

IN THE CIRCUIT COURT OF CHICOT COUNTY, ARKANSAS
CRIMINAL DIVISION

STATE OF ARKANSAS

vs.

No. CR-2011-_____

BARBARA "KAY" BROWN
B/M DOB: 5/30/1961

INFORMATION

I, THOMAS D. DEEN, Prosecuting Attorney of the Tenth Judicial District of the State of Arkansas, of which Chicot County is a part, in the name and by the authority of the State of Arkansas, accuse Barbara "Kay" Brown of the offense of Theft of Property, in that the said defendant in Chicot County, Arkansas, unlawfully and pursuant to a continuing course of conduct:

COUNT ONE - THEFT OF PROPERTY: On or about dates during the one year preceding May 1, 2011, did knowingly take or exercise unauthorized control over the property of the Dermott School District valued in excess of \$2,500 with the purpose to deprive the owner thereof, which offense is punishable as a Class B felony by imprisonment for not less than five years nor more than twenty years and by a fine not exceeding \$15,000; against the peace and dignity of the State of Arkansas and in violation of Ark. Code Ann. § 5-36-103.

AGENCY: ASP (Moss)

STATE OF ARKANSAS



THOMAS D. DEEN

Prosecuting Attorney
Tenth Judicial District

COVER SHEET
STATE OF ARKANSAS
CRIMINAL INFORMATION

This criminal information cover sheet or the standard criminal information form is required by Supreme Court Administration Order Number 8 to be completed for every defendant and filed by the prosecutor. The data contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court rule.

County CHICOT

District

Case Number CR-

Judge

Division

Filing Date

Style of Case State of Arkansas v. Barbara "Kay" G. Brown

Prosecutor Providing Information: Thomas Deen

Is This an Amended Information ☐ Yes

Is D being charged as a Habitual? ☐ Yes

If Yes, are you

Are multiple D's Charged in the information? ☐ Yes

Adding Offense(s)? ☐ Yes

Dropping Offense(s)? ☐ Yes

Is victim under the age of 14? ☐ Yes

Changing Offense(s)? ☐ Yes

CO-Defendants:

Defendant's Full Name	Date of Birth	Race	Sex	SID#	Arrest Date
Barbara "Kay" G. Brown	5/30/1961	W	Female		

Address (Street, City, State, Zip)	SS#	Driver's License No.
106 S. Norwood Street Dermott, AR 71638		AR 911518508
	Arrest Tracking #	Prosecutor's File
	0	8011

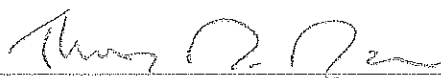
KNOWN ALIASES:

NOT AVAILABLE

The attached information accuses the above named defendant of the following crime(s):

Code #	Offense	A/C/S	Offense Date	Counts	F/M	Class
5-36-103	THEFT OF PROPERTY (\$2,500 OR MORE)		5/1/2010 - 5/1/2011	1	F	B

Circuit Clerk/Deputy Clerk


Prosecuting Attorney/Deputy Prosecuting Attorney

SUMMONS

CHICOT COUNTY CIRCUIT COURT

CR-2011-_____

STATE OF ARKANSAS)
) ss.
COUNTY OF CHICOT)

TO ANY SHERIFF, CORONER, JAILER, CONSTABLE, MARSHALL, OR POLICEMAN IN THE STATE:

You are hereby commanded forthwith to summon:

Barbara "Kay" G. Brown
106 S. Norwood Street
Dermott, AR 71638

DL: AR 911518508
SEX: Female
RACE: W
SSN:
DOB: 5/30/1961
ATN: 0

to appear before the CHICOT County Circuit Court, to answer an Information in that court against him or her for VIOLATION OF ARKANSAS CRIMINAL CODE:

Code #	Offense	A/C/S	Offense Date	Counts	F/M	Class
5-36-103	THEFT OF PROPERTY (\$2,500 OR MORE)		5/1/2010 - 5/1/2011	1	F	B

at _____ a.m., on the _____ day of _____, 2011 at the CHICOT County Courthouse.

Given under my hand and seal of said court this _____ day of _____, 20____.

Josephine Griffin, Circuit Clerk

By: _____ D.C.

STATE OF ARKANSAS)
) ss.
COUNTY OF CHICOT)

I have this _____ day of _____, A.D. 2011 duly served the within by _____

Sheriff

By: _____ D.S.

