in her bedroom getting ready for bed. Prior to their leaving, his mother told him to make dinner for Erin. Alan said he did not get up right away to make Erin's dinner, and that about 10 minutes after his mother and step-father had left Erin called out to him from her bedroom for him to make her dinner. Alan said he then got up, and warmed up some spaghetti's with a hotdog cut up in it in a microwave and brought it to Erin's bedroom. Alan said that when he got to the bedroom, he observed Erin standing at the foot of her bed, facing her dresser and that he called into her, to have her come get her food. Alan said he just usually handed the food to Erin, over her half bedroom door. Alan said Erin did not respond, so he entered the room and approached Erin. Alan said as he got close to Erin, he saw she had a green rope around her neck, with the rope extended upward behind her and the end of the rope was attached to a screw that was in the top of a window frame next to the foot of Erin's bed. Alan said he did not notice the rope until he had entered the room and got close to Erin. When he got close to her, Alan said he shook Erin and got no response. Alan said he observed that the back of Erin's legs were against the foot of her bed and feet were suspended a couple of inches above the floor. Alan advised Erin's body was mostly straight, possibly leaning backward slightly, her arms were straight down along her sides, her head was bent forward and she was hanging from the rope. Alan said that Erin was not breathing, and she appeared to be unconscious, so he took the rope off the screw in the window frame and laid her on her bed. Alan said he exited the room to contact 911 and that the dispatcher directed him to perform CPR. Alan said he then performed CPR on Erin until Rescue personnel arrived and took over. Alan advised that while performing CPR he continually had to stop and get back on the phone with the 911 dispatcher

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Stevie M. Bourgeois
COMPLAINANT

Subscribed and Sworn to before me
this _____ day of _____, YR _____.

STATE OF NEW YORK
LOCAL CRIMINAL COURT

COUNTY OF OSWEGO
TOWN OF PALERMO

THE PEOPLE OF THE STATE OF NEW

-VS-

ALAN L. JONES DOB 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

to get more instructions.

Alan was questioned about the rope and responded by saying he did not know where the rope came from and that he had never seen it before.

Alan was questioned about how the rope had been attached to the screw in the window frame and responded by saying that it looked like the straight end of the rope got caught on the screw, like Erin may have been swinging the rope around and the screw got lodged in the braids of the rope.

Alan was questioned regarding how the rope was secured around Erin's neck. Alan said the rope had a loop in one end and the rope had been threaded through the loop, like a slip knot.

Alan was questioned about how he removed the rope from Erin's neck and he said he just loosened the rope and pulled it over her head.

Alan was questioned is he had heard Erin thrashing around prior to his seeing her in her room and he said that he did not hear anything, because he had problems with his hearing and that he did not hear very well.

Alan was questioned repeatedly about the position of Erin's body when he observed her. Alan said that Erin appeared to be standing and that when he approached he observed her feet were suspended a couple of inches above the floor, with her head bent forward, hanging with the rope around her neck. Alan also said a number of times that her arms were straight down at her sides.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Spina Steve M. Berger
COMPLAINANT

Subscribed and Sworn to before me
this _____ day of _____, YR _____.

STATE OF NEW YORK
LOCAL CRIMINAL COURT

COUNTY OF OSWEGO
TOWN OF PALERMO

THE PEOPLE OF THE STATE OF NEW

--VS--

ALAN L. JONES DOB 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

Alan Jones was questioned about Erin's getting ready for bed and advised that her bed time was 6:30pm. Jones said that her bed time used to be later, but she had gotten into trouble a number of times and his mother and step-father moved it back to 6:30pm.

Alan was questioned about what Erin was wearing when he observed her in her room and he advised she was wearing a pinkish or red colored night gown that had a character on the front. Alan said the night gown went down to Erin's knees.

Alan was questioned regarding his use of the internet, specifically if he had ever used the internet to meet people or do on line dating. Alan denied ever using the internet to meet people or date anyone and advised that he did not believe in on-line dating, because those relationships never worked out.

Alan was questioned if he had viewed pornography on his computer and admitted that he had in the form of adult and anime pornography, but advised that he had never viewed child pornography.

Alan was questioned further at SP North Syracuse during the early morning hours on 08/30/08 by this writer and Inv. Paul A. Olson.

