

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

AFFIDAVIT OF PROBABLE CAUSE TO OBTAIN BOND

STATE OF ARKANSAS

PLAINTIFF

VS

JERMEY ROBERT HENDRIX

DEFENDANT

White / Male DOB: 04/23/94

FACTS CONSTITUTING PROBABLE CAUSE

Comes now Detective Larry Taylor of the Rogers Police Department, and under oath doth state:

The records of the Rogers Police Department reflect that on Friday, September 21st, 2012, at approximately 1939 hours, Officers with the Rogers Police Department were dispatched to 1203 W. Olive Street for a report of a female subject that was shot in the neck with a dart from a blowgun. Upon arrival, officers observed a 19 year old female who had a dart sticking out of her neck. The dart was 4 ¼ inches in length and had penetrated the front portion of the female's neck. The female was transported to Mercy Medical Center to have the dart removed. Once at Mercy Medical Center, x-rays were taken to see if any vital areas were impacted. The x-rays showed that the dart missed the vital areas and was removed.

Two witnesses informed the officer that they were outside with the 19 year old female when they heard a "pop" sound. They said that the 19 year old put her hand on her neck and they saw a dart sticking out. One of the witnesses stated that they got in a vehicle and tried to catch the vehicle, but said that they were not able to catch up. The witness described the vehicle as a white or silver colored Toyota Corolla, but stated that he was not 100 per cent sure on the make.

During the investigation, it was discovered that witnesses observed the suspect vehicle leaving the scene and they stated that the vehicle drove through the parking lot of E-Z Mart, located at the intersection of North 13th Street and West Olive Street. Surveillance video was

later obtained and showed a white colored passenger vehicle, believed to be a Toyota Corolla, cutting through the parking lot during the time in question.

On Wednesday, September 26th, 2012, Officers with the Rogers Police Department were dispatched to 301 N. 46th Street (Kohl's), regarding a 21 year old female reporting that she had been shot with a dart while walking across the parking lot. The female reported that she stopped on the sidewalk before entering the crosswalk and a beige passenger car, possibly a Nissan Altima, stopped to let her and her mother cross the road. The female stated that when she crossed the road, she felt something hit her shoulder. She said that she looked back and could see a dart sticking out of her shoulder. She said that she told her mother and her mother pulled the dart out. No surveillance video of the incident was located.

On Friday, September 28th, I received information regarding Sonic on East New Hope Road. I was informed that the manager of Sonic had found several darts from a blow gun in the drive through and one dart stuck in the building. I later collected the darts. No video was located at that time.

On Friday, September 28th, I looked at the darts and observed that the darts from both shooting incidents involving the female subjects were 4 ¼ inches in length and contained flattened tips. They were also consistent with the darts found at Sonic. Detective Brian Hanna and I went to Cabela's and checked the records for darts and dart guns that were sold containing those tips. We were able to locate several transactions.

While observing video of a transaction that occurred on Friday, September 21st, at approximately 1857 hours, I observed that there were two males and one female subject that purchased a blow gun, a package of darts, and a package of beef jerky, approximately 40 minutes prior to the 19 year old being shot in the neck with the dart. One of males had a slender build and dark medium length hair. The other male had blondish brown hair and appeared to be larger in size. The larger male is the one that purchased the above listed items. It was also noted that he male subjects were carrying cups that appeared to possibly from Sonic.

On Sunday, September 30th, I received information from Officer Nicholas Torkelson informing me of the paintball incident that occurred on 09/13/12. On Thursday, September 13th, 2012, at approximately 1736 hours, the Rogers Police Department received a call from a subject, Chad Grundy, regarding a vehicle driving down the road and shooting him with a yellow colored paintball. Chad informed officers that he had gotten a tag number to the vehicle of 304NDC as

the vehicle fled toward West Oak Street. He described the vehicle as a light colored passenger car. He said that he saw what appeared to be a male driver, but could not describe him. He said that he was not sure if there were any passengers in the vehicle or not. Upon checking the vehicle through ACIC, the vehicle returned to Karen Hendrix on a white colored 2006 Toyota Corolla with an address of 4210 Willowbend Drive in Rogers. Officers were unable to locate the vehicle at that time.

Officer Torkelson stated that he had run the tag number (304NDC) from that incident and saw that it returned with an address of 4210 Willowbend Dr in Rogers. Officer Torkelson said that he checked the address through the police department records and discovered that Jeremy Hendrix DOB: 04/23/94, was associated with the address. Officer Torkelson ran Jeremy through ACIC and discover that he had an address of 2910 W. Beechwood in Rogers. Officer Torkelson drove past 2910 W. Beechwood and observed a white colored Toyota Corolla parked in the driveway, displaying tag 304NDC. The vehicle appeared to be the same as the vehicle in the surveillance video at EZ Mart, cutting though the parking lot.

I later obtained a Drivers License Photo of Jeremy Hendrix. Upon obtaining the photo, I observed that it appeared to match the slender subject in Cabala's surveillance video that was with the subject that purchased the blow darts.

On Monday, October 1st, Detective Brian Hanna and I went to 2910 W. Beechwood and observed a white colored Toyota Corolla, displaying tag number 304 NDC, parked in the driveway. The vehicle looked the same as the vehicle driving though the EZ Mart Parking Lot on 09/21/12.