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No. CR-2011-_____

BARBARA "KAY" BROWN
W/M DOB: 5/30/1961

AFFIDAVIT FOR WARRANT OF ARREST

NOW COMES the undersigned affiant, and upon his oath states as follows:

1. I am Clayton Moss, Special Agent with the Arkansas State Police, assigned to investigate allegations of theft of food and related products from the cafeteria of the Dermott School District, in Chicot County, Arkansas.

2. The attached two page summary of my investigation, which is incorporated herein, is true and correct. It is requested that a warrant of arrest issue for Barbara "Kay" Brown (W/F DOB: 5/30/1961) for the offense of theft of property, a Class B felony, in violation of Ark. Code Ann. § 5-36-103.

3. This affidavit does not purport to be inclusive of all the findings of the investigation in this matter, and is offered solely for the purposes of establishing probable cause for arrest.

DATED this 15th day of June, 2011.



S. A. CLAYTON MOSS
Affiant

APPROVED:

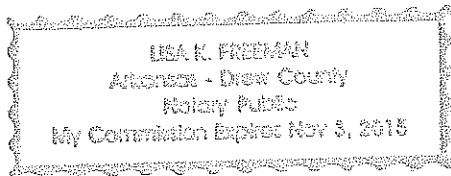


THOMAS D. DEEN
Prosecuting Attorney

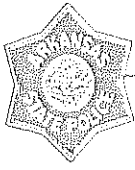
ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF DREW

SWORN AND SUBSCRIBED before me on this 15th day of June, 2011.



Lisa K. Freeman
NOTARY PUBLIC



ARKANSAS STATE POLICE

ASP-3
(Rev. 06/00)

Case Form

Date: JUNE 9, 2011
Dictated by: S/A CLAYTON MOSS #36 Proofed SW
Date Typed: JUNE 9, 2011
Copies to: S/A CLAYTON MOSS #36

CASE SUMMARY

ANDY BRANNON is on the school board for the Dermott school system. Recently, several people in the community came to him and told him that food was being sold out the back door of the cafeteria. ANDY looked into the matter and found that during the first three months of year 2011, the cafeteria expenses were unusually high. ANDY also reviewed some video surveillance footage and saw cafeteria worker, KAY BROWN, taking large amounts of food from the cafeteria. He notified the State Police and requested that we open an investigation.

KAY BROWN is the Food Services Director for the Dermott School system. She has been in that position for over ten years. She is responsible for setting the lunch menu, ordering all the food from the Sysco distributor, and preparing/serving the food. After the food is served, KAY is supposed to document how much & what kind of food was served by filling out a "production record" sheet. That sheet is supposed to be filled out daily. Everything that KAY orders from the Sysco distributor is paid for by the Dermott School District.

Interviews revealed that several people buy food from KAY. They claim that they've been buying food from KAY for several months and that she doesn't accept checks as payment...only cash. They knew the food was being purchased through the school's Sysco distributor, but they thought the money they were paying KAY was getting deposited back into the school district's account.

During a post-Miranda interview, KAY admitted to falsifying the cafeteria's daily production record sheets. She said she was overworked and got several months behind on them. She had to stay at the school until 3 a.m. one night to get them all filled out. She only filled them out after the investigation began and only after the school superintendent asked for them. KAY admitted that she has been ordering food through the school district and selling it to people in the community for about two years. She admitted that she received cash for the food and didn't give the money back to the school district. However, she only admitted to keeping "probably \$800 dollars." She admitted to selling food to at least 4 different people and keeping the money...even though she claimed to have paid some of the money back at times.

CASE SUMMARY CONTINUED

PAGE 2 OF 2

KAY admitted to selling large items like fish, ribs, chicken, shrimp, and even Styrofoam take out trays. She said she's been having a tough time since her divorce last year, and she doesn't know why she started keeping the money.

I reviewed the Sysco orders placed during the first three months of year 2011 and totaled up the amounts of fish, ribs, shrimp, and pork chops ordered. I subtracted the amount of food that was served to the students and came up with a large amount of food unaccounted for. Conservatively, that amount is \$ 4,057.00. KAY admitted to selling other items that weren't included with this amount...such as the Styrofoam take out trays, super donuts, salad, potato salad, rolls, and chicken.