

DECLARATION OF BENJAMIN JONES

My name is Benjamin Jones. I am a resident of Baton Rouge, Louisiana. I am over twenty-one years of age and I am competent to make this Declaration. Except where stated that I have been told by someone else, all the facts stated here are within my personal knowledge:

1. I am the twin brother of Quintin Jones, who is on death row at the Polunsky Unit in Livingston, Texas. His execution is scheduled for May 19, 2021 for killing our great aunt. I want people to know who Quintin (I call him Quin) is, and I don't want my brother defined only by the terrible thing he did to our great aunt many years ago and the other terrible things during the short time that he was severely addicted to drugs and running around with bad influences.

2. Importantly, I ask that Quin's life be spared and he not be executed.

3. Quin and I were together all the time when we were little. Quin was likeable, and easy going. I remember that when we were very young, other kids picked on Quin because he stuttered, but Quin would just make a joke about it instead of getting mad. Quin played sports, and always dressed nice. Quin had his group of friends and I had mine. Quin had more friends than me, especially friends who were girls. He got a lot of attention from the girls because of the nice way he dressed.

4. Quin and I did not have it easy growing up life. We had no moral support or positive role models while growing up other than older figures like our grandmothers and aunts. We had no dreams and aspirations of what we wanted to be when we were growing up because in our parents and most of our surroundings, we had no positive persons to gain influence from.

5. We were born on July 15, 1979. Our parents are Ruby Jones and Michael Jones. We were the 5th and 6th kids born to them and the last ones born. We had four siblings born before us. We had twin sisters who passed away while still in their cribs. We have a living older brother and a sister.

6. When Quin and I were born, our parents were already separated. Our mother was a very difficult person. She was a drug addict during our entire childhood. She beat us regularly for the smallest things. Our early childhood involved mostly being moved around between family members.

7. Our father Michael Jones believed that we were conceived by our mother cheating on him. Michael Jones was not present when we were born and during our early years. I barely remember him during our childhood. Most of the responsibility in our young life fell upon our grandmothers. Growing up, we were always picked on because of the hand-me-down clothes we had to wear. Me and

Quin were often called bastard children. Me and Quin often got into scuffles with other children because of this.

8. Elizabeth Hill, Mattie Long, and Berthena Bryant (we called her Aunt Bert) were sisters and lived in the same neighborhood. Quin, Aunt Mattie, me, Elizabeth Hill, and Aunt Bert all went to the same church. Quin and I were close to Aunt Bert. Because Quin and I lived about eight blocks away from Aunt Bert, in the summers we would go to Aunt Bert's and do chores, and she would give us some spending money for helping her.

9. As we gotten older as children, we thought that if we did well in school, maybe our lives would be easier. It was not. When we were elementary school, one of the school's building caught on fire. Me and Quin were blamed for it, but we had nothing to do with the fire. And we were not charged for the fire. However, members of our family decided that it may be better to separate us.

10. Thus, when we were about ten years old, Quin and I were split up. I was sent to live with our grandmother, Elizabeth Hill. Quin was sent to live with our Great Aunt Mattie Long. From that point on for about five years, me and Quin saw each other only when our families got together.

11. I began getting into trouble. I had little-to-no supervision. I don't blame my grandmother for my actions. I just was not supervised. I started doing foolish

things and behaved poorly. I became involved in gangs and selling drugs. I soon ended up at the Texas Youth Commission, where I spent two years. I was released to my grandmother. Soon, I was again locked up within the Texas Youth Commission for six months. Upon release when I was about 14, I was sent to live with my mother. She had no idea how to raise me or discipline me because of her problems and drug abuse. Again, I did foolish things, including getting a girl pregnant, and I became responsible for child support at age 15.

12. Then me and Quin were reunited. Quin was doing well in school, while I continued to do foolish things and lashing out. Me and Quin continued to have a poor relationship with our mother. She never acted like she loved us, and even told us that she never loved us. Quin and I had no idea why she said things like that and acted as she did. Quin would try to tell me to do the right thing and not get into trouble, but I would not listen.

13. Even though Quin would try to counsel me to not get into trouble, Quin was using drugs at the time and drinking heavily. During this time, Quin attempted suicide three times. I know the separation from family and other problems took a toll on him. One of the times, Quin shot himself in the chest. I learned that Quin may have been sexually abused by one of our siblings. I tried to help him but Quin was emotionally broken and found relief in drugs and alcohol.