Alan was questioned about his use of the internet and admitted that he had a boyfriend, who he referred to as his fiance, by the name of Chris who lived in Nova Scotia. Alan admitted that he had in fact met Chris on line. When questioned about why he had originally told this writer that he did not participate in on line dating and that he did not believe in such relationships, Alan denied ever saying that.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Subscribed and Sworn to before me
this _____ day of _____, YR _____.

Shawn Steven M. Banger
COMPLAINANT

STATE OF NEW YORK
LOCAL CRIMINAL COURT

COUNTY OF OSWEGO
TOWN OF PALERMO

THE PEOPLE OF THE STATE OF NEW

-VS-

ALAN L. JONES DOB 06/07/81

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of statements made by the defendant to a public servant, TO WIT:

During this interview, at approx. 4:36am writer was telephonically contacted by Inv. Karl Stonebarger and advised that Erin had died at University Hospital.

Writer advised Alan of Erin's death. Alan displayed no signs of emotion, looking down momentarily and then back at this writer. Alan was questioned regarding his lack of emotion and responded by saying he did not look at death the way Christians do.

Alan was asked to explain that statement and responded by saying "everyone dies", Alan pointed at writer and "said you are going to die, I am going to die, everyone dies, it's no big deal".

Alan continued to display no emotion regarding the death of his step-sister Erin, but made no more disclosures and the interview was terminated.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York punishable as a Class A Misdemeanor.

NOTICE Affirmed under penalty of perjury
this 8th day of October, YR 08.

--OR--

Inv. Steve M. Barger
COMPLAINANT

Subscribed and Sworn to before me
this _____ day of _____, YR _____.

STATE OF NEW YORK
Local Criminal

COURT

COUNTY OF
Town

of

Oswego
Palermo

THE PEOPLE OF THE STATE OF NEW YORK

-VS-

Alan L. Jones

dob:06/07/1981

Defendant

PLEASE TAKE NOTICE, pursuant to section 710.30 of the Criminal Procedure Law, that during the trial of the above named matter, the People intend to offer evidence of the statements made by the defendant to a public servant,
TO WIT:

08/29/2008 at approximately 6:30 PM Alan L. JONES made the following statements to me, Inv. Karl D. Stonebarger regarding his knowledge of events regarding a possible suicide, which occurred at 1678 State Route 264 in the Town of Palermo. The interview was conducted in an vacant lot across the street from 1678 State Route 264, and ended at approximately 6:50 PM.

Jones was asked for information regarding his name, dob, as well as the victim's--Jones stated that his name was Alan L. Jones and his date of birth is 06/07/1981. Jones stated that the girl's name was Erin Maxwell, she is his step-sister, and she was 11 years old.

When asked when he last saw his sister, Erin Maxwell-- Jones stated that he last talked with his step-sister approximately 5-10 minutes prior to contacting 911 (911 call was made at 5:21 PM).

Jones was asked what he was doing prior to finding Erin Maxwell--Jones stated that he was playing "Guild Wars" on the computer, and described it as a fantasy game. This was about the same time that he was making dinner for the victim, which consisted of Spagettio's with a cut up hot dog. Jones stated that he went to give the victim her dinner in her room, as that is where she usually ate. Jones stated that the victim did not respond to his call that dinner was ready, and he then entered the room. Jones stated that he does not usually enter the room, however upon entering; he saw her standing there, near the foot of the bed, and could not see the victim's face. Jones stated that he attempted to nudge, or shake the victim to get a response, but did not receive one. Jones stated that he then turned her around and saw that her face was blue, and then noticed that she had a rope around her neck. Jones stated that he then took her down, and called 911.

Jones was asked how the victim was positioned, specifically if any part of her body was on the bed, including her legs, feet, or knees when he found her in the room-- Jones stated that the victim was not lying on, or supported by the bed in any manner, her feet, knees, or any other portion of her body were not on the bed, it was as if she was just standing there at the end of the bed, if anything her lower back was leaning against the window sill.

Jones was asked if Erin was suicidal, had any problems at school, did drugs, drank alcohol, or even had boyfriend issues.--Jones stated that Erin was not suicidal, did not have issues with family, friends, and/or school. Jones stated that he does not know Erin to drink, or use drugs.

Jones was asked what he believed happened to the victim as he stated she was not suicidal--Jones stated that he believed that it was an accident. Jones also stated that he believed the victim to be playing with the rope, by twirling it, (demonstrated someone twirling a rope above their head). Jones further stated it caught on the screw and that is how she hung herself. JONES kept repeating that it was just an accident.

