

PROBABLE CAUSE AFFIDAVIT

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STATE OF TEXAS

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COUNTY OF JEFFERSON

Before me, the undersigned authority in said county and state, on the 11th day of March, 2021, personally appeared Detective Matt Gardner who after being by me first duly sworn on his oath, deposes and says: My name is Detective Matt Gardner. I am a detective with the Jefferson County Sheriff's Office. I have been employed with the Sheriff's Office since November 13, 2002.

Between 2005 and 2014, LONNIE CARLSTON DAVIS, a white male, born on January 15, 1971 did knowingly and intentionally commit the offense of CONTINUOUS SEXUAL ABUSE OF YOUNG CHILD OR CHILDREN at several locations, including [REDACTED] in Nederland, Jefferson County, Texas. Your Affiant believes this to be true based on the following facts:

On Wednesday, March 26, 2020, I received and reviewed this case file in reference to Texas Penal Code §21.02(b) CONTINUOUS SEXUAL ABUSE OF YOUNG CHILD OR CHILDREN.

The complainant identified the suspect as LONNIE CARLSTON DAVIS as being a close family friend. In the summer of 2005, the complainant was living at [REDACTED] in Nederland with his family. The complainant's father used to have parties at their residence with friends. The complainant went to bed at night while a party was going on and woke up to LONNIE in his bed. The complainant woke up to discover his pajamas had been removed. LONNIE was performing oral sex on the complainant. The complainant sat up, and LONNIE said, "I'll be back." The complainant moved to his sister's bed. Lonnie returned and looked in the complainant's bed and saw he wasn't there. LONNIE found the complainant, and smiling, asked, "What are you doing?" He left the room.

Several days later, the complainant was asleep in his bed, dressed in his pajamas. The complainant woke up clothed, and LONNIE had his hand on the complainant's penis. The complainant sat up and scooted back towards the wall. The hallway light come on, and LONNIE jumped up out of the bed and left the room.

A couple of months later, the complainant was asleep in his sister's loft bed. He woke up with his pajama pants pulled down below his knees. LONNIE was performing oral sex on the complainant. The complainant rolled over. LONNIE got up and walked out of the room.

LONNIE moved to Austin, Texas. In 2006, the complainant's mother brought him and his siblings to visit LONNIE. The complainant went to sleep on the couch in the living room. The complainant woke up with LONNIE kneeling next to the couch. The complainant's pants were pulled down enough to expose his penis. LONNIE was performing oral sex on him.

The next incident happened at the complainant's residence on [REDACTED]. LONNIE came to visit. He brought his Sony PlayStation for the children to play with. The following day, the complainant was left home alone with LONNIE. He was laying on the couch with his feet propped up on LONNIE, playing the Play Station. LONNIE rubbed the complainant's legs. LONNIE put his hand up the complainant's pant leg and rubbed the complainant's penis. The complainant set the controller down and crawled back, away from LONNIE.

LONNIE visited from Austin again. The complainant went to bed clothed, and I woke up with his pants pulled to his ankles, and LONNIE was performing oral sex on him.

The complainant went to a concert at Ford Park in October 28, 2011 with LONNIE, and his family. The complainant was living at his grandmother's residence located at [REDACTED] in Nederland where they returned to following the concert. LONNIE told the complainant to come to him. The complainant walked around the vehicle to the driver's side. LONNIE tried to put his hand on the complainant's penis.

The next incident occurred in the complainant's bedroom. The complainant woke up to LONNIE coming into the room and sitting on the bed. LONNIE rubbed the inside of the complainant's leg and put his hand on the complainant's penis, over his pants. The complainant quickly sat up and jumped out of the bed. LONNIE stood up and put his hands up in front of him like he was signaling the complainant to stop. LONNIE put a finger up in front of his mouth as to tell the complainant to be quiet and left the room.

LONNIE took the complainant to another concert at the Ford Park Pavilion in April 24, 2012. The complainant was living at [REDACTED] in Nederland. When they returned to the residence, the complainant went to sleep his bedroom which was the enclosed garage. The complainant woke up with his clothing removed, with LONNIE performing oral sex on him.

On September 15, 2012, the complainant went to a concert in The Woodlands, Texas with LONNIE and family. The complainant rode alone with LONNIE. Following the concert, the complainant told LONNIE he needed a new fishing pole. LONNIE told the complainant he would get what he wanted if LONNIE got what he wanted. They stayed in a hotel with two queen sized beds. The complainant's cousin and sibling were asleep in one bed, and the complainant was in the other bed with his mother and LONNIE. The complainant woke up to LONNIE forcing the complainant's hand down LONNIE'S pants. LONNIE tried to pull the complainant's pants off. The complainant rolled over and grabbed his mother. LONNIE acted like he was sleeping. The complainant fell back asleep. The complainant woke up a short time later to LONNIE was forcing his tongue inside of the complainant's mouth. The complainant rolled away. The following day, LONNIE took the complainant to Gander Mountain in The Woodlands where he bought the complainant a fishing pole. While eating at a restaurant, the waiter told LONNIE and the complainant they looked alike. LONNIE told the waiter the complainant was his son.

The remainder of incidents happened at the residence on [REDACTED] During the summer of 2013, LONNIE was hanging out with the complainant's mother every day. LONNIE stopped waiting for the complainant to go to sleep. He was more aggressive. LONNIE laid down on the couch, facing the complainant. He pulled down on the complainant's shorts. The complainant tried to keep his shorts up. LONNIE started performing oral sex on the complainant. The complainant was pushing his head away. The complainant's mother walked in, drunk, and sat in the recliner. LONNIE sat up. The complainant went to his bedroom and locked his door.

