





# OKLAHOMA PROBABLE CAUSE AFFIDAVIT

STATE OF OKLAHOMA VS RICHARDSON, JUSTIN DANIEL (Continued)

## Facts & Circumstance that support probable cause to arrest the above named person are

At 4:34 pm on the afternoon of Thursday February 12, 2026, CCSO deputy JUSTIN RICHARDSON initiated a foot pursuit with a subject with outstanding felony warrants, Darren Howard, in a rural area south of the community of Peggs, Oklahoma in the northern portion of Cherokee County. CCSO deputies, deputy marshals of the Cherokee Nation Marshal Service and troopers from the Oklahoma Highway Patrol searched for Howard for several hours before finding him hiding in a wooded area and arresting him. Howard was transported to the Cherokee County Detention Center after his arrest where he was booked for two arrest warrants, one felony and one misdemeanor.

During Howard's book in process at CCDC, he complained of dizziness and blurred vision. CCDC detention officers Ashley Ketcher, Colton Mahaney, Bennett Sams, Nathan Valle and Cody Garner reported witnessing Howard spit up bloody mucus. The decision was made Howard would be transported to the emergency room at Northeastern Health System-Tahlequah by detention officer Cody Garner in a CCDC vehicle. Howard was treated at NHS ER and was sent back to CCDC with Naproxen tablets. Howard arrived back at CCDC at 1:00 am.

On the morning of Friday February 13, 2026, Deputy RICHARDSON filed a CCSO Use of Force Report . RICHARDSON reported he struck Howard in the head with his elbow in an attempt to gain compliance as a CNMS deputy marshal was struggling to handcuff Howard.

RICHARDSON told CCSO undersheriff James Brown that he did not have his body camera activated while he was pursuing Howard.

On the afternoon of Friday February 13, 2026, Director Daniel Mead of the Cherokee Nation Marshal Service telephoned me. Director Mead told me that he had spoken with one of his deputy marshals who reported to him that Deputy RICHARDSON had unnecessarily struck Darren Howard in the right side of Howard's head with RICHARDSON's knee while the deputy marshal was handcuffing Howard. Director Mead stated the deputy marshal told him that Howard was not resisting the arrest at the time RICHARDSON struck him in the right side of the head with RICHARDSON's knee.

Director Mead told me he would have his deputy marshals involved in Howard's arrest write statements of their involvement and provide me with recordings of their body cameras.

After I spoke with Director Mead, RICHARDSON's employment as a CCSO deputy was terminated.

On the afternoon of Wednesday February 18, 2026, I received statements from CNMS deputy marshals Cody Colburn, Brett Russell, Carson Lemon-Younger and Kolton Holmes.

Deputy Marshal Russell wrote in a handwritten statement during the beginning stage of the foot pursuit with Darren Howard, in the presence of Russell, a female CCSO deputy and an OHP trooper RICHARDSON stated, "If we find this guy, I want some time with him before he goes into cuffs." Deputy Marshal Russell wrote the female CCSO deputy replied, "No, you don't want to do that" to which RICHARDSON answered, "Fuck him, he burnt my truck, he's got one coming."

CNMS deputy marshal Cody Colburn wrote in his typed statement that he was in the process of launching a CNMS drone when he heard a voice in a wooded area say, "I'm walking to you" and "I give up, I surrender." Colburn reported he started moving into a wooded area and saw Darren Howard. Colburn wrote he gave Howard commands to put his hands behind his back and get onto the ground. Colburn stated Howard did as he was commanded and did not resist physically or verbally and Colburn began to handcuff Howard as Howard was on the ground. Colburn wrote two officers arrived to his arrest of Howard simultaneously, RICHARDSON and CNMS deputy marshal Lemon-Younger, and RICHARDSON struck Howard in Howard's right temple with RICHARDSON's knee. Colburn stated RICHARDSON's body blocked his view of Howard but Colburn saw RICHARDSON's body move in an up and down motion 2-3 times.