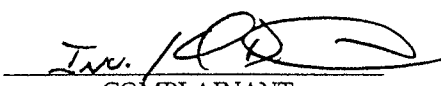
Jones was asked why the victim would be in her room at such an early hour--Jones stated that, that was the time Erin usually ate dinner, as she would often go to bed between 6:00 and 6:30 PM.

Jones was asked why Erin would go to bed at such an early hour--Jones stated that the reason she had an early bedtime was that she misbehaved and that was her punishment. He further stated that Erin would sometimes be allowed to stay up later, but would eventually lose the right to stay up later. Jones could not/would not offer any specific information as to why the victim was punished, only to say that she misbehaved on a regular basis.

NOTICE
(Penal Law §210.45)

In a written instrument, any person who knowingly makes false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury
his 09th day of October, 2008.


COMPLAINANT

710.30 CONTINUATION SHEET

PAGE 2 of 2

PEOPLE vs.
Alan L. Jones

dob:06/07/1981

Jones stated that he heard Erin was doing better. I advised Jones that Erin was doing better and that she was being transported to Upstate Medical Center. I also advised that we had Investigators going down to the hospital to speak with her to find out what exactly happened, and why she would want to kill herself. Jones then became nervous, and stated that he had to go inside to get the house ready for his parents, and Erin.

NOTICE
(PENAL LAW 210.45)

In a written instrument, any person who knowingly makes false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a class A misdemeanor.

Affirmed under penalty of perjury
this 9th day of October, 2008



Inv. Karl D. Stonebarger

NEW YORK STATE POLICE

THE PEOPLE OF THE STATE OF NEW YORK

- vs.

Defendant(s)

<p style="text-align: center;"><u>INCIDENT LOCATION:</u></p> <p>STATE OF NEW YORK <u>LOCAL CRIMINAL</u> COURT</p> <p>COUNTY OF <u>OSWEGO</u></p> <p>TOWN OF <u>PALERMO</u></p>	<p style="text-align: center;"><u>LOCATION OF DEPOSITION:</u></p> <p>STATE OF NEW YORK</p> <p>COUNTY OF <u>OSWEGO</u></p> <p>TOWN OF <u>PALERMO</u></p>
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On DATE
08/29/2008 at TIME STARTED
06:11 PM I, Full Name:
ALAN L JONES

State The Following:

I LIVE AT 1678 ST 264 T/PALERMO. MY BIRTHDATE IS JUNE 7, 1981 AND MY PHONE NUMBER 315-598-8524. I CAN READ AND WRITE IN ENGLISH AND TROOPER FINKLE HAS TOLD ME THAT IT IS AGAINST THE LAW TO LIE IN A WRITTEN STATEMENT TO THE POLICE.

TODAY, 08/29/08, I WAS AT MY HOUSE WITH MY STEP-SISTER, ERIN E MAXWELL WHO IS ELEVEN YEARS OLD, I WAS IN THE KITCHEN MAKING DINER FOR HER AND SHE WAS IN HER BEDROOM. I ASSUME SHE WAS GETTING READY FOR BED. I WENT TO TAKE ERIN'S DINER TO HER IN HER BEDROOM. WHEN I WALKED IN I SAW ERIN HANING FROM THE A SCREW THAT STICKS OUT FROM THE WINDOW FRAME IN HER ROOM. THERE WAS A PIECE OF GREEN BRAIDED STRING AROUND HER NECK THAT WAS ATTACHED TO THE SCREW. ALL OF ERIN'S WEIGHT WAS HANGING ON THE ROPE AROUND HER NECK. ERIN WAS WEARING HER NIGHTGOWN. IT WAS PINKISH AND I THINK IT HAD A PICTURE OF HANAH MONTANA ON IT.

I PICKED ERIN UP AND PULLED THE ROPE OFF OF THE SCREW AND SAT HER DOWN ON HER BED. THEN I PULLED THE ROPE OFF OF HER NECK. I NOTICED SHE WASN'T BREATHING SO I WENT OUT INTO THE LIVING ROOM AND GOT THE PHONE. I CALLED 911 AND THEN WENT BACK INTO THE BEDROOM. I NEVER TOOK ANY COURSES IN CPR SO I FOLLOWED THE COURSES AS BEST I COULD THAT THE 911 OPERATOR WAS GIVING TO ME. IT WAS DIFFICULT BECAUSE I KEPT TAKING THE PHONE AWAY FROM EAR AND THEN HAVING TO LISTEN AGAIN. I NOTICED THAT WHEN I BREATHING INTO ERIN THAT IT WAS REALLY BUBBLY AND WHEN I DID COMPRESSION FLUID WOULD COME OUT OF HER MOUTH. I KEPT DOING CPR AS BEST I COULD UNTIL THE PARAMEDICS ARRIVED. THEN I MOVED THE FURNITURE OUT OF THE WAY.

