



ARKANSAS STATE POLICE

ASP-3
(Rev. 02/00)

Criminal Investigation Division Case Form

Date: JUNE 24, 2009
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CASE SUMMARY

On June 20, 2009 at approximately 8:33am, LESTER MCGOWAN arrived at the Arkansas Department of Corrections, Maximum Security Unit, driving a 2001 Nissan Altima, black in color. MCGOWAN had driven CHRISSY JOHNSTON to the unit for the purpose of visiting his brother, L.M. MCGOWAN, who is currently incarcerated at the Unit. Shortly thereafter MCGOWAN departed the unit's property.

On June 20, 2009 at approximately 9:16am, Correctional Officers BILLY HAYES, JONATHON LAWRENCE and BRIAN COCKRELL arrived at the Maximum Security Unit and set up a visitation check point at the northwest entrance of the unit's parking lot. At approximately 11:10am, LESTER MCGOWAN returned to the Maximum Security Unit, driving a 2001 Nissan Altima. MCGOWAN was stopped by the Correctional Officers and was requested to consent to a vehicle search in which he consented.

Officer HAYES then instructed MCGOWAN to step out of his vehicle in which he complied. Officer HAYES then observed and recovered a bottle of beer from the vehicle. Further, he recovered MCGOWAN'S identification card during a pat down search. A National Crime Information Center (N.C.I.C) check was ran on MCGOWAN, and it was learned that he had two outstanding felony warrants for his arrest. Correctional Officers HAYES and LAWRENCE then returned to MCGOWAN'S location to handcuff him. It was at this time they observed that he had gotten back into his vehicle and started the engine.

Officer LAWRENCE then instructed MCGOWAN to step out of the vehicle but MCGOWAN refused. HAYES then began to reposition his location by traveling toward the passenger side of the car. MCGOWAN then placed the vehicle in reverse and collided with a vehicle that was pulling up to the location where the officers and MCGOWAN were located. This vehicle was occupied by Assistant Warden RANDALL MANUS. After striking the vehicle, MCGOWAN placed the vehicle in drive, and began to travel in an easterly direction.

According to Correctional Officer HAYES, the vehicle then traveled directly toward him. It was at this time Officer HAYES felt as if his life was in imminent danger; therefore, he fired one shot with his service pistol. The projectile and/or bullet shattered the right rear passenger side window, and traveled through the top right front passenger seat.

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CRIME: DEATH INVESTIGATION

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The projectile continued through the driver's side seat and finally struck MCGOWAN just below the right shoulder blade area. The vehicle then accelerated, traveling approximately 450 feet in an easterly direction before striking the units south outer perimeter fence. It was at this location the vehicle came to a final rest. Shortly thereafter, paramedics were called to the scene. MCGOWAN was pronounced dead by Jefferson County Deputy Coroner JOHN LAWSON at 12:29 pm.

There were also four other witnesses that saw Officer HAYES fire a single shot at LESTER MCGOWAN. According to the statements of the witnesses, what they saw was distinctly different from the information provided by Officer HAYES. The four witnesses are identified as SHIRLEY JOHNSON, STANLEY JOHNSON, ELISHA BARNUM and WANDA IVERSON.

According to SHIRLEY JOHNSON, she and her husband were at the prison unit to visit their grandson. While seated in their vehicle on the parking lot, she saw a white van parked at the west end of the parking lot and officers were searching vehicles as they drove up. A small black car pulled up which was driven by a white man. The officers began to search the car while they had him to stand outside the vehicle. He later got back into the car and parked it by an ADC van. The officers began to talk to him. The black car then began to back out and pull away. The officers gave chase on foot and began to yell for him to stop. The black officer then ran to the passenger side of the car as it was pulling off. The officer pulled his gun and shot the back side glass out of the car. JOHNSON was questioned as to her opinion, if any officer was in danger of being struck by the black car and she replied "No."

STANLEY JOHNSON stated that a black vehicle pulled up to the guards that were working a check point and they told him to pull over to the side. JOHNSON stated that the guards were asking the driver several questions but he could not hear what was being said. JOHNSON stated that the car traveled in reverse before "peeling" out and traveling in a forward motion. He related that the guard then fired one shot into the back seat passenger side glass. The vehicle was traveling in an easterly direction and later struck a fence.

ELISHA BARNUM stated that he was exiting the visitation area and was walking back to the administration building when he saw a van and a small white state vehicle on the parking lot. He stated that he heard someone say "get out of the car" and the driver of the black car backed up striking a vehicle. The driver of the black car was trying to get around the guard when the guard shot once through the back window. BARNUM then stated that he didn't think the car was driving toward the guard; he was just trying to get away. According to BARNUM, the shot was fired directly behind because the vehicle had traveled beyond the guard.

WANDA IVERSON stated that she arrived for work at 6:30 am and was assigned to the South Tower which is located on the main parking lot and front gate area at the Tucker Max Unit of ADC.

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Around 9:30 or so this morning, she saw the K-9 unit positioned their van at the end of the parking lot where the visitors enter. They were searching cars that came onto the property for visitation with the inmates. Sometime after 11:00 AM, she observed a small black car pull up to the K-9 unit. The two K-9 officers searched the black car and then had the driver pull onto a parking spot in the administrative parking area that is located near the front of the fence. The car pulled into a parking space located the van. She saw the officers talking to him and she thought they must have found contraband.

IVERSON saw Warden MANUS pulling onto the parking lot. He pulled in front of the van and slowed to see what was going on. She then saw the black car go into reverse and back up quickly. The black car hit Mr. MANUS' car and then "whipped around" and headed east. The black car sped off and she heard 2 gunshots. The black K-9 officer was the person that fired at the black car as it sped off. He was about 20-25' away from the back of the car when he shot. Both of the K-9 officers were behind the car when it ran past the tower and hit the fence. Then they followed the car in the van. She did not see any other vehicle go down to where the black car had hit the fence except the van.