CNMS deputy marshal Carson Lemon-Younger wrote in his handwritten statement he, RICHARDSON and deputy marshal Cody Colburn took Darren Howard into custody and during the arrest he heard Howard ask, "Oh, God. Why did you do that?" and RICHARDSON answer, "Fuck you, shut up."

Deputy Marshal Lemon-Younger's body camera was recording during the arrest.

Deputy Marshal Lemon-Younger's body camera recording showed, at around 13:25 of the recording, as Darren Howard was being arrested, Deputy Lemon-Younger fell before he got to Colburn and Howard. Lemon-Younger got back to his feet and continued toward Colburn and Howard as RICHARDSON can be seen running into Lemon-Younger's camera's view from behind and to the left of Lemon-Younger. Colburn's body blocked the view from Lemon-Younger's camera and RICHARDSON's initial action as he arrived at Howard cannot be clearly viewed. Next, somebody yelled, "Oh, God! Why did you do that?" RICHARDSON can be heard replying, "Shut the fuck up!" and then, "Fuck you. shut up!" RICHARDSON then handcuffed Howard. RICHARDSON stood

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to his feet as Howard was lying prone, handcuffed on the ground, and stood over Howard and taunted Howard by saying, "You know exactly who I am."

On the morning of Thursday February 19, 2026, I asked Sergeant Ryan Robison, CCSO's body camera coordinator, to check JUSTIN RICHARDSON's body camera recordings to make certain RICHARDSON's camera was not activated during the foot pursuit of and search for Darren Howard. Sgt. Robison found RICHARDSON's body camera was activated and recording during the foot pursuit and search but was not activated and recording during the physical arrest of Howard. RICHARDSON's body camera was reactivated and recording after Howard's arrest while RICHARDSON was walking Howard out of the wooded area to a CCSO patrol vehicle for transport.

On the afternoon of Thursday February 19, 2026, I spoke with Oklahoma Highway Patrol trooper Andrews Waters. Waters stated he did not hear RICHARDSON make a threat to harm Darren Howard during the foot pursuit of Howard.

On the morning of Friday February 20, 2026, I spoke with CCSO deputy Amber Rigsby. Deputy Rigsby told me that she did not hear RICHARDSON make any statements about wanting to harm Howard during the foot pursuit of Howard.

Darren Howard bonded out of CCDC before I was able to speak with him.

JUSTIN RICHARDSON is not an enrolled member of a Native American tribe.

AFCF ?     Time (1)     Time (2)    or Other

Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.

Officer Name: CHENNAULT, JASON    Badge Number: CK1

*JAC Chenault*

Signature of Affiant

Subscribed and sworn before me on 2.23.2026

My commission number 21009736

My commission expires 7.23.2029

*Kristen Gaches*  
Notary Public



**FINDING OF PROBABLE CAUSE**

The undersigned judge of this court, upon sworn affidavit, hereby determines there to be probable cause for issuance of an arrest warrant.

Date 3-18-2026

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*Gaffney*

Judge Signature

Sheriff's Affidavit Required ?

Bond Posted ?

A probable cause determination is not necessary, the arrestee bonded out of jail on \_\_\_\_\_

Appear in Court ?

The undersigned Judge of this Court having conducted a probable cause determination for the above named person's arrest with warrant by sworn testimony and/or affidavit finds:

This affidavit/testimony contains sufficient facts showing probable cause for the person's arrest existed at the time of the arrest. Arraignment before a court is ordered on \_\_\_\_\_

This affidavit/testimony contains insufficient facts to show probable cause for the person's arrest existed at the time of arrest. The arrestee is ordered released from custody immediately.

I make the preceding findings and order pursuant to Gerstein v. Pugh, 420 U.S. 103 (1975), and County of Riverside v. McLaughlin, No. 89-1817 (U.S. May 13, 1991) (Lexis 2528):

FINDING OF PROBABLE CAUSE

The Undersigned Judge of this Court, upon sworn affidavit, hereby determines there to be probable cause for issuance of an arrest warrant.

Date 3-18-2026

*SNB*

JUDGE OF THE COURT

.....  
Date \_\_\_\_\_

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OFFICER / SUPERVISOR SIGNATURE

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