At approximately 1537 hours, I, along with other detectives of the Rogers Police Department, went to 2910 West Beechwood Drive, made contact with Jeremy, and executed a search warrant on the residence. Det. Hanna and I conducted a Mirandized interview with Jeremy while other detectives searched the residence. During the interview, Jeremy first denied being involved with the incident and stated that he does not have a blow gun or does not know anyone who owns a blow gun. I then showed Jeremy a picture of the surveillance photos from Cabela's and asked him who was in the photos. Jeremy stated that it was him, William Goines, and 17 year old EH. I asked Jeremy what he was doing in the surveillance photos. He said that they were looking at blow guns. Jeremy then admitted that he and William had shot the female subjects with the darts, stating that it was an accident. Jeremy stated that they were shooting the

darts out of the windows of the vehicle and did not see the females when they got hit. I asked Jeremy to give me details to each incident. Jeremy stated that he was driving his vehicle on 9/21/2012 and said that his friend, William Goines, shot a dart out of the window and it struck a female. Jeremy said that William was not trying to hit anyone and said that it was an accident. I asked him how they knew that they hit her. He said that she screamed and they took off. Jeremy stated that EH was in the back seat of the vehicle at the time of that incident.

Jeremy stated that on 9/26/2012, he was with William in William's vehicle, later identified as a gold colored Nissan Altima. Jeremy stated that he was attempting to shoot a bird with a dart and said that he missed and hit a female. Jeremy said that he did not see the female when he shot the dart. When asked where the female was at, he said that she was walking in front of a car and he was shooting at a bird that was sitting on the car.

I asked Jeremy about the paintball incident where Chad Grundy was struck with a paintball on 09/13/12. Jeremy said that he and William had shot Chad, stating that they were trying to hit him. Jeremy said that he was driving and William shot Chad using a sling shot and paintball. He said that they just wanted to see what it was like and that they also shot several vehicles that night. Jeremy described the location of the incidents, which were consistent with the incident reports. A white dart tip was located in Jeremy's vehicle during the search as well as blow dart targets. Jeremy was placed under arrest and transported to the Rogers Police Department for booking.

At approximately 1733 hours, Det. Hanna and I went to 8800 Pageant Drive and made contact with William. I informed William that his name came up in an investigation and asked him if his parents were home and he stated that they were not. I asked William for consent to search his vehicle (gold colored Nissan Altima) parked in front of his residence and his bedroom. William stated that he did not mind and got the keys to his vehicle. When we walked out to his vehicle, I informed him that his name came up regarding darts being shot at people and that we would like to look for any darts. William immediately stopped and stated that he did not want to consent to a search until his parents got home. I informed William that he was under arrest for Battery and placed him in handcuffs. The residence and vehicle were secured for a search warrant. William was transported to the Rogers Police Department. I made contact with his mother, Melinie Phillips and had her meet us at the police department so that we could speak with William. Upon arrival at the police department, Detective Brian Hanna and I conducted a

Mirandized interview with William and his mother. William stated that he wanted to tell me what happened and admitted to being involved with the dart shootings. William said that they were in Jeremy's vehicle on 9/21/2012 and that they went to Cabela's and bought the darts and a blow dart gun. He said that Jeremy was driving, he was in the passenger side seat, and EH was in the back seat. William said that he was attempting to hit the female in the leg when he shot a dart out of the window. He said that after he shot, he saw the dart rise and he knew that he hit the female when he heard her yell. He said that when they heard her yell, they sped away.

William said that on 09/26/12, he and Jeremy were in his vehicle, driving through the Belk parking lot. He said that Jeremy was in the passenger seat and he was driving. William said that Jeremy shot a dart out of his window, trying to hit a female. He said that he saw the female get struck by the dart, but said that it did not look like it went in very far. William said that they later heard about the female getting hit in the neck and they got scared and threw the blow gun out of his vehicle into a ditch. William said that some of the darts were still in his bedroom. I asked William how many people they had shot darts at on 09/21/12. He first said that they had only shot at the two females that reported it. When confronted about EH saying that they had shot at other people that night, William said that they had shot at approximately 5 to 6 people prior to hitting the female in the neck. I asked William why they were shooting at the people. He said that he thought that the darts would not penetrate very far and that they thought that it was funny to see them jump. William also admitted that he and Jeremy drove through the Sonic on New Hope Road on 09/26/12 and shot darts at the building. He insisted that they did not shoot at any people while at Sonic.

On Tuesday, October 2nd, 2012, at approximately 1250 hours, I received a call from Marshall Brown.. Marshall stated that he lives in the 3600 block of W. Beech Drive and stated that on Friday 9/21/12, he was standing out in his front yard when he felt something sting his arm. He said that when he looked down, he had been hit in the arm with a dart. Marshall said that he looked up and observed a white colored passenger vehicle driving away. He said that he did not report the incident at that time.

At approximately 1300 hours, I received a call from Kristen Hill. Kristen informed me that approximately three weeks ago, she was walking her dog in the Whispering Timber neighborhood when she felt something hit the back of her arm that hurt. She said that when she

looked back, she saw that she had been shot with a yellow colored paintball. She said that she did not see anyone around and she thought that someone shot her from one of the houses.

A check of Jeremy's criminal history shows that he had been arrest on 09/08/12 for Minor in Possession, by the Lowell Police Department.

Based on the foregoing, the State joins me in requesting that a bond in the amount of \$75,000 be placed on the Defendant, Jeremy Robert Hendrix: for the offenses of **Battery II (3 counts), Class D Felony, 5-13-202 / Battery III (2), Class A Misdemeanor, 5-13-203 / Engaging in Violent Criminal Group Activity, Enhancement, 5-74-108.**

Detective Larry Taylor
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(479) 621-1129

STATE OF ARKANSAS
COUNTY OF BENTON

Subscribed and sworn to before me this _____ day of _____, 2012.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

APPROVED:

Van Stone

PROSECUTING ATTORNEY