THE LAST TIME I REMEMBER SEEING ERIN BEFORE I WENT INTO THE BEDROOM WAS AROUND 3:30 PM TO 4:00 PM I REMEMBER BECAUSE THE ZOOMA PATROL WAS ON CHANNEL 24.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 29th day of AUGUST, 2008


- OR -

* Subscribed and Sworn to before me

this _____ day of _____



(SIGNATURE OF DEPONENT)



(WITNESS)

Time Ended
08/29/2008 06:05 PM

(NAME OF PERSON TAKING DEPOSITION)

* This form is to be completed only when specifically required by the court.

NEW YORK STATE POLICE

State The Following:

I NEVER HEARD ERIN SAY ANYTHING THAT MADE ME THINK SHE WAS SUICIDAL. FROM EVERYTHING I SAW FROM ERIN'S BEHAVIOR OR WHAT SHE SAID I SAW NO INDICATIONS OF SUICIDAL TENDENCIES. THE ONLY REAL PROBLEM THAT I CAN THINK OF THAT ERIN WAS HAVING IS THAT THERE WERE NO KIDS AROUND HER AGE TO PLAY WITH. ERIN NEVER MENTIONED ANY BOYFRIEND'S TO ME.

EVERYTHING I HAVE TOLD THE TROOPER HERE IS THE TRUTH.

Notice

(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 29th day of AUGUST, 2008

Alan Jones
(SIGNATURE OF DEPONENT)

- OR -

* Subscribed and Sworn to before me

this _____ day of _____

(WITNESS)

Time Ended
08/29/2008 06:05 PM

(NAME OF PERSON TAKING DEPOSITION)

* This form need be sworn to only when specifically required by the court

GENL-19 REV (0408) VOLUNTARY STATEMENT

NEW YORK STATE POLICE

VOLUNTARY STATEMENT

COUNTY OF OSWEGO
TOWN OF PALERMO

STATEMENT START TIME: 9:30 AM PM
DATED: AUGUST 29, 2008

I, ALAN L. JONES, AGE: 27 AND BORN ON: 06/07/81, AND RESIDING AT: 1678 ST-264, PHOENIX, NY, HAVE BEEN ADVISED BY: SR. INV. STEVEN M. BOURGEOIS, OF THE NEW YORK STATE POLICE, OF THE FOLLOWING:

ALJ I HAVE THE RIGHT TO REMAIN SILENT AND I DO NOT HAVE TO MAKE ANY STATEMENT IF I DO NOT WANT TO.

ALJ IF I GIVE UP THAT RIGHT, ANYTHING I DO SAY CAN AND WILL BE USED AGAINST ME IN A COURT OF LAW.

ALJ I HAVE THE RIGHT TO HAVE A LAWYER PRESENT BEFORE MAKING ANY STATEMENT OR AT ANY TIME DURING THIS STATEMENT.

ALJ IF I SHOULD DECIDE THAT I DO WANT A LAWYER AND CANNOT AFFORD TO HIRE ONE, A LAWYER WILL BE APPOINTED FOR ME FREE OF CHARGE AND I MAY HAVE THAT LAWYER PRESENT BEFORE MAKING ANY STATEMENT.

ALJ I ALSO UNDERSTAND THAT I HAVE THE RIGHT TO STOP AT ANY TIME DURING THIS STATEMENT AND REMAIN SILENT AND HAVE A LAWYER PRESENT.

ALJ I FULLY UNDERSTAND THESE RIGHTS AND AT THIS TIME, I AGREE TO GIVE UP MY RIGHTS AND MAKE THE FOLLOWING STATEMENT;

Steve M. Bourgeois
WITNESS

Alan L. Jones
ALAN L. JONES

BODY OF STATEMENT - (END OF STATEMENT)

9:38 PM

Penal Law § 210.45 — IN A WRITTEN INSTRUMENT, ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE HAS COMMITTED A CRIME UNDER THE LAWS OF THE STATE OF NEW YORK PUNISHABLE AS A CLASS A MISDEMEANOR.