

Warrant Number: 15-0957-1

2015 AUG 21 AM ~~8:55~~ **CCN: B15-1737**

15 PREF 06 32 - 2015

Probable Cause Affidavit and Complaint

For Arrest Warrant

CLERK OF DISTRICT COURT
BOWIE COUNTY TEXAS
ORIGINAL

Charge: **SEXUAL ASSAULT OF A CHILD U/17yoa**

Offense Code: **11990002**

Classification: **FELONY 2 Statute: PC 22.011**

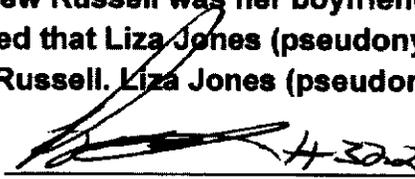
In the name and by the authority of the State of Texas:

I, **Robby C. McCarver**, do solemnly swear that I have good reason to believe and do believe that, **MATTHEW JAMES RUSSELL** on or about the **1st** day of **May** thru **July 23rd, 2015**, and before the making and filing of this complaint, in Bowie County, Texas did then and there: **INTENTIONALLY OR KNOWINGLY CAUSE THE PENETRATION OF THE VAGINA OF LIZA JONES (PSEUDONYM), A CHILD YOUNGER THAN 17 YEARS OF AGE WHO WAS NOT THE SPOUSE OF THE SAID DEFENDANT BY INSERTING HIS FINGERS INTO HER VAGINA,**

Against the peace and dignity of the State

Affiant's belief is based upon the following:

On 7-23-2015, Deputy Carrier met with Rebecca Smith in reference to a sexual assault that had already occurred. Mrs. Smith stated that her 15 year old daughter had been involved in an inappropriate sexual relationship with Matthew James Russell w/m 7-10-1991. Mrs. Smith stated that family had observed questionable behavior between the two, leading them to believe that they were in a relationship. Russell is [REDACTED] 24 years of age. When confronted, Liza Jones (pseudonym) advised her mother that Matthew Russell was her boyfriend and that they had been "messaging around". She also learned that Liza Jones (pseudonym) had been sending nude photos through SnapChat to Russell. Liza Jones (pseudonym) told her


Affiant

Sworn to and Subscribed before me on this 11th day of August, 2015. I hereby acknowledge that I have examined the foregoing affidavit/complaint and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.


Magistrate
Bowie County, Texas

CRIMINAL

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mother that she had sent photos of herself fully nude; some of which were her masturbating at his request. He allegedly sent her a photo of his penis through the same application. The victim provided a user name for Matthew Russell (matthew [redacted]) and his cellular phone number (870.64 [redacted]). It is alleged that Russell touched her breast and vagina both over and underneath her clothes. He is also alleged to have inserted his fingers into her vagina on more than one occasion. It was also reported that Russell had obtained sexually explicit photos of another underage female friend of Liza Jones (pseudonym). I met with the parents of Susan Thomas (pseudonym) on 7-29-2015. They reported that their daughter had sent nude photos of herself to Matthew Russell via SnapChat. They also provided her Apple 5c I-Phone for potential evidence retrieval. The phone was downloaded with their permission with some data recoverable. We were able to find phone data from Russell's phone 870. [redacted] to the I-phone 5c (A1532) that occurred on 6-24-2015. I also recovered a phone recording where Russell is alleged to have come to her home and made physical advances towards her. The recording revealed Susan Thomas (pseudonym) rebuffing Matthew Russell's advances; at one point yelling "This is rape, Stop". The investigation revealed that the alleged criminal behavior regarding Susan Thomas (pseudonym) occurred in Arkansas. Subsequently, that investigation has been forwarded to the Texarkana, AR Police Department.

Speaking with the victim's parents, I learned that family had already confronted Matthew Russell with the allegations. He was confronted on 7-24-2015 and I received the case on 7-28-2015. Russell had already retrieved the phone provided to Liza Jones (pseudonym) and allegedly destroyed both (his included) to prevent collection of any evidence. Russell has been uncooperative with family and has since moved to another location to avoid contact. I have accessed the SnapChat Law Enforcement Guide to assess the possibility of retrieving photos or messages. The messages are sent with 1-10 second view limits before being deleted. Except for limited circumstances, the messages cannot be retrieved. The exception being that one of the parties did not open a message-then it is only available for 30 days. All messages are permanently


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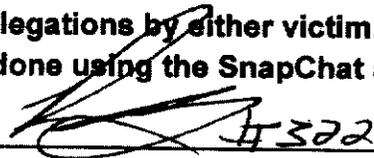


Magistrate
Bowie County, Texas

deleted from the SnapChat servers after being opened. The suspect is alleged to have destroyed both phones that were involved in the inappropriate behavior.

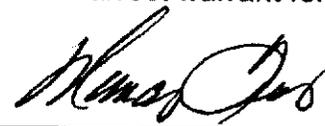
On 8-3-2015, Liza Jones (pseudonym) was interviewed at the Texarkana Children's Advocacy Center. She confirmed the relationship between she and [REDACTED]. She described a relationship where Russell made time to take her places, purchased things, and flirted with her. She stated that he first kissed her on a camping trip in early May 2015. Russell provided her with a cellular phone that she kept hidden as her parents had restricted her from using one. Russell allegedly asked her to take nude photos of herself fully nude and included her masturbating. He allegedly sent her one photo of his penis. All correspondence was done through Snapchat, an application that permanently deletes messages and photos after a set time (usually less than 10 seconds). Liza Jones (pseudonym) stated that she usually met Russell at an abandoned house just down the road from her's on Kelly Rd. She stated that they kissed and that he touched her both over and under her clothes. She stated that he touched her breasts, butt, and vagina. She further stated that he inserted his fingers into her vagina. Liza Jones (pseudonym) stated that the last time occurred approximately July 3rd at her residence. She stated that he inserted his fingers into her vagina on that occasion as well. Liza Jones (pseudonym) also discussed a sexual relationship with another adult that occurred in Idabel, OK. This inappropriate relationship was also introduced through a family member. That criminal offense is being investigated by the agency within that jurisdiction.

Attempts to reach Matthew James Russell have proven futile. He has not returned phone calls and family members have advised that he has destroyed evidence. I was contacted by a female that identified herself as Russell's "out of town" sister. She advised that her brother was not avoiding me but that he was obtaining an attorney. She stated that he wanted to cooperate but had her call instead. The phone allegedly provided to Liza Jones (pseudonym) belonged to Matthew Russell. Data retrieved between the two phones would not verify the allegations by either victim. Both have stated that all photos and text messages were done using the SnapChat application.



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ORIGINAL

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Liza Jones, made an outcry at the Children's Advocacy Center alleging multiple counts of sexual assault. She also stated that she was engaged in providing sexually explicit photos to Matthew James Russell. To date, he has declined to cooperate with the investigation.

It is requested that a warrant be issued for the arrest of Matthew James Russell for the offense of Sexual Assault of a Child U/17yoa.



Affiant

Sworn to and Subscribed before me on this 17th day of August, 2015. I hereby acknowledge that I have examined the foregoing affidavit/complaint and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.



Magistrate
Bowie County, Texas