About a week later, the complainant was asleep in his bedroom. He woke up to LONNIE pulling his shorts down. The complainant said, "Get the fuck out of my room." LONNIE glared at the complainant like he was pissed off and walked out of the room. They were both clothed. The complainant woke up later to LONNIE sleeping in the complainant's bed. The complainant's mother walked in and asked LONNIE what he was doing. He said the complainant's brother was sleeping on the couch, so he slept in the complainant's room. LONNIE got up and left the residence.

The next incident happened a week or two later. The complainant was getting fed up of being woken up by LONNIE. He woke up to both of them being completely naked, the complainant laying on his back. LONNIE was holding the complainant's ankles up. The complainant remember smelling Vaseline. LONNIE had put it on his penis. LONNIE tried to put his penis inside of the complainant's rectum. It happened quickly, and the complainant remember feeling the pain of LONNIE penetrating him. The complainant rolled back towards the

wall, and LONNIE lost his grip on the complainant's right ankle from having Vaseline on his hand. The complainant kicked LONNIE as hard as he could in his chest. LONNIE fell backwards and got out of the bed. The complainant remembered LONNIE getting in the complainant's face as he usually did, with a strong odor of an alcoholic beverage on his breath. LONNIE asked, "What's the problem buddy?" The complainant didn't respond. LONNIE grabbed his clothes and left the room.

The last incident was a couple of weeks later, around January of 2014. The complainant was sitting on a punching bag that was laying on the floor, playing on his laptop computer. LONNIE came in and crouched down behind the complainant. LONNIE reached over the complainant with his left hand and put his hand on the complainant's penis, over his clothes. The complainant's mother walked in and asked LONNIE what he was doing. She told LONNIE he needed to go. The complainant saw LONNIE at the McDonald's restaurant on Nederland Avenue on July 29, 2017. The complainant was leaving, and LONNIE was standing in line. LONNIE looked at the complainant and looked embarrassed.

LONNIE met with me in my office on Thursday, February 4, 2021, at about 9:00 AM for an interview. I told LONNIE that he had been accused of having his hand on the complainant when the complainant's mother walked into the room. He said that was correct. I reminded him that the incident was alleged to have happened in January of 2014. He said that was correct. I told him there were allegations of other inappropriate behavior that had happened prior to that incident. I explained that the incident where Kristen found him touching the complainant involved his hand being on the complainant's penis. LONNIE denied touching the complainant's penis. I told him that I didn't understand why the complainant's mother would forbid LONNIE from being at their residence after all their years of friendship if he wasn't touching the complainant in an inappropriate manner. He said the complainant was sitting down looking at his computer, and he had his hands around the complainant. He said he did not touch the complainant's penis.

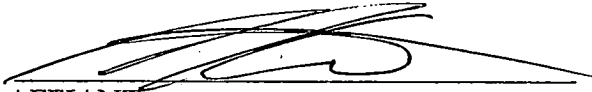
I explained to LONNIE that children usually didn't expand into great detail when fabricating information, especially with no motive. I asked him why he thought that the complainant would fabricate allegations against him. He said he didn't know. LONNIE said he thought he and the complainant were good friends. I reminded him that the complainant was a child, and he was a grown man when they were around each other. I told him it was unusual to be good friends with a child and being too close to a child could have led to inappropriate behavior.

I talked to LONNIE about the parties at the complainant's residence. I told him there was an allegation of the complainant waking up with LONNIE laying in his bed touching the complainant. He said that didn't happen. I asked him if he ever drank to the point of having memory loss. He said that would have happened on a couple of occasions. I told him it was much more than a couple of occasions.

I confronted LONNIE with the allegations that were alleged against him of touching the complainant's penis and performing fellatio on the complainant. I told him he needed to be honest with me and try to minimize the outcome of this investigation. LONNIE said, "Sir, like I said, I mean, I was close with three all of the kids. I mean, (the complainant), probably more so, but, I mean, if my affection towards him was something that he did not want or misinterpreted, I am truly sorry for that. That was never my intention with any three of the kids." I asked him how the complainant could be confused that LONNIE performing fellatio on the complainant could have been misinterpreted, on several occasions. LONNIE said he didn't know what this was all about. He told me he was gay. I told him that his sexual orientation had nothing to do with the investigation. I told him that the complainant gave a statement that was compelling with many details. LONNIE had no explanation of why the complainant would fabricate the allegations, and there was nothing in the investigation that led me to believe that the complainant's statement wasn't true. I asked him if he was a child predator who sought out more children or if he simply misunderstood his relationship with the complainant. He said he was not a predator.

I addressed the allegation that LONNIE attempted to penetrate the complainant's rectum with his penis. He denied the allegation. I asked LONNIE if he was trying to say that everything the complainant said in his statement was a lie. LONNIE sat silently. He said he thought that he and the complainant had a good relationship. He said he didn't know about all of the incidents I talked about. I asked him if he knew about some of them. He said, "It could have happened. There were times when I was drunk at their house." I asked him if he could recall one incident. He said, "Well, I mean, yeah. I mean just improperly touching how someone could, you know, misinterpret that." I asked him what he meant. He said he was referring to the time the complainant's mother walked in on him and the complainant.

Based on the aforementioned facts, I respectfully request that a warrant be issued for the arrest of LONNIE CARLSTON DAVIS, a white male, born on January 15, 1971, residing at 2815 Spurlock Road in Nederland, Jefferson County, Texas, charging him with CONTINUOUS SEXUAL ABUSE OF YOUNG CHILD OR CHILDREN, in violation of Texas Penal Code Section 21.02(b), a Felony of the First Degree.



AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 11TH DAY OF MARCH, 2021.


NOTARY PUBLIC STATE OF TEXAS