14. Within a few years, Quin and I decided to leave home. Quin found a girlfriend. I was locked up again for drug possession. I served another two years in TDCJ. When I was released and reconnected with Quin, I discovered that things had changed dramatically in his life. Quin changed when he was on drugs and was influenced by a man who was about 18 years older than Quin, Riky Roosa. I did not like Roosa. I had no idea then why Quin was hanging around a man Roosa's age. Roosa is a bad man. Even his own son Rod Lebel ran away from the area once he found out what Roosa was really up to. I soon learned that Quin was hanging around Roosa because Roosa knew where to find drugs quickly. Because of the drugs and Roosa's negative influence, Quin lost his sense of humor that he had when we were growing up. I noticed that instead of making a joke when he was picked on for stuttering, Quin would get mad. After Quin met Roosa, he was always drunk, stoned, or angry, or a combination of these.

15. Quin and I made bad choices. What I say in this declaration is not an excuse for what happened, but it's only an explanation. Unfortunately, Quin committed a crime that was very terrible and landed him on death row. But I know from communicating with him many times since that he is deeply remorseful for his behavior.

16. Today I work in a flower shop six days a week to support myself and to continue paying on child support. Quin and I not only had similar situations growing up, but we had almost the same situation as we are twins. Fortunately for me, I avoided the really bad trouble that Quin was unable to avoid. Quin was convicted of capital murder and sentenced to death for killing Aunt Bert. I was angry at him for years for what he did to Aunt Bert, who I know he loved just like I loved her. But I know my twin brother. Despite our upbringing, but-for the heavy drug and alcohol abuse and the influence of this sinister man Riky Roosa, who pleaded guilty of two other murders, I do not believe that Quin would have killed Aunt Bert. I did not think that Quin was capable of killing anybody, much less Aunt Bert. Although Quin has long taken full responsibility for his behavior, I know that it was drugs and the influence of Roosa that facilitated Quin's behavior. Quin never acted this way before he met Roosa. I was very upset when Aunt Bert was killed because we were family. For the past 20 years I shut off that part of my life because of the hurt it caused me. Quin and I write each other regularly. He has told me many times he is deeply remorseful for what happened.

17. Therefore, I ask for mercy for Quin and for his life to be spared. The world will not be better off if Quin is executed. He will do fine in prison. He does not make trouble or bother any other persons. Quin has had over 21 years to clean

up his act and get drugs out of his system, and he has done both. Quin's actions on that terrible day in September 1999 when he was on drugs and hanging around this sinister man Roosa already greatly harmed me and our Great Aunt Mattie Long. But both of us have long forgiven Quin. Please don't cause us to be victimized again through Quin's execution. Thank you.

End of testimony.

DECLARATION¹

Under Texas Civil Practice and Remedies Code § 132.001 *et seq.*, I declare that I, Benjamin Jones, of Baton Rouge, Louisiana, born in July 1979: (1) am at least 18 years old; (2) am competent to make this declaration; (3) have personal knowledge of the facts in this declaration; (4) have not been compelled or threatened to sign this declaration; (5) am signing this declaration knowingly, voluntarily, and freely; (6) understand the contents of this declaration; (7) read, write, and speak English; and (8) attest that under penalty of perjury, the factual assertions in this declaration are true and correct.

03-30-2021

Date

Benjamin S. Jones
Signature of Declarant

¹ An unsworn declaration under Tex. Civ. Prac. & Rem. Code § 132.001 may be used in lieu of any sworn declaration, verification, oath, or affidavit requirement in a criminal case. *Owens v. State*, 763 S.W.2d 489, 490-491 (Tex.App.-Dallas 1988, pet. ref.) (In context of a motion for new trial, which must be verified); *see also In re Taylor*, 28 S.W.3d 240 (Tex.App.-Waco 2000), *overruled in part on other grounds, In re Z.L.T.*, 124 S.W.3d 163 (Tex. 2003) (Where a prison inmate's petition in an original proceeding substantially complied with the unsworn declaration requirements of Tex. Civ. Prac. & Rem. Code § 132.001(a), his petition was properly verified). The unsworn declaration must be in writing, subscribed by the person making the declaration, contain the person's name, address, date, and declare that it is true and correct. Tex. Civ. Prac. & Rem. Code § 132.